

April 19, 2013

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
April 19, 2013

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 10:30 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD MARCH 15, 2013

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD ON MARCH 15, 2013?

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.....	129.....	14
Agriculture	322.....	16
Arts Council	17.....	2
Capitol Development Board.....	47.....	0
Central Management Services.....	1,522.....	111
Children and Family Services	2,760.....	50
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	374.....	69
Commerce Commission	77.....	0
Corrections.....	10,921.....	105
Criminal Justice Authority	56.....	5
Deaf and Hard of Hearing Comm.....	6.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	86.....	5
Employment Security.....	1,655.....	31
Environmental Protection Agency.....	810.....	16
Financial & Professional Regulation.....	427.....	43
Gaming Board.....	142.....	6
Guardianship and Advocacy	102.....	7
Healthcare and Family Services	2,055.....	25
Historic Preservation Agency.....	162.....	14
Human Rights Commission.....	13.....	2
Human Rights Department.....	134.....	9
Human Services	11,382.....	77
Illinois Sentencing Policy Advisory Council.....	2.....	2
Insurance	236.....	17
Investment Board	3.....	2
Juvenile Justice.....	1,083.....	24
Labor.....	88.....	11
Labor Relations Board Educational.....	10.....	2
Labor Relations Board State.....	18.....	2
Law Enforcement Training & Standards Bd.	16.....	2
Lottery.....	141.....	7
Military Affairs	117.....	3
Natural Resources	1,074.....	27
Pollution Control Board	19.....	2
Prisoner Review Board.....	16.....	0
Property Tax Appeal Board.....	25.....	1
Public Health.....	1,071.....	40
Racing Board.....	3.....	1
Revenue.....	1,669.....	51
State Fire Marshal	129.....	12
State Police.....	1,092.....	7
State Police Merit Board	4.....	1
State Retirement Systems.....	98.....	2
Transportation	2,722.....	0
Veterans' Affairs.....	1,286.....	9
Workers' Compensation Commission.....	130.....	8
TOTALS	44,263.....	842

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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C1. Illinois Department of Natural Resources – Proposed Exemption

Position Number	40070-12-00-010-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of Conservation Resource Marketing
Functional Title	Office Director, Office of Conservation Resource Marketing
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

C2. Illinois Department of Natural Resources – Proposed Exemption

Position Number	40070-12-03-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of Millennium Reserve
Functional Title	Millennium Reserve Program Manager
Incumbent	Vacant
Supervisor	Chief of Staff, who reports to the Director
Location	Cook County

C3. Illinois Department of Natural Resources – Proposed Exemption

Position Number	40070-12-08-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of Information Services
Functional Title	Chief Information Officer
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

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

C1: Office Director, Office of Conservation Resource Marketing (DNR)

C2: Millennium Reserve Program Manager (DNR)

C3: Chief Information Officer (DNR)

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VI. CLASS SPECIFICATIONS

- None submitted.

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VII. 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?

VIII. RECONVENE THE REGULAR OPEN MEETING

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.

Agency	2/28/13	3/31/13	3/31/12
Aging	0	0	1
Central Management Services	0	0	0
Children and Family Services	3	2	2
Corrections	1	1	1
Employment Security	1	1	1
Healthcare and Family Services	2	2	3
Historic Preservation Agency	0	0	1
Human Services	0	1	1
Insurance	1	1	0
Natural Resources	1	2	8
Public Health	1	1	0
Revenue	5	4	0
State Fire Marshal	0	0	1
State Retirement Systems	1	1	0
Transportation	7	10	10
Veterans' Affairs	4	3	0
Totals	27	29	29

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X. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-1-13

Employee	George Beaton	Appeal Date	07/10/12
Agency	Corrections	Decision Date	04/04/13
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?

DA-25-13

Employee	Rajesh Ojha	Appeal Date	01/02/13
Agency	Environmental Protection Agency	Decision Date	04/04/13
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

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

S-15-13

Employee	Robin K. Reynolds	Appeal Date	10/22/12
Agency	Veterans' Affairs	Decision Date	04/04/13
Appeal Type	Suspension	Proposal for Decision	22-day suspension in lieu of 25-day suspension.
ALJ	Andrew Barris		

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

XI. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

DA-34-13

Employee	Marshall Chandler	Appeal Date	3/05/13
Agency	Human Services	Decision Date	3/22/13
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of the Commission; withdrawn to pursue grievance.
ALJ	Daniel Stralka		

DA-35-13

Employee	Shawn Wilcockson	Appeal Date	3/06/13
Agency	Natural Resources	Decision Date	4/04/13
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of the Commission; agency dismissed the written charges.
ALJ	Daniel Stralka		

**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 on Friday, May 17, 2013 at 1:00 p.m. in
the Commission's Springfield office.**

XIV. MOTION TO ADJOURN