

April 20, 2017

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
APRIL 20, 2017

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 N. LASALLE ST., SUITE S-901, CHICAGO, IL AND 607 E. ADAMS ST., SUITE 801, SPRINGFIELD, IL BY INTERACTIVE VIDEO CONFERENCE

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD MARCH 17, 2017

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD MARCH 17, 2017?**

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.....	143.....	19
Agriculture .....	305.....	20
Arts Council .....	9.....	2
Capitol Development Board .....	42.....	0
Central Management Services .....	1,293.....	97
Children and Family Services.....	2,536.....	54
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	286.....	71
Commerce Commission .....	58.....	0
Corrections .....	11,747.....	109
Criminal Justice Authority.....	53.....	7
Deaf and Hard of Hearing Comm.....	5.....	1
Developmental Disabilities Council .....	8.....	1
Emergency Management Agency.....	64.....	8
Employment Security .....	1,049.....	31
Environmental Protection Agency.....	647.....	18
Financial & Professional Regulation .....	397.....	49
Gaming Board .....	167.....	6
Guardianship and Advocacy .....	93.....	8
Healthcare and Family Services .....	1,856.....	27
Historic Preservation Agency.....	126.....	17
Human Rights Commission.....	14.....	2
Human Rights Department .....	120.....	10
Human Services.....	12,537.....	82
Illinois Torture Inquiry Relief Commission .....	3.....	1
Independent Tax Tribunal .....	1.....	0
Innovation and Technology .....	32.....	17
Insurance .....	223.....	17
Investment Board .....	3.....	2
Juvenile Justice.....	971.....	28
Labor .....	79.....	12
Labor Relations Board Educational.....	7.....	3
Labor Relations Board State.....	13.....	2
Law Enforcement Training & Standards Bd. ....	21.....	2
Lottery .....	142.....	8
Military Affairs.....	123.....	3
Natural Resources.....	1,028.....	32
Pollution Control Board .....	17.....	2
Prisoner Review Board.....	21.....	1
Property Tax Appeal Board.....	29.....	1
Public Health .....	1,051.....	42
Racing Board.....	2.....	1
Revenue.....	1,410.....	48
State Fire Marshal .....	115.....	12
State Police.....	959.....	10
State Police Merit Board .....	7.....	2
State Retirement Systems .....	100.....	3
Transportation .....	3,163.....	0
Veterans' Affairs .....	1,252.....	11
Workers' Compensation Commission.....	118.....	12
<b>TOTALS.....</b>	<b>44,449.....</b>	<b>911</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. Illinois Department on Aging – proposed exemption**

Position Number	40070-47-00-100-00-01
Functional Title	State Ombudsman Program Administrator
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

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

**D. Illinois Law Enforcement Training and Standards Board – proposed exemption**

Position Number	40070-50-88-000-01-03
Functional Title	Deputy Director, Field Operations
Incumbent	Vacant
Supervisor	Executive Director
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position 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 POSITION?**

- C: State Ombudsman Program Administrator (DOA)**
- D: Deputy Director, Field Operations (LETSB)**

**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 were submitted for abolishment, creation and revision by the Director of the Illinois Department of Central Management Services (CMS):

**B. Dietary Manager I (revise)  
Dietary Manager II (revise)**

**CMS Analysis:** “At the request of the Department of Veterans Affairs (DVA), the Department of Central Management Services Bureau of Personnel, Division of Technical Services Class Studies Unit (DCMS) proposes to add ‘May require possession of a valid certificate as a Certified Dietary Manager’ to the Education and Experience sections of the Dietary Manager I and II class specifications such that a successful applicant to a position allocated to either of these classes within the DVA must possess a valid certificate as a Certified Dietary Manager (CDM). This certification will give assurances that the candidates have been trained and have knowledge in how to properly run a food service kitchen; meet the regulatory requirements of the Administrative Rules, Title 77, section 340 (Food Preparation Service) and section 750 (Food Service Sanitation); and meet the local health department requirements that are in almost all of the counties in Illinois. The Association of Nutrition and Foodservice Professionals (ANFP) issues the Certified Dietary Manager certificate. It is accredited by the National Commission for Certifying Agencies (NCCA).

A Certified Dietary Manager has the education, training, and experience to competently perform the responsibilities of a dietary manager and has proven this by passing a nationally recognized credentialing exam and fulfilling the requirements needed to maintain certified status. A CDM is an expert at managing dietary operations, trained and qualified to administer menus, food purchasing, and food preparation; and apply nutrition principles, document nutrition information, ensure food safety, and manage work teams.

The rationale to require the certification of some positions and not others results from consultations with the Department of Human Services (DHS), which also employs Dietary Manager I and II positions. The DHS does not wish at this time to require the CDM certification of the positions employed at DHS facilities. As a compromise, the inclusion of the ‘may require...’ statement will allow flexibility in hiring to suit the differing needs of the two agencies, while continuing to utilize the same class specification standard.”

**C. Educator Trainee (abolish)**

**CMS Analysis:** “The Educator Trainee class specification became effective on June 1, 2011. The class was developed with the intention of creating a ‘level playing field’ for State of Illinois agencies utilizing Educator positions in their recruitment of new educators. User agencies felt disadvantaged in their recruiting efforts because school

districts not in state government could discuss employment conditions with prospective candidates prior to college graduation and certification as an educator, which includes student teachers assigned to these district schools. Conversely, candidacy for state agency educator positions was not possible until after graduation from an educator program after which a lengthy hiring process of application examination, interview and selection ensued. Consequently, new or soon-to-be-graduating educators accepted hiring commitments/contracts from school districts not in state government before state agencies could compete for their services.

The Desirable Requirements content of the Educator Trainee class specification was developed as an attempt to attract the interest of soon-to-be qualified applicants to state employment opportunities. The requirements state ‘Requires completion of all coursework necessary to obtain a teaching certificate, but not including student teaching.’ In theory, state agencies could then hire candidates into the Educator Trainee class before the candidates completed their student teaching and, upon certification/licensure by the Illinois State Board of Education (ISBE), promote the individuals to the targeted class of Educator. It was with these ideals in mind that the class was proposed and approved. However, fair and equitable processes and procedures by which the CMS Division of Examining and Counseling staff could verify the credentials of applicants proved to be un-implementable after several attempts to come up with viable solutions. Additionally, we were eventually informed by ISBE staff that only student teachers who already possess an Educator's license (Professional Educator License, Educator License with Stipulations, substitute teaching license) may be compensated. The Educator Trainee class specification remains unused due to these procedural obstacles.

In the meantime, a solution of another sort was developed to assist state agencies in expediting the hiring process of educators. Legislation (Public Act 099-0045) was enacted to grant positions subject to the School Code (105 ILCS 5/) at the Department of Juvenile Justice and The Department of Human Services Illinois School for the Deaf and the Illinois School for the Visually Impaired partial exemptions from jurisdiction B of the Personnel Code under 4(d)5 of the Code. Since this legislation has provided an alternative method by which state agencies can advance with educator hiring, we propose that the Educator Trainee class be abolished.”

**D. Foreign Service Economic Development Representative (abolish)**  
**Foreign Service Economic Development Executive I (revise)**  
**Foreign Service Economic Development Executive II (revise)**

**CMS analysis:** “The Department of Central Management Services (DCMS), Bureau of Personnel, Division of Technical Services has instituted procedures to examine each of the class specifications currently active in the State of Illinois Classification Plan. In the interest of fulfilling the mandate to administer the Position Classification Plan found in Title 80, Subchapter B, Chapter I, Part 320 of the Illinois Administrative Code, the DCMS Class Studies Unit has launched a comprehensive update strategy for all classes and the featured objectives are: a) to reduce the number of class specifications that have lain dormant or disused (i.e., classes with no incumbents for at least two years or classes without established positions) by abolishing the classes that are identified as such; or b) to

bring up-to-date all content of each class specification under the Personnel Code that is currently in use by various state agencies.

The DCMS Division of Technical Services Class Studies Unit has conducted a review of the Foreign Service Economic Development Executive I and Foreign Service Economic Development Executive II class specifications as titles that fall under the objectives indicated above. The class specifications and corresponding allocated positions have been reviewed in consultation with the user agencies to clarify the content and reflect the most current position functions, requirements and terminology. A review of the Foreign Service Economic Development Representative class indicates that this title has not been used since 1/31/1990 nor has a future need been expressed by the user agency to warrant retaining this class, therefore this class specification is recommended to be abolished.”

**E. Insurance Performance Examiner Trainee (create)**  
**Insurance Performance Examiner I (revise)**  
**Insurance Performance Examiner II (revise)**  
**Insurance Performance Examiner III (revise)**

**CMS Analysis:** “The Illinois Department of Insurance (IDOI) has expressed a need to the Department of Central Management Services (DCMS), Bureau of Personnel, Division of Technical Services, to include language, under the ‘Examples of Work’ and ‘Knowledge, Skills and Abilities’ sections in the class specifications for Insurance Performance Examiner I, Insurance Performance Examiner II and Insurance Performance Examiner III, that will express and clearly define the frequent and extensive in-state and out-of-state travel requirements, which are necessary for each incumbent to adequately and efficiently perform the position functions for this series. These classes are designed to conduct examinations of an insurance company's rates and rating procedures by obtaining access to related documents at the company's physical location. This aspect of the examination process determines the necessity for extensive travel to allow for the completion of an examination in an efficient and timely manner. The class specifications for this series were also updated overall to reflect the most current position functions utilized at each level within the agency.

The IDOI has also expressed a need for a new trainee level for this series with a minimum requirement of a bachelor's degree with coursework relating to the insurance and business fields and no previous work experience. This new trainee would allow the agency to recruit and specifically train incumbents in the unique and varied position functions that are required and necessary to effectively perform and complete an insurance company examination.”

**F. Research Scientist I (revise)**  
**Research Scientist II (revise)**  
**Research Scientist III (revise)**

**CMS Analysis:** “The Department of Central Management Services (DCMS), Bureau of Personnel, Division of Technical Services has instituted procedures to examine each of the class specifications currently active in the State of Illinois Classification Plan. In the

interest of fulfilling the mandate to administer the Position Classification Plan found in Title 80, Subchapter B, Chapter I, Part 320 of the Illinois Administrative Code, the DCMS Class Studies Unit has launched a comprehensive update strategy for all classes and the feature objectives are to: a) reduce the number of class specifications that have lain dormant or disused (i.e., classes with no incumbents for at least two years or classes without established positions) by abolishing the classes that are identified as such; and b) systematically bring up-to-date all content of each class specification under the Personnel Code that is in use by various state agencies.

The Division of Technical Services Class Studies Unit has conducted a review of the Research Scientist I, II and III within the Classification Plan, to bring up-to-date any language in these class specifications that refers to technology which is no longer used or position functions that are no longer being utilized by the agencies. This review has resulted in updating and clarifying this language to reflect the most current functions utilized and to clarify the minimum education requirements that an incumbent would need to effectively perform these duties.

The Illinois Department of Corrections had expressed a need to revise the minimum education requirements for the Research Scientist I class to require the incumbents to have obtained an awarded Bachelor's degree in a related field of study, which would replace the current requirement of the equivalency to four years of college. Since a professional degree has been proposed for the minimum educational requirement, a compensation analysis was initiated to determine whether this change would warrant a change in compensation for this class.

The Illinois Department of Public Health had proposed a revision to the education and experience requirement for the Research Scientist III class to allow for a related Master's degree and three years of professional research experience to qualify an incumbent for this level. Currently, the minimum educational requirement for this class is a Doctoral degree or a medical degree and one year of professional research experience. Since the combination of education and experience has not changed, a compensation analysis was not warranted.”

**WILL THE COMMISSION APPROVE THE ABOLISHMENT, CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE MAY 1, 2017?**

- B. Dietary Manager I (revise)  
Dietary Manager II (revise)**
- C. Educator Trainee (abolish)**
- D. Foreign Service Economic Development Representative (abolish)  
Foreign Service Economic Development Executive I (revise)  
Foreign Service Economic Development Executive II (revise)**



- E. Insurance Performance Examiner Trainee (create)**
  - Insurance Performance Examiner I (revise)**
  - Insurance Performance Examiner II (revise)**
  - Insurance Performance Examiner III (revise)**
  
- F. Research Scientist I (revise)**
  - Research Scientist II (revise)**
  - Research Scientist III (revise)**

**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. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	2/28/17	3/31/17	3/31/16
Agriculture	0	0	1
Central Management Services	0	0	4
Children and Family Services	0	0	1
Employment Security	0	0	1
Financial and Professional Regulation	0	0	1
Healthcare and Family Services	0	0	3
Human Services	1	1	11
Insurance	0	0	2
Natural Resources	2	2	6
State Police	0	0	1
State Retirement Systems	2	0	5
Transportation	14	18	5
Workers' Compensation Commission	0	0	1
<b>Totals</b>	19	21	42

XI. INTERLOCUTORY APPEALS

**DA-45-16**

Employee	Adoiya Watkins	Appeal Date	4/13/16
Agency	Human Services	Decision Date	4/07/17
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Failure to appear at hearing date and to file materials	Proposal for Decision	Dismissed for default, subject to approval of Commission.

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

**DA-30-17**

Employee	LaVenia Readus	Appeal Date	1/11/17
Agency	Human Services	Decision Date	4/07/17
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Motion to Dismiss for no jurisdiction (failure to timely file discharge appeal)	Proposal for Decision	Grant Motion to Dismiss for no jurisdiction, subject to approval of Commission.

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

XII. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

**DA-37-17**

Employee	David A. Ratkovich	Appeal Date	3/02/17
Agency	Human Services	Decision Date	3/13/17
Appeal Type	Discharge	Proposal for Decision	Dismissed; withdrawn.
ALJ	Daniel Stralka		

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

XIII. STAFF REPORT

XIV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held at 11:00 a.m. on Friday, May 19, 2017.**

XV. MOTION TO ADJOURN