

May 16, 2019

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
MAY 16, 2019

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

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD APRIL 18, 2019

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD APRIL 18, 2019?

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>
Abraham Lincoln Presidential Library & Museum	73	11
Aging.....	133	18
Agriculture	334	17
Arts Council	14	2
Capitol Development Board.....	34	0
Central Management Services	888	49
Children and Family Services.....	2,685	53
Civil Service Commission.....	3	0
Commerce & Economic Opportunity	224	52
Commerce Commission	53	0
Corrections	12,892	107
Criminal Justice Authority.....	53	6
Deaf and Hard of Hearing Comm.....	4	1
Developmental Disabilities Council	5	1
Emergency Management Agency.....	70	10
Employment Security	1,096	28
Environmental Protection Agency.....	603	17
Financial & Professional Regulation.....	395	47
Gaming Board	150	9
Guardianship and Advocacy	98	8
Healthcare and Family Services	1,557	29
Human Rights Commission.....	15	2
Human Rights Department	119	10
Human Services.....	12,764	80
Illinois Torture Inquiry Relief Commission	3	1
Independent Tax Tribunal	1	0
Innovation and Technology	1,230	57
Insurance	210	16
Investment Board	3	2
Juvenile Justice.....	911	29
Labor	74	11
Labor Relations Board Educational.....	11	3
Labor Relations Board State.....	14	2
Law Enforcement Training & Standards Bd.	20	3
Lottery	146	7
Military Affairs.....	135	3
Natural Resources.....	1,179	28
Pollution Control Board	16	2
Prisoner Review Board.....	22	1
Property Tax Appeal Board.....	38	2
Public Health	1,129	42
Racing Board.....	3	1
Revenue.....	1,490	45
State Fire Marshal	129	6
State Police.....	956	8
State Police Merit Board	6	2
State Retirement Systems	100	3
Transportation	3,690	0
Veterans' Affairs	1,233	9
Workers' Compensation Commission.....	108	12
TOTALS.....	47,119.....	852

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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C. Illinois Dept. of Central Management Services – proposed exemption (continued from April 18, 2019 meeting)

Position Number	40070-37-70-110-00-01
Functional Title	Senior Labor Relations Counsel
Incumbent	Vacant
Supervisor	Deputy General Counsel, Labor Relations who reports to the General Counsel who reports to the Director
Location	Sangamon County

D. Illinois Dept. of Human Rights – proposed exemption (continued from April 18, 2019 meeting)

Position Number	40070-49-50-100-10-02
Functional Title	Chief Litigation Attorney-Fair Housing
Incumbent	Vacant
Supervisor	Chief Legal Counsel who reports to the Director
Location	Cook County

CMS recommendation: “As a result of the Shakman litigation and the subsequent review of exempt positions by the Shakman Special Master, OEIG’s Hiring and Employment Monitoring Unit (HEM), and the Department of Central Management Services, the Acting Director is recommending 4d(3) exemption for the positions [above].”

E. Illinois Department of Human Services – proposed exemption

Position Number	40070-10-40-000-00-01 ^A
Functional Title	Director, Alcoholism and Substance Abuse Division
Incumbent	Danielle Kirby
Supervisor	Assistant Secretary who reports to the Secretary
Location	Cook 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...retroactive to the date of rescission effective 8-22-16.”

F. Abraham Lincoln Presidential Library and Museum – proposed exemption

Position Number	40070-19-10-180-00-01
Functional Title	Chief Fiscal Officer
Incumbent	Ed Harmeyer
Supervisor	Chief of Staff who reports to the Executive Director
Location	Sangamon County

^A The 4d(3) exemption for this position was rescinded on August 22, 2016.

G1. Illinois Department of Children and Family Services – proposed exemption

Position Number	37015-16-05-400-00-01
Functional Title	Chief, Asian-American Services
Incumbent	Marjorie Moore
Supervisor	Deputy Director of Affirmative Action who reports to the Director
Location	Cook County

G2. Illinois Department of Children and Family Services – proposed exemption

Position Number	37015-16-07-100-00-01
Functional Title	Chief Labor Relations Administrator
Incumbent	Pete Wessel
Supervisor	Deputy Director who reports to Senior Deputy Director who reports to the Director
Location	St. Clair County

G3. Illinois Department of Children and Family Services – proposed exemption

Position Number	40070-16-00-400-00-01
Functional Title	Chief Accountability Officer
Incumbent	Derek Hobson
Supervisor	Director
Location	St. Clair County

H. Illinois Criminal Justice Information Authority – proposed exemption

Position Number	37015-50-05-000-10-01
Functional Title	Strategic Policy Advisor
Incumbent	Bryant Jackson-Green
Supervisor	Executive Director
Location	Cook

I. Illinois Emergency Management Agency – proposed exemption

Position Number	37015-50-17-500-50-01
Functional Title	Manager, Field Operations
Incumbent	Brian Brackemyer
Supervisor	Chief of Operations who reports to the Director
Location	Lee County

J. Illinois Environmental Protection Agency – proposed exemption

Position Number	40070-46-00-020-00-01
Functional Title	Manager, Division of Administration
Incumbent	Pam Smith
Supervisor	Chief of Staff who reports to the Director
Location	Sangamon County

K. Illinois Department of Financial and Professional Regulation – proposed exemption

Position Number	40070-13-01-200-00-01
Functional Title	Labor Relations Director
Incumbent	Lorenzo Roberson
Supervisor	General Counsel who reports to the Secretary
Location	Cook County

L. Illinois Department of Human Rights – proposed exemption

Position Number	37015-49-01-000-00-01
Functional Title	Special Assistant to the Deputy Director
Incumbent	Martin Duncan
Supervisor	Deputy Director who reports to the Director
Location	Cook County

M1. Illinois Department of Human Services – proposed exemption

Position Number	40070-10-11-600-00-01
Functional Title	Chief Labor Relations Administrator
Incumbent	Lori Simmons
Supervisor	Human Resources Director who reports to the Assistant Secretary who reports to the Secretary
Location	Sangamon County

M2. Illinois Department of Human Services – proposed exemption

Position Number	40070-10-66-010-00-01
Functional Title	Assistant Director, Developmental Disabilities
Incumbent	Kathleen Ward
Supervisor	Director of Developmental Disabilities who reports to the Assistant Secretary who reports to the Secretary
Location	Sangamon County

M3. Illinois Department of Human Services – proposed exemption

Position Number	40070-10-66-200-10-01
Functional Title	Associate Deputy Director-Developmental Disabilities
Incumbent	Tiffany Bailey
Supervisor	Deputy Director, Developmental Disabilities who reports to the Assistant Secretary who reports to the Secretary
Location	Lee County

M4. Illinois Department of Human Services – proposed exemption

Position Number	40070-10-00-000-15-01
Functional Title	Healthcare/Human Services Liaison
Incumbent	Vacant
Supervisor	Secretary
Location	Cook County

N. Illinois Department of Innovation and Technology – proposed exemption

Position Number	40070-28-72-000-00-01
Functional Title	Chief Information Officer-ISP
Incumbent	Darrin Turner
Supervisor	Public Safety Cluster Chief Information Officer who reports to the Secretary
Location	Sangamon County

O1. Illinois Department of Insurance – proposed exemption

Position Number	37015-14-24-300-00-01
Functional Title	Human Resources Manager
Incumbent	Catherine Lacey
Supervisor	Chief Operating Officer who reports to the Director
Location	Sangamon County

O2. Illinois Department of Insurance – proposed exemption

Position Number	37015-14-24-300-40-01
Functional Title	Labor Relations Manager
Incumbent	Vacant
Supervisor	Human Resources Manager who reports to the Chief Operating Officer who reports to the Director
Location	Sangamon County

P. Illinois Department of Juvenile Justice – proposed exemption

Position Number	40070-27-10-000-00-02
Functional Title	Assistant School District Superintendent
Incumbent	Tresa Dunbar
Supervisor	School District Superintendent who reports to the Deputy Director, Program Services, who reports to the Director
Location	Cook County

Q1. Illinois Department of Revenue/Liquor Control Commission – proposed exemption

Position Number	40070-25-71-300-00-01
Functional Title	Chief Fiscal Officer
Incumbent	Vacant
Supervisor	Executive Director, Liquor Control Commission
Location	Sangamon County

Q2. Illinois Department of Revenue/Liquor Control Commission – proposed exemption

Position Number	37015-25-71-400-00-01
Functional Title	Human Resource & Labor Relations Manager
Incumbent	Vacant
Supervisor	Executive Director, Liquor Control Commission
Location	Sangamon County

R. Illinois Department of Lottery – proposed exemption

Position Number	37015-45-00-110-00-01
Functional Title	Labor Relations/HR Manager/EEO Officer
Incumbent	Pete Romano
Supervisor	Chief of Staff who reports to the Director
Location	Sangamon County

S. Illinois Department of Natural Resources – proposed exemption

Position Number	37015-12-00-730-00-01
Functional Title	Chief Labor Relations Administrator
Incumbent	Chris Gasperin
Supervisor	Human Resources Director who reports to the Chief of Staff who reports to the Director
Location	Sangamon County

T. Illinois Property Tax Appeal Board – proposed exemption

Position Number	40070-50-48-600-00-51
Functional Title	Chief Administrative Law Judge-Hearings Division
Incumbent	Steve Waggoner
Supervisor	Executive Director
Location	Sangamon County

U. Illinois State Fire Marshal – proposed exemption

Position Number	37015-50-05-000-00-84
Functional Title	Public Information Officer
Incumbent	Vacant
Supervisor	State Fire Marshal
Location	Sangamon County

V1. Illinois Department of Transportation – proposed exemption

Position Number	40070-23-00-000-00-05
Functional Title	Deputy Secretary-Communications/Legislative Affairs
Incumbent	Vacant
Supervisor	Chief of Staff who reports to the Secretary
Location	Sangamon County

V2. Illinois Department of Transportation – proposed exemption

Position Number	37015-23-15-100-00-01
Functional Title	Bureau Chief, State Legislative Affairs
Incumbent	Vacant
Supervisor	Director, Legislative Affairs who reports to the Deputy Secretary-Communications/Legislative Affairs, who reports to the Chief of Staff who reports to the Secretary
Location	Sangamon County

V3. Illinois Department of Transportation – proposed exemption

Position Number	37015-23-15-300-00-01
Functional Title	Bureau Chief, Federal Legislative Affairs
Incumbent	Vacant
Supervisor	Director, Legislative Affairs who reports to the Deputy Secretary-Communications/Legislative Affairs, who reports to the Chief of Staff who reports to the Secretary
Location	Sangamon County

W1. Illinois Department of Veterans’ Affairs – proposed exemption

Position Number	37015-34-00-000-00-05
Functional Title	Labor Relations Administrator
Incumbent	Lisa Tisdale
Supervisor	Chief of Staff who reports to the Director
Location	Sangamon County

W2. Illinois Department of Veterans’ Affairs – proposed exemption

Position Number	40070-34-00-210-00-01
Functional Title	Deputy General Counsel
Incumbent	Matthew Eddington
Supervisor	General Counsel who reports to the Director
Location	Cook County

CMS recommendation: “As a result of the Shakman litigation and the subsequent review of exempt positions by the Shakman Special Master, OEIG’s Hiring and Employment Monitoring Unit (HEM), and the Department of Central Management Services, the Acting Director is recommending 4d(3) exemption for the positions [above].”

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

- C: Senior Labor Relations Counsel (CMS)**
- D: Chief Litigation Attorney-Fair Housing (DHR)**
- E: Director, Alcoholism and Substance Abuse Division (DHS)**
- F: Chief Fiscal Officer (ALPLM)**
- G1: Chief, Asian American Services (DCFS)**
- G2: Chief Labor Relations Administrator (DCFS)**
- G3: Chief Accountability Officer (DCFS)**
- H: Strategic Policy Advisor (CJIA)**
- I: Manager, Field Operations (EMA)**
- J: Manager, Division of Administration (EPA)**
- K: Labor Relations Director (FPR)**
- L: Special Assistant to Deputy Director (DHR)**
- M1: Chief Labor Relations Administrator (DHS)**
- M2: Assistant Director- Developmental Disabilities (DHS)**
- M3: Associate Deputy Director-Developmental Disabilities (DHS)**

- M4: Healthcare/Human Services Liaison (DHS)**
- N: Chief Information Officer-ISP (DoIT)**
- O1: Human Resource Manager (INS)**
- O2: Labor Relations Manager (INS)**
- P: Assistant School District Superintendent (DJJ)**
- Q1: Chief Fiscal Officer (LCC)**
- Q2: Human Resource & Labor Relations Manager (LCC)**
- R: Labor Relations/HR Manager/EEO Officer (LOT)**
- S: Chief Labor Relations Administrator (DNR)**
- T: Chief Administrative Law Judge - Hearings Division (PTAB)**
- U: Public Information Officer (SFM)**
- V1: Deputy Secretary-Communications/Legislative Affairs (DOT)**
- V2: Bureau Chief, State Legislative Affairs (DOT)**
- V3: Bureau Chief, Federal Legislative Affairs (DOT)**
- W1: Labor Relations Administrator (DVA)**
- W2: Deputy General Counsel (DVA)**

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

On February 28, 2019 and March 28, 2019, the Director of Central Management Services sent notice that she was recommending rescission of several Section 4d(3) exempt positions which may no longer meet the requirements for exemption. Each affected agency was provided notice of the recommended actions. On April 16, 2019 the Commission sent notice of proposed rescissions to Central Management Services. Each affected agency was provided notice of the recommended actions. The following is a list of these positions that will now be put forth before the Commission for formal consideration of rescission of their exemption, including two positions that have been continued from previous meetings.

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
X	DOC	40070-29-40-210-00-01 Continued from April 18, 2019	Assistant Deputy Director- Functional Processes	Vacant
Y	DNR	40070-12-04-000-00-01 Continued from April 18, 2019	Executive Director-World Shooting & Recreation Complex	Monica Brackman
Z	LOT	40070-45-02-100-00-01	Deputy General Counsel	Vacant
AA	DCFS	00501-16-68-000-01-01	Legislative Liaison	Vacant
BB	DoIT	40070-28-11-100-00-01	Budget Director	Vacant

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

- X: Assistant Deputy Director-Functional Processes (DOC)
(continued from April 18, 2019 meeting)**
- Y: Executive Director-World Shooting & Recreational Complex (DNR)
(continued from April 18, 2019 meeting)**
- Z: Deputy General Counsel (LOT)**
- AA: Legislative Liaison (DCFS)**
- BB: Budget Director (DoIT)**

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;

May 16, 2019

- 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.

B. None submitted

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?

May 16, 2019

IX. RECONVENE THE REGULAR OPEN MEETING

X. INTERLOCUTORY APPEAL

D-9-19

Employee	Susanna E. Grimaldo	Appeal Date	10/12/18
Agency	Human Services	Decision Date	04/29/19
Appeal Type	Demotion	Proposal for Decision	Grant Motion to Dismiss for no jurisdiction.
ALJ	Daniel Stralka		

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

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-5-19

Employee	Rixie H. Davis	Appeal Date	8/18/18
Agency	Corrections	Decision Date	5/03/19
Appeal Type	Discharge	Proposal for Decision	60-day suspension plus duration of suspension pending discharge
ALJ	Daniel Stralka		

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

S-11-19

Employee	Tracee M. Clark	Appeal Date	11/26/18
Agency	Human Services	Decision Date	05/03/19
Appeal Type	Suspension	Proposal for Decision	Uphold suspension.
ALJ	Andrew Barris		

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

May 16, 2019

XII. APPEALS TERMINATED WITHOUT DECISIONS ON THE MERITS

DA-7-17

Employee	Ester Martin	Appeal Date	7/28/16
Agency	Corrections	Decision Date	5/01/19
Appeal Type	Discharge	Proposal for Decision	Dismissed; settled.
ALJ	Andrew Barris		

DA-24-19

Employee	Tamala Clayton	Appeal Date	4/01/19
Agency	Veterans' Affairs	Decision Date	4/19/19
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 Thursday, June 20, 2019 in the Chicago and Springfield offices of the Commission by interactive video conference.

XV. MOTION TO ADJOURN