

May 17, 2018

REGULAR MEETING MINUTES  
ILLINOIS CIVIL SERVICE COMMISSION  
May 17, 2018

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:06 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

Chairman Timothy D. Sickmeyer; G.A. Finch, David Luechtefeld, Jane Ryan, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director, Andrew Barris, Assistant Executive Director, and Sabrina Johnson, Exemption Monitor; and Mark Mierzejewski and Chris Nichols, Illinois Department of Central Management Services.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD APRIL 19, 2018

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 5-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD APRIL 19, 2018.**

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, Assistant Executive Director Andrew Barris offered an opportunity for any person to address members of the Commission. Hearing no response, the meeting proceeded to the next agenda item.

May 17, 2018

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Report on Exempt Positions from Department of Central Management Services**

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Abraham Lincoln Presidential Library & Museum .....	66	13
Aging.....	137	19
Agriculture .....	324	18
Arts Council .....	12	2
Capitol Development Board.....	31	0
Central Management Services .....	863	66
Children and Family Services.....	2,579	53
Civil Service Commission .....	3	0
Commerce & Economic Opportunity .....	247	66
Commerce Commission .....	58	0
Corrections .....	12,162	110
Criminal Justice Authority.....	48	7
Deaf and Hard of Hearing Comm.....	3	1
Developmental Disabilities Council .....	6	1
Emergency Management Agency.....	62	8
Employment Security .....	1,062	29
Environmental Protection Agency.....	603	18
Financial & Professional Regulation.....	367	48
Gaming Board .....	145	5
Guardianship and Advocacy .....	101	8
Healthcare and Family Services .....	1,591	26
Human Rights Commission.....	14	2
Human Rights Department .....	116	10
Human Services.....	12,769	80
Illinois Torture Inquiry Relief Commission .....	3	1
Independent Tax Tribunal .....	1	0
Innovation and Technology .....	1,262	60
Insurance .....	209	17
Investment Board .....	5	2
Juvenile Justice.....	942	28
Labor .....	73	11
Labor Relations Board Educational.....	9	3
Labor Relations Board State.....	13	2
Law Enforcement Training & Standards Bd. ....	23	3
Lottery .....	137	8
Military Affairs.....	132	3
Natural Resources.....	1,097	34
Pollution Control Board .....	18	2
Prisoner Review Board.....	18	1
Property Tax Appeal Board.....	33	1
Public Health .....	1,098	40
Racing Board.....	2	1
Revenue.....	1,402	45
State Fire Marshal .....	124	11
State Police.....	918	10
State Police Merit Board .....	7	2
State Retirement Systems .....	93	3
Transportation .....	2,162	0
Veterans' Affairs .....	1,264	10
Workers' Compensation Commission.....	115	11
TOTALS.....	44,529	899

**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. None submitted**

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:

**B. Corrections Treatment Counselor Trainee (create)  
Corrections Treatment Counselor (create)**

**C. Child Welfare Staff Development Coordinator I (abolish)  
Child Welfare Staff Development Coordinator II (abolish)  
Child Welfare Staff Development Coordinator III (abolish)  
Child Welfare Staff Development Coordinator IV (revise)**

- Regarding Item B, prior to the meeting Assistant Executive Director Barris inquired of CMS Technical Services why the creation of these classes was necessary when there are so many other classes that seem to address the same issues, including but not limited to, Corrections Counselors 1, 2, and 3, Corrections Leisure Activities 1, 2, 3, and 4, Corrections Residence Counselor 1 and 2, Corrections Treatment Officer, Corrections Treatment Officer Trainee, Corrections Treatment Officer Supervisor, Corrections Treatment Senior Security Supervisor, not to mention all the classes at Juvenile Justice. Barris noted that the Department of Corrections (DOC) also had a least one 4d(3) position that addressed the issue of recidivism. Chris Nickols, Central Management Services Technical Services, responded to the inquiry stating that the Classification Analysis provides a good background as to why the DOC has requested these classes. Settlement agreements resulting from court cases including Rasho vs. Baldwin have obliged the DOC and the State of Illinois to acknowledge that the availability and provision of behavioral and mental health services to offenders prior to the Rasho settlement agreement was inadequate. Thus, the organization and staffing of programs

prior to Rasho (which includes the utilization and deployment of several classes of positions) was deemed insufficient. In response to behavioral science research, the DOC is making an earnest effort to globally expand the availability of these services and enhance the interactions of offenders with DOC personnel. It has been demonstrated to CMS that DOC needs new classes of positions such as the Corrections Treatment Officer series and this proposed Corrections Treatment Counselor series which must be populated by trained and/or experienced individuals possessing education and experience backgrounds in clinical facets of behavioral and mental health treatment to provide inclusive restorative and rehabilitative assistance and services to offenders. Nickols reiterated that the previous classes did not focus on treatment but now there is a full program to focus on treatment. Commissioner Ryan inquired if the positions in the class were more treatment officers than guards and Nickols indicated that was the intention of the proposed classes. Commissioner Luechtefeld asked if the previous classes had moved away from treatment for prisoners and Nickols indicated that they had and that was the need for the proposed classes to address this need per the settlement agreement in Rasho. Mark Mierzejewski, a Human Resources Specialist at CMS Technical Services, indicated that the other classes referenced above had non-clinical, social responsibilities as opposed to treatment responsibilities.

- Regarding Item C, Barris noted that the last time these classes had been revised was in 1971 and inquired if the classification study of these classes was part of CMS Technical Services' effort to clean up outdated classes. Chris Nickols indicated that it was intended to clean up the classes as well as updating professional requirements such as requiring a bachelor's degree. Commissioner Ryan asked if the proposed abolishment would leave only one class left and Nickols indicated that would be the result.

The abolishments, revision and creations of the proposed classes in Items B and C were agreed to through collective bargaining.

**IT WAS MOVED BY COMMISSIONER RYAN, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 5-0 TO APPROVE THE ABOLISHMENT, CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON JUNE 1, 2018:**

- B. Corrections Treatment Counselor Trainee (create)**  
**Corrections Treatment Counselor (create)**
  
- C. Child Welfare Staff Development Coordinator I (abolish)**  
**Child Welfare Staff Development Coordinator II (abolish)**  
**Child Welfare Staff Development Coordinator III (abolish)**  
**Child Welfare Staff Development Coordinator IV (revise)**

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.**

May 17, 2018

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**

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER RYAN, AND THE MOTION ADOPTED 5-0 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 URLACHER, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 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>RYAN</b>	<b>YES</b>
<b>URLACHER</b>	<b>YES</b>		

May 17, 2018

IX. RECONVENE THE OPEN MEETING

Upon due and proper notice, the regular open meeting of the Illinois Civil Service Commission was reconvened at 160 N. LaSalle Street, Suite S-901, Chicago, Illinois and 607 E. Adams Street, Suite 801, Springfield, Illinois by interactive video conference at 11:48 a.m.

PRESENT

Chairman Timothy D. Sickmeyer; G.A. Finch, David Luechtefeld, Jane Ryan, and Casey Urlacher, Commissioners; and Daniel Stralka, Executive Director, Andrew Barris, Assistant Executive Director, and Sabrina Johnson, Exemption Monitor.

X. NON-MERIT APPOINTMENT REPORT

Set forth below is the number of consecutive non-merit appointments in each agency as reported by Central Management Services.

Agency	3/31/18	4/30/18	4/30/17
Aging	1	1	0
Agriculture	0	0	1
Arts Council	2	0	0
Central Management Services	2	1	3
Children and Family Services	1	1	1
Commerce and Economic Opportunity	1	1	1
Corrections	0	1	0
Employment Security	7	2	0
Financial and Professional Regulation	1	1	1
Guardianship & Advocacy	1	1	1
Healthcare and Family Services	6	4	6
Human Rights Department	0	1	0
Human Services	18	16	14
Innovation & Technology	7	6	0
Insurance	1	1	0
Juvenile Justice	0	0	1
Labor Relations Board-Educational	2	1	0
Natural Resources	19	9	9
Property Tax Appeal Board	3	3	1
Public Health	5	5	0
Revenue	0	1	1
State Fire Marshal	1	1	2
State Police	8	7	1
Transportation	26	0	0
Veterans' Affairs	1	1	2
Workers' Compensation Commission	1	0	0
<b>Totals</b>	114	65	45

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

**DA-7-18**

Employee	Stephanie Kirk	Appeal Date	8/11/17
Agency	Human Services	Decision Date	5/03/18
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

**IT WAS MOVED BY COMMISSIONER RYAN, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL OF THE ADMINISTRATIVE LAW JUDGE TO UPHOLD THE DISCHARGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION DATED MAY 3, 2018.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>YES</b>	<b>RYAN</b>	<b>YES</b>
<b>URLACHER</b>	<b>YES</b>		

**DA-15-18**

Employee	Dyiamond Davis	Appeal Date	9/14/17
Agency	Human Services	Decision Date	5/03/18
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER RYAN, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL OF THE ADMINISTRATIVE LAW JUDGE TO UPHOLD THE DISCHARGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION DATED MAY 3, 2018.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>YES</b>	<b>RYAN</b>	<b>YES</b>
<b>URLACHER</b>	<b>YES</b>		

**RV-2-18**

Employee	Berry Lauderdale	Appeal Date	7/19/17
Agency	Agriculture and Healthcare and Family Services	Decision Date	4/24/18
Appeal Type	Rule Violation	Proposal for Decision	No violation.
ALJ	Andrew Barris		



**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL OF THE ADMINISTRATIVE LAW JUDGE THAT THE PETITIONER HAS NOT PROVEN BY A PREPONDERANCE OF THE EVIDENCE THAT A VIOLATION OF THE PERSONNEL CODE OR PERSONNEL RULES OCCURRED AS ALLEGED. THE APPEAL IS DENIED.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>YES</b>	<b>RYAN</b>	<b>YES</b>
<b>URLACHER</b>	<b>YES</b>		

**XII. APPEALS TERMINATED WITHOUT DECISIONS ON THE MERITS**

**DA-36-18**

Employee	Sean M. O’Leary	Appeal Date	4/05/18
Agency	Revenue	Decision Date	4/24/18
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

**S-38-18**

Employee	Sylvana Rendon	Appeal Date	4/18/18
Agency	Employment Security	Decision Date	4/23/18
Appeal Type	Suspension	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Daniel Stralka		

**IT WAS MOVED BY COMMISSIONER RYAN, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSALS OF THE ADMINISTRATIVE LAW JUDGES TO DISMISS THE APPEALS AS THEY WERE WITHDRAWN.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>YES</b>	<b>RYAN</b>	<b>YES</b>
<b>URLACHER</b>	<b>YES</b>		

**XIII. STAFF REPORT**

Assistant Executive Director Andrew Barris reported that:

- The Statements of Economic Interest and Supplemental Statements of Economic Interest had been filed for the Commission and thanked the Commissioners for their cooperation.

May 17, 2018

- He and Chairman Sickmeyer attended a Senate Committee Hearing on SB2707. Chairman Sickmeyer gave a brief statement to the Committee and the legislation was subsequently passed in a unanimous vote.
- The Commission received approval effective June 25, 2018 from the Secretary of State's Office of Record Retention to dispose of certain portions of old records to make room in the Commission's Springfield office for future records.
- Commissioners should be receiving information regarding prevention of sexual harassment once the training guidelines for Boards and Commissions are received from the Executive Ethics office.

XIV. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held on Thursday, June 21, 2018 at 11:00 a.m. in the Chicago and Springfield offices by interactive video conference.

XV. MOTION TO ADJOURN

**IT WAS MOVED BY COMMISSIONER RYAN, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 11:55 A.M.**