

June 17, 2011

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
June 17, 2011

I. OPENING OF MEETING AT 11:00 A.M. AT 160 N. LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD ON MAY 20, 2011

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON MAY 20, 2011?

IV. 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	147	10
Agriculture	418	17
Arts Council	19	2
Capitol Development Board	46	0
Central Management Services	1,373	111
Children and Family Services	2,910	49
Civil Service Commission	4	0
Commerce & Economic Opportunity	422	66
Commerce Commission	79	0
Corrections	11,851	103
Criminal Justice Authority	62	5
Deaf and Hard of Hearing Comm.	7	1
Developmental Disabilities Council	9	1
Emergency Management Agency	88	7
Employment Security	1,868	29
Environmental Protection Agency	884	16
Financial & Professional Regulation	470	41
Gaming Board	100	5
Guardianship and Advocacy	104	7
Healthcare and Family Services	2,266	25
Historic Preservation Agency	185	9
Human Rights Commission	14	2
Human Rights Department	150	8
Human Services	13,450	77
Illinois Torture Inquiry Relief Commission	2	1
Insurance	249	12
Investment Board	3	1
Juvenile Justice	1,242	20
Labor	77	7
Labor Relations Board Educational	12	2
Labor Relations Board State	16	2
Law Enforcement Training & Standards Bd	18	2
Medical District Commission	2	0
Military Affairs	121	3
Natural Resources	1,218	26
Pollution Control Board	21	1
Prisoner Review Board	19	0
Property Tax Appeal Board	28	1
Public Health	1,087	40
Racing Board	2	0
Revenue	2,037	57
State Fire Marshal	137	12
State Police	1,273	4
State Police Merit Board	5	1
State Retirement Systems	87	2
Transportation	2,363	0
Veterans' Affairs	1,234	8
Workers' Compensation Commission	173	8
TOTALS	48,352	801

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 Healthcare and Family Services – Proposed Exemption

Position Number	40070-33-00-600-00-61
Position Title	Senior Public Service Administrator
Bureau/Division	Office of the Director
Functional Title	Special Assistant for Managed Care
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

C2. Illinois Department of Healthcare and Family Services – Proposed Exemption

Position Number	40070-33-00-800-00-21
Position Title	Senior Public Service Administrator
Bureau/Division	Office of the Director
Functional Title	Special Assistant for Long Term Care
Incumbent	Jean L. Summerfield
Supervisor	Director
Location	Cook 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) exemptions.”

D. Illinois Department of Commerce & Economic Opportunity – Proposed Exemption

Position Number	40070-42-00-090-05-01
Position Title	Senior Public Service Administrator
Bureau/Division	Trade and Investment
Functional Title	Assistant Deputy Director, Trade and Investment
Incumbent	Vacant
Supervisor	Deputy Director, Trade and Investment who reports to the Director
Location	Cook County

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

E. Illinois State Police – Proposed Exemption

Position Number	40070-21-00-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Chief Public Safety Policy Advisor
Incumbent	Vacant
Supervisor	Director
Location	Cook County

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CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarity 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 POSITIONS?

- C1: Special Assistant for Managed Care (Healthcare and Family Services)**
- C2: Special Assistant for Long Term Care (Healthcare and Family Services)**
- D: Assistant Deputy Director, Trade and Investment
(Commerce & Economic Opportunity)**
- E: Chief Public Safety Policy Advisor (Illinois State Police)**

V. 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?

VI. MOTION TO GO INTO EXECUTIVE SESSION

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

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VII. RECONVENE MEETING

VIII. 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	4/30/11	5/31/11	5/31/10
Central Management Services	1	1	0
Children and Family Services	2	2	6
Employment Security	5	12	2
Healthcare and Family Services	3	4	0
Historic Preservation Agency	1	0	1
Human Services	1	2	2
Natural Resources	9	5	0
Property Tax Appeal Board	3	6	1
Transportation	1	0	0
Veterans' Affairs	0	1	0
Totals	26	33	12

IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-40-10

Employee	Amanda E. Moren	Appeal Date	03/01/10
Agency	Children and Family Services	Decision Date	06/03/11
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Falsification; failure to follow rules/procedures; conduct unbecoming a state employee	Proposal for Decision	Charges are partially proven and warrant discharge.

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

DA-29-11

Employee	Shirley A. Robinson	Appeal Date	11/15/10
Agency	Human Services	Decision Date	05/31/11
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Unauthorized absences; tardiness	Proposal for Decision	Charges are proven and warrant discharge.

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

DA-30-11

Employee	Connie Haverfield	Appeal Date	11/17/10
Agency	Human Services	Decision Date	06/03/11
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Recipient abuse and neglect	Proposal for Decision	Charges are proven and warrant discharge.

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

X. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

DA-51-10

Employee	Thomas F. Kilby	Appeal Date	5/20/10
Agency	State Retirement Systems	Decision Date	6/07/11
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Misuse of state equipment; conduct unbecoming	Proposal for Decision	Dismissed subject to approval of Commission; settled.

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

XI. STAFF REPORT

XII. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Friday, July 15, 2011 at 11:00 a.m. in the Commission's Chicago office.

XIII. MOTION TO ADJOURN