

June 18, 2020

REGULAR MEETING MINUTES  
ILLINOIS CIVIL SERVICE COMMISSION  
June 18, 2020

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:02 A.M. AT 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, IL

II. ROLL CALL AND CONFIRMATION OF A QUORUM

Chairman Timothy D. Sickmeyer (by telephone); G.A. Finch (by telephone), David Luechtefeld (by telephone), and Vivian Robinson (by telephone), Commissioners; Thomas Klein, Executive Director, Andrew Barris, Assistant Executive Director and Sabrina Johnson, Exemption Monitor; Sheila Tapscott (by telephone), Sarah Kerley (by telephone), Alison McFarland (by telephone), and Chris Nickols (by telephone), Illinois Department of Central Management Services; Melina Tomaras-Collins (by telephone) and Travis March (by telephone), Illinois Department of Commerce and Economic Opportunity; Chimaobi Enyia (by telephone), Julie Love (by telephone), Monica Pullett (by telephone), and Kenneth Williams (by telephone), Liquor Control Commission; Amanda Thomet (by telephone), Office of the Executive Inspector General; and Glenn Ryback (by telephone), Village of Wadsworth.

Executive Director Klein confirmed there was a quorum in light of the Governor's Emergency Declaration and Chairman Sickmeyer's determination that it is neither practical nor prudent to have an in-person meeting.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD MAY 21, 2020

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD MAY 21, 2020.**

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

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

**A. 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)

\* \* \*

**B. Requests for 4d(3) Exemption**

- Exemption Monitor Sabrina Johnson indicated that Item B was a request for a Deputy Director within the Office of Illinois Works at the Department of Commerce and Economic Opportunity (DCEO), a position that reports to the Director. This position formulates and implements policy, long-term strategic planning, and administers the procedures for the Illinois Works program. This position represents, on behalf of the Director, the Illinois Works policy program and deals with any issues that arise. Staff recommended this exemption request be granted. The Commissioners had no questions and DCEO had no comment.

**B. Illinois Department of Commerce and Economic Opportunity**

Position Number	40070-42-90-000-00-01
Functional Title	Deputy Director, Office of Illinois Works
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-0 TO GRANT THE 4d(3) EXEMPTION REQUEST FOR THE FOLLOWING POSITION:**

**B: Deputy Director, Office of Illinois Works (DCEO)**

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

Section 1.142(b) provides that withdrawal of exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status positions which will ensure responsive and accountable administrative control of the programs of the agency.

Item	Agency / Position #		Functional Title	Incumbent
C	DoIT	40070-28-11-100-00-01	Budget Director (continued from the May 2019 and the November 21, 2019 meetings)	Vacant

Exemption Monitor Sabrina Johnson indicated that Item C was a proposed rescission for the Budget Director at Department of Innovation and Technology, this position was continued from the May 2019 to November 2019 then to the May 2020 meeting. CSC received notice this position was filled and CSC Staff withdrew the proposed rescission.

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; and
- f) The relation of the class specifications to any applicable collective bargaining agreement.

The following class titles were submitted by the Director of the Illinois Department of Central Management Services:

- B. **Liquor Control Special Agent 1 (abolish)**  
**Liquor Control Special Agent 2 (abolish)**  
**Liquor Control Inspector Trainee (create)**  
**Liquor Control Inspector (create)**  
**Liquor Control Investigator Trainee (create)**  
**Liquor Control Investigator (create)**

C. **Liquor Control Supervisor (create)**

D. **Lottery Telemarketing Representative (revise)**

- Regarding Items B and C, Assistant Executive Director Barris reported that the need for the abolishment and creation of the proposed classes was due to Public Act 100-1050 requiring the separation of the Liquor Control Commission (LCC) from the Department of Revenue (DOR). CMS in working with the agencies determined that the DOR Special Agent and Training classes would be used as the basis for the proposed classes at the LCC. Chris Nickols from CMS Technical Services and Chimaobi Enyia, Executive Director of the LCC, concurred with this report regarding the need and basis for the proposed classes. Enyia explained that the classes at DOR from which the LCC classes were based also required that Investigators be armed and have full police powers.

**IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-0 TO APPROVE THE ABOLISHMENT OF THE FOLLOWING CLASS SPECIFICATIONS TO BE EFFECTIVE JULY 1, 2020:**

**B. Liquor Control Special Agent 1  
Liquor Control Special Agent 2**

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-0 TO APPROVE THE CREATION OF THE FOLLOWING CLASS SPECIFICATIONS TO BE EFFECTIVE JULY 1, 2020:**

**B. Liquor Control Inspector Trainee  
Liquor Control Inspector  
Liquor Control Investigator Trainee  
Liquor Control Investigator**

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO APPROVE THE CREATION OF THE FOLLOWING CLASS SPECIFICATION TO BE EFFECTIVE JULY 1, 2020:**

**C: Liquor Control Supervisor**

- Regarding Item D, Barris reported that a revision to the Lottery Telemarketing Representative classification was needed to accurately reflect erroneous language regarding a training program for the class in the Education and Experience section of the class description.

Assistant Executive Director Barris reported that all the proposed creation, revision and abolishment of the classes on the agenda were agreed to through collective bargaining.

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO APPROVE THE REVISION OF THE FOLLOWING CLASS SPECIFICATION TO BE EFFECTIVE JULY 1, 2020:**

**D: Lottery Telemarketing Representative**

**IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED 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. Section 303.112 Sick Leave Bank

**80 Ill. Adm. Code 303.112**

**303.112. Sick Leave Bank**

This Section contains rules governing the operation of plans allowing participating employees in each agency to bank portions of their accrued sick leave in a sick leave bank to be used by participating employees in the same agency who have exhausted their accrued vacation time, personal days, sick leave or compensatory time. This Section provides a framework within which each agency may administer a sick leave bank. Individual agency procedures should be consistent with the framework set forth in this Section unless alternative procedures have been agreed upon pursuant to collective bargaining negotiations.

...

1) Decisions affecting a participating employee's use of the sick leave bank may be submitted by the employee to a review committee. Unless otherwise approved by the Department, the committee shall consist of one agency representative and two Department representatives. In determining if alternative committee membership should be approved, the Department shall consider the jurisdiction governing the agency or employees in question. Decisions of review committees shall be final and binding; *however, employees are permitted to submit additional medical documentation upon receipt of a denied application for use. The committee will review the additional medical documentation and make a determination for approval or denial based on the entirety of medical documentation provided.*

Allison McFarland, Deputy General Counsel for Personnel at Central Management Services, explained that the amendment to Section 303.112 of the Personnel Rules was necessary to formalize the appeals process regarding employees' use of the sick leave bank.

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**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 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 ROBINSON, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 4-0 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>ROBINSON</b>	<b>YES</b>

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IX. RECONVENE THE OPEN MEETING

Upon due and proper notice, the regular open meeting of the Illinois Civil Service Commission was reconvened at 607 E. Adams Street, Suite 801, Springfield, IL at 11:25 a.m.

ROLL CALL AND CONFIRMATION OF A QUORUM

Chairman Timothy D. Sickmeyer (by telephone); G.A. Finch (by telephone), David Luechtefeld (by telephone), and Vivian Robinson (by telephone), Commissioners; Thomas Klein, Executive Director, Andrew Barris, Assistant Executive Director and Sabrina Johnson, Exemption Monitor.

X. INTERLOCUTORY APPEALS

DA-26-20

Employee	Rhonda McCormick	Appeal Date	1/31/20
Agency	Human Services	Decision Date	6/05/20
Appeal Type	Discharge	Proposal for Decision	Interlocutory; dismiss for default (failure to appear at telephone status conference).
ALJ	Andrew Barris		

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.**

**SICKMEYER      YES                      FINCH              YES**  
**LUECHTEFELD   YES                      ROBINSON        YES**

RV-20-20

Employee	Chad Siewert	Appeal Date	11/01/19
Agency	Central Mgmt. Services	Decision Date	06/05/20
Appeal Type	Rule Violation	Proposal for Decision	Interlocutory; dismiss for no jurisdiction (filed grievance).
ALJ	Andrew Barris		

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER ROBINSON, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.**

**SICKMEYER      YES                      FINCH              YES**  
**LUECHTEFELD   YES                      ROBINSON        YES**



**RV-23-20**

Employee	Chad Siewert	Appeal Date	12/18/19
Agency	Human Services	Decision Date	06/05/20
Appeal Type	Rule Violation	Proposal for Decision	Interlocutory; dismiss for default (failure to file requested materials).
ALJ	Andrew Barris		

**IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.**

**SICKMEYER      YES                  FINCH              YES**  
**LUECHTEFELD   YES                  ROBINSON        YES**

XI. APPEAL TERMINATED WITHOUT DECISIONS ON THE MERITS

**GT-39-20**

Employee	Rodney Beccue	Appeal Date	5/04/20
Agency	Corrections	Decision Date	6/05/20
Appeal Type	Geographical Transfer	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.**

**SICKMEYER      YES                  FINCH              YES**  
**LUECHTEFELD   YES                  ROBINSON        YES**

XII. REVIEW OF CLOSED MEETING MINUTES PURSUANT TO OPEN MEETINGS ACT

Assistant Executive Director Barris reported that after review of the Closed Meeting Minutes, the need for confidentiality still exists as to all those Minutes.

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**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-0 THAT AFTER REVIEW OF CLOSED MEETING MINUTES PURSUANT TO THE OPEN MEETINGS ACT, THE NEED FOR CONFIDENTIALITY STILL EXISTS AS TO ALL THOSE MINUTES.**

XIII. STAFF REPORT

Executive Director Thomas Klein stated the Springfield office was reopened with limited staffing and in-person hearings will be conducted again.

Assistant Executive Director Barris thanked the Commissioners for completing and submitting their Statement of Economic Interest. Barris reported that the deadline for the Supplemental Statement of Economic Interest had been extended to August 1, 2020, and he would provide those Commissioners who have not yet completed the statements the information on how do so after it was provided to him by the Executive Ethics Commission. Assistant Executive Director Barris reported he would soon be providing the Commissioners information on Sexual Harassment training to be completed by December 31, 2020.

XIV. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held at 11:00 a.m. on Thursday, July 16, 2020 in the Springfield office of the Commission.

XV. MOTION TO ADJOURN

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO ADJOURN THE MEETING AT 11:38 A.M.**