

June 20, 2014

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
June 20, 2014

- I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

- II. PRESENT

- III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD MAY 16, 2014

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD MAY 16, 2014?

- 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.....	141.....	18
Agriculture	338.....	20
Arts Council	17.....	2
Capitol Development Board.....	47.....	0
Central Management Services.....	1,457.....	114
Children and Family Services	2,632.....	51
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	364.....	68
Commerce Commission	73.....	0
Corrections.....	10,935.....	99
Criminal Justice Authority	54.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	84.....	5
Employment Security.....	1,316.....	30
Environmental Protection Agency.....	790.....	17
Financial & Professional Regulation.....	437.....	45
Gaming Board	159.....	6
Guardianship and Advocacy	104.....	7
Healthcare and Family Services	2,096.....	25
Historic Preservation Agency.....	168.....	16
Human Rights Commission.....	15.....	2
Human Rights Department.....	144.....	9
Human Services	11,859.....	76
Illinois Torture Inquiry Relief Commission	6.....	1
Independent Tax Tribunal	1.....	0
Insurance	239.....	16
Investment Board	4.....	2
Juvenile Justice.....	1,024.....	22
Labor.....	88.....	11
Labor Relations Board Educational.....	11.....	2
Labor Relations Board State.....	19.....	2
Law Enforcement Training & Standards Bd.	18.....	2
Lottery.....	137.....	6
Military Affairs	121.....	3
Natural Resources	1,170.....	30
Pollution Control Board	22.....	2
Prisoner Review Board.....	17.....	0
Property Tax Appeal Board.....	34.....	1
Public Health.....	1,145.....	42
Racing Board.....	2.....	1
Revenue.....	1,785.....	54
State Fire Marshal	131.....	12
State Police.....	1,120.....	6
State Police Merit Board	4.....	2
State Retirement Systems.....	99.....	2
Transportation	2,181.....	0
Veterans' Affairs	1,327.....	9
Workers' Compensation Commission.....	134.....	11
TOTALS	44,089.....	856

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 Department of Juvenile Justice – Proposed Exemption

Position Number	40070-27-00-000-20-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Senior Policy Advisor
Incumbent	Vacant
Supervisor	Director
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.”

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

C: Senior Policy Advisor, Juvenile Justice

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 creation and revision by the Director of the Illinois Department of Central Management Services (CMS):

B. Economist Associate (create)
Research Economist (create)

CMS Classification Analysis: “The Economist Associate (EA) class was developed at the request of the Illinois Department of Revenue (DOR), seeking creation of a pathway affording recent college graduates with master’s degrees in Economics-related fields and lacking related professional work experience, opportunities to qualify for advancement to Public Service Administrator, Option 2, Sub-option C (PSA 2C-Economist), positions. The solution is a pathway that starts at the newly-created EA class, progresses to the new Research Economist (RE) class, then facilitates movement to PSA option 2C. The Research Economist class replaces the existing Research Economist I class. The change results from the Research Economist II being subsumed by the PSA; differentiation is no longer needed, and it allows clarification and modification of the class specification language.

In the course of the training program, Economist Associates will learn and develop such skills as carrying out comprehensive economic research projects, preparing appropriate reports and developing economic forecasts; also, they will be trained to respond to information requests; synthesize econometric, statistical, and tax revenue data and disseminate agency interpretations to various outlets; and, become versed in methods and techniques of fiscal policy analysis, as well as studying and reviewing economic literature research. The EA class has a minimum educational requirement of possession of a related master’s degree; no work experience is required. Current Research Economist I minimum requirements include equivalency of a master’s degree and two years (2) of related experience. The requirements are broadened by the RE class also allowing successful completion of the one (1) year EA training program to satisfy the experience requirement, because it is directly-related, on-the-job and in-service training. The RE requirements have been changed to reflect the following:

‘...equivalent to completion of four years college and a master's degree in economics or closely related field. Requires two years professional experience in the field of research and/or education in economics or satisfactory completion of the Economist Associate training program.’

Current minimum qualifications for the PSA option 2C include possession of a master’s degree and three years of related experience. Satisfactory completion of the one (1) year Economist Associate training program results in eligibility for promotion to the new Research Economist, which will be utilized as a bridge between Economist Associate and PSA option 2C by providing an opportunity to gain two (2) additional years of related experience (3 total), and meeting the PSA option 2C qualification minimums. The Illinois Department of Employment Security (IDES) currently utilizes several Research Economist I positions, which will transition to Research Economist. IDES is aware of, and does not object to, the Class title change, and other revisions.

Creation of the Economist Associate class gives DOR the ability to fill positions with educationally strong, but inexperienced personnel, and prepare and train them accordingly for targeted PSA option 2C positions.”

C. Forensic Science Administrator 3 (create)

CMS Classification Analysis: “Public Act 097-1172, also known as Senate Bill 1556 or ‘The Management Bill’, became effective 04/05/2013. This Act enabled the Governor of Illinois to designate certain state positions to be excluded from collective bargaining; the class of Senior Public Service Administrator (SPSA) was among the groups identified as being excluded. However, as a result of discussions held with the unions, it was decided that two small groups of SPSA option 7 positions which were subject to collective bargaining would continue to be represented by the unions, and the Department of Central Management Services would create new classes to more accurately portray the duties and responsibilities of the groups.

The SPSA option 7 positions located in the Illinois Gaming Board are represented by bargaining unit RC-062 (American Federation of State, County, and Municipal Employees) and will be reclassified to new classes; these new class specifications will be addressed in a forthcoming CMS-112.

The SPSA option 7 positions which are to be reclassified herein are located in Illinois State Police, represented by VR-704 (Illinois State Employees Association) and perform forensic laboratory administrative functions. Specifically, a position in the Forensic Science Administrator 3 class either manages a section in a large metropolitan forensic science laboratory of the Forensic Sciences Command Headquarters and supervises Forensic Science Administrators, or serves as the Assistant Director of the Statewide Forensic Science Training Program. As the work roles were determined to be at the same level, a single new Forensic Science Administrator 3 class was deemed appropriate to encompass both work roles.”

D. Human Services Sign Language Interpreter (revise)

CMS Classification Analysis: “The Department of Human Services requested several changes in the Human Services Sign Language Interpreter in keeping with the 225 Illinois Compiled Statutes 443/15. This section defines ‘Licensed Interpreter for the Deaf’ as the required license. The main changes are in the Requirements section of the class specification. The current certification requirements have been eliminated and replaced by a requirement for a valid interpreter license in accordance with the Interpreter for the Deaf Licensure Act of 2007 and a requirement for an Advanced Proficiency Licensure as mandated by 68 Illinois Administrative Code 1515.90. A Master Proficiency License is preferred. Knowledge of and adherence to the 68 Illinois Administrative Code 1515.90 and Registry of Interpreters for the Deaf and the National Association of the Deaf Code of Professional Conduct replaces the outdated reference to ‘Registry of Interpreters for the Deaf Code of Ethics.’”

E. Clinical Pharmacist (revise)
Graduate Pharmacist (revise)
Pharmacy Services Coordinator (revise)
Staff Pharmacist (revise)

CMS Classification Analysis: “The Department of Human Services has advised CMS that the standards of pharmacist degree programs have changed over the years and rendered language on certain state of Illinois class specifications out-of-date and potentially disruptive to recruiting efforts for certain classes of positions. There are several titles within the state classification plan that require a pharmacist license or a pharmacist education and CMS proposes that these specifications be revised to reflect the changes. The classes affected by this study are the Clinical Pharmacist, Graduate Pharmacist, Pharmacy Services Coordinator, and Staff Pharmacist. The first professional degree program for pharmacists has been standardized as a six year program — the doctor of pharmacy, or PharmD — whereas, in the past it has been a five year program/curriculum. Unfortunately, the length-in-years of the program is frequently mentioned in the class specifications of those classes requiring a pharmacy degree, and these classes now contain erroneous information.

Furthermore, the PharmD includes a year of supervised clinical pharmacy practice as a component in the degree. The State of Illinois class specification Clinical Pharmacist is one in which clinical practice is mentioned as a separate requirement in addition to the degree curriculum: ‘...including formal training in clinical pharmacy practice or completion of the American Society of Hospital’s *Pharmacists Introduction to Clinical Pharmacy*’. The year of supervised clinical practice in the PharmD curriculum now supersedes this stipulation and renders it unnecessary.

An additional analysis of these classes reveals that the mention of the education program within the desirable requirements is superfluous to the requirement of the license. Proof of graduation is required by the Illinois Department of Financial and Professional Regulation (IDFPR) to be eligible for licensure in this state as a registered pharmacist. Then further examination processes are conducted by the IDFPR before issuing the license to the pharmacist. Thus, the possession of a license verifies the education and may stand as appropriate representation of an individual having completed a first professional degree in pharmacy. We propose eliminating the mention of the education altogether in the desirable requirements of class specifications that require the license. This also fits in with the general efforts of the CMS Division of Technical Services to make class specifications simpler and more straightforward to interpret for potential applicants and for state evaluators.

The Graduate Pharmacist is a trainee class that allows an agency to recruit right out of school, which is achieved by not requiring possession of the license. This allows an agency to employ an individual on a) the basis that they have graduated from an accredited program, and b) the expectation and requirement that, during their time as a trainee, they pass the examinations to obtain the license. For this class specification there is no license requirement, and we recommend listing the education and

eligibility for licensure with updated language. All of the changes recommended here can be found on the attached proposed class specifications.”

**F. Real Estate Investigator (revise)
Real Estate Professions Examiner (revise)**

CMS Classification Analysis: “The Real Estate Investigator (37730) was last updated on July 1, 2008 and the Real Estate Professions Examiner (37760) was last updated on January 1, 2008.

The Administrative & Regulatory Shared Services Center (ARSSC) asserted that the title, “real estate sales person” no longer exists and asked us to modify the Real Estate Professions Examiner and Real Estate Investigator class specifications accordingly.

The Illinois Real Estate License Act – Administrative Rules, effective March 21, 2011, support changes in the wording from real estate salesperson to broker. We added additional language to include real estate broker offices and other entities.

We also clarified the Real Estate Professions Examiner requirements to include the following language: ‘An applicant, who is currently employed by the State of Illinois and who has surrendered his/her license as a Real Estate Broker, Real Estate Appraiser or Auctioneer to the Department of Financial and Professional Regulation as a condition of employment, also qualifies.’

Wording was revised in the Real Estate Investigator to reflect changes made to the Real Estate Professions Examiner. We also added to the requirements, addressing the Real Estate License Act of 2000, Real Estate Appraiser Act, Auction License Act and other related Acts.”

WILL THE COMMISSION APPROVE THE CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON JULY 1, 2014?

- B. Economist Associate (create)
Research Economist (create)**
- C. Forensic Science Administrator 3 (create)**
- D. Human Services Sign Language Interpreter (revise)**
- E. Clinical Pharmacist (revise)
Graduate Pharmacist (revise)
Pharmacy Services Coordinator (revise)
Staff Pharmacist (revise)**
- F. Real Estate Investigator (revise)
Real Estate Professions Examiner (revise)**

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WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VII. 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?

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. 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	4/30/14	5/31/14	5/31/13
Aging	2	2	1
Agriculture	0	0	1
Arts Council	0	0	1
Central Management Services	8	7	2
Children and Family Services	2	6	11
Corrections	1	1	0
Criminal Justice Authority	0	1	0
Gaming Board	0	1	0
Healthcare and Family Services	5	7	22
Historic Preservation Agency	0	5	0
Human Services	0	1	1
Insurance	1	1	1
Juvenile Justice	1	1	0
Property Tax Appeal Board	0	0	3
Public Health	0	0	1
Revenue	2	3	5
State Police Merit Board	0	0	1
State Retirement Systems	1	1	0
Transportation	2	0	0
Veterans' Affairs	3	1	4
Totals	28	38	54

X. INTERLOCUTORY APPEAL

RV-21-14

Employee	Lori A. Crafton	Appeal Date	01/15/14
Agency	Corrections	Decision Date	05/22/14
Appeal Type	Rule Violation	Proposal for Decision	Dismissed subject to approval of Commission; no jurisdiction (late filing).
ALJ	Andrew Barris		

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

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-25-14

Employee	Connie T. Woods	Appeal Date	02/11/14
Agency	Central Mgmt. Services	Decision Date	06/06/14
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus the duration of her suspension pending discharge.
ALJ	Andrew Barris		

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

S-34-14

Employee	Undra' Ware	Appeal Date	03/24/14
Agency	Healthcare & Family Services	Decision Date	06/06/14
Appeal Type	Suspension	Proposal for Decision	Suspension upheld.
ALJ	Daniel Stralka		

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

RV-6-14

Employee	Darrin S. Wright	Appeal Date	10/15/13
Agency	Corrections	Decision Date	05/22/14
Appeal Type	Rule Violation	Proposal for Decision	No violation.
ALJ	Andrew Barris		

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

XII. APPEALS DISMISSED WITH NO DECISION ON THE MERITS

LA-40-13

Employee	Alfredo Gallardo	Appeal Date	04/15/13
Agency	Employment Security	Decision Date	05/15/14
Appeal Type	Layoff	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

DA-40-14

Employee	Keith Perry	Appeal Date	04/22/14
Agency	Human Services	Decision Date	05/22/14
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Daniel Stralka		

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

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

AFTER REVIEW OF THE CLOSED MEETING MINUTES PURSUANT TO THE OPEN MEETINGS ACT, WILL THE COMMISSION AGREE THAT THE NEED FOR CONFIDENTIALITY STILL EXISTS?

XIV. APPROVAL OF THE DESTRUCTION OF THE AUDIO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO JULY 1, 2012 IN ACCORDANCE WITH THE OPEN MEETINGS ACT

WILL THE COMMISSION APPROVE THE DESTRUCTION OF THE AUDIO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO JULY 1, 2012^A IN ACCORDANCE WITH THE OPEN MEETINGS ACT?

XV. STAFF REPORT

^A The Commission voted on July 15, 2011 to maintain audio verbatim recordings for a minimum of 24 months before destruction.

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XVI. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held on Friday, July 18, 2014 at 11:00 a.m. in the Commission's Chicago office.

XVII. MOTION TO ADJOURN