

July 19, 2018

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
JULY 19, 2018

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 JUNE 21, 2018

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD JUNE 21, 2018?

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	82	13
Aging.....	135	19
Agriculture	370	18
Arts Council	14	2
Capitol Development Board	30	0
Central Management Services	845	64
Children and Family Services.....	2,594	53
Civil Service Commission	3	0
Commerce & Economic Opportunity	245	66
Commerce Commission	58	0
Corrections	12,275	110
Criminal Justice Authority.....	46	7
Deaf and Hard of Hearing Comm.....	2	1
Developmental Disabilities Council	6	1
Emergency Management Agency.....	64	8
Employment Security	1,068	29
Environmental Protection Agency.....	604	18
Financial & Professional Regulation	380	48
Gaming Board	148	5
Guardianship and Advocacy	100	8
Healthcare and Family Services	1,585	26
Human Rights Commission.....	14	2
Human Rights Department.....	119	10
Human Services.....	12,583	80
Illinois Torture Inquiry Relief Commission	3	1
Independent Tax Tribunal	1	0
Innovation and Technology	1,270	60
Insurance	208	17
Investment Board	3	2
Juvenile Justice.....	917	28
Labor	73	11
Labor Relations Board Educational.....	10	3
Labor Relations Board State.....	13	2
Law Enforcement Training & Standards Bd.	22	3
Lottery	141	8
Military Affairs.....	133	3
Natural Resources.....	1,277	34
Pollution Control Board	18	2
Prisoner Review Board.....	19	1
Property Tax Appeal Board.....	29	1
Public Health	1,097	40
Racing Board.....	2	1
Revenue.....	1,366	45
State Fire Marshal	124	11
State Police.....	919	10
State Police Merit Board	7	2
State Retirement Systems	94	3
Transportation	2,127	0
Veterans' Affairs	1,263	10
Workers' Compensation Commission.....	116	11
TOTALS.....	44,622	897

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 on Aging – proposed exemption

Position Number	40070-47-20-100-00-01
Functional Title	Senior Policy Advisor
Incumbent	Michael K. Berkes
Supervisor	Manager, Planning, Research & Development who reports to the Deputy Director who reports to the Director
Location	Sangamon 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.”

D. Illinois Emergency Management Agency – proposed exemption

Position Number	37015-50-17-000-10-04
Functional Title	Legislative Liaison
Incumbent	Vacant
Supervisor	Chief of Staff who reports to the Director
Location	Sangamon 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.”

E. Illinois Torture Inquiry and Relief Commission – proposed exemption

Position Number	40070-50-02-000-00-01 ^A
Functional Title	Executive Director
Incumbent	Robert Olmstead
Supervisor	Chairman, Torture Inquiry and Relief Commission
Location	Cook County

CMS Recommendation: “This position does meet the responsibility and reporting criteria of the Commission Rules, and I recommend continuance of the 4d(3) exemption.”

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

- C: Senior Policy Advisor (Aging)**
- D: Legislative Liaison (IEMA)**
- E: Executive Director (Torture Inquiry)**

^A This position was granted 4d(3) exemption on May 20, 2016 for a term that expires August 17, 2018.

F. Proposed Rescission in accordance with Section 1.142(b) of the Rules of the Civil Service Commission

On June 18, 2018 the Illinois Department of Natural Resources submitted a request for rescission of 4d(3) exemption for the following position transferred from the Illinois Historical Preservation Agency:

Position Number	Functional Title
40070-12-32-000-00-01	Manager, Division of Parks and Recreation

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

F: Division of Parks and Recreation (DNR)

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.

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?

July 19, 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

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?

July 19, 2018

IX. RECONVENE THE REGULAR OPEN MEETING

X. INTERLOCUTORY APPEALS

DA-3-18

Employee	Berry Lauderdale	Appeal Date	7/19/17
Agency	Agriculture	Decision Date	7/09/18
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Motion to Dismiss filed for no jurisdiction (not certified at time of discharge)	Proposal for Decision	Grant Motion to Dismiss subject to approval of Commission.

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

DA-47-18

Employee	Ali Borders	Appeal Date	5/23/18
Agency	Human Services	Decision Date	7/03/18
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Motion to Dismiss filed for no jurisdiction (late filing and not certified at time of discharge)	Proposal for Decision	Grant Motion to Dismiss subject to approval of Commission.

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

XI. APPEAL TERMINATED WITHOUT DECISIONS ON THE MERITS

DA-40-18

Employee	Dana R. Wilken	Appeal Date	4/23/18
Agency	Human Services	Decision Date	7/09/18
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

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

July 19, 2018

XII. STAFF REPORT

XIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held at 11:00 a.m. on Thursday, August 16, 2018 in the Springfield office of the Commission. There will be no interactive video conference from the Chicago office.

XIV. MOTION TO ADJOURN