

August 16, 2018

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
AUGUST 16, 2018

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, IL

II. PRESENT

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

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD JULY 19, 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	85	13
Aging.....	136	20
Agriculture	474	18
Arts Council	12	2
Capitol Development Board	30	0
Central Management Services	846	64
Children and Family Services.....	2,617	53
Civil Service Commission	3	0
Commerce & Economic Opportunity	245	66
Commerce Commission	54	0
Corrections	12,465	110
Criminal Justice Authority.....	47	7
Deaf and Hard of Hearing Comm.....	3	1
Developmental Disabilities Council	6	1
Emergency Management Agency.....	61	9
Employment Security	1,071	29
Environmental Protection Agency.....	620	18
Financial & Professional Regulation	380	48
Gaming Board	149	5
Guardianship and Advocacy	99	8
Healthcare and Family Services	1,586	26
Human Rights Commission.....	15	2
Human Rights Department.....	117	10
Human Services.....	12,594	80
Illinois Torture Inquiry Relief Commission	3	1
Independent Tax Tribunal	1	0
Innovation and Technology	1,270	60
Insurance	207	17
Investment Board	3	2
Juvenile Justice.....	908	28
Labor	74	11
Labor Relations Board Educational.....	12	3
Labor Relations Board State.....	13	2
Law Enforcement Training & Standards Bd.	22	3
Lottery	139	8
Military Affairs.....	136	3
Natural Resources.....	1,343	33
Pollution Control Board	16	2
Prisoner Review Board.....	20	1
Property Tax Appeal Board.....	31	1
Public Health	1,110	40
Racing Board.....	2	1
Revenue.....	1,361	45
State Fire Marshal	125	11
State Police.....	910	10
State Police Merit Board	6	2
State Retirement Systems	94	3
Transportation	2,128	0
Veterans' Affairs	1,244	10
Workers' Compensation Commission.....	115	11
TOTALS.....	45,008	898

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 Gaming Board – proposed exemption

Position Number	37015-50-69-000-30-01
Functional Title	Legislative Liaison
Incumbent	Caleb Melamed
Supervisor	Illinois Gaming Board Administrator
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. Office of the State Fire Marshal – proposed exemption

Position Number	40070-50-50-800-00-84
Functional Title	Chief, Division of Arson Investigation
Incumbent	Terry Ooms
Supervisor	Chief Operating Officer who reports to the Deputy Director who reports to the State Fire Marshal
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.”

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

C: Legislative Liaison (Gaming Board)

D: Chief, Division of Arson Investigation (State Fire Marshal)

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

On July 13, 2018 the Exemption Monitor sent notice to the Director of Central Management Services of the proposed rescissions of ten current 4d(3) exempt positions which may no longer meet the requirements for exemption. According to information provided by Central Management Services, these positions were granted exempt status but have been vacant for an extended period or the program supporting the exemption has changed or other reasons. Each affected agency director was also provided with a courtesy notice of this proposed action.

After resolving issues with several of the proposed rescissions, the following is a list of the positions that will now be put forth before the Commission for formal consideration of rescission of their exemption. Section 1.142(b) also 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	Position Number	Agency and Functional Title	
E1	40070-37-60-200-00-01	CMS	Property Management/CFO
E2	37015-16-02-000-30-01	CFS	Associate Deputy Director for External Communications

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

E1: BOPM-Chief Financial Officer (CMS)

E2: Associate Deputy Director for External Communications (CFS)

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 and revision by the Director of the Illinois Department of Central Management Services:

- B. Fire Certification Specialist I (revision)**
- Fire Certification Specialist II (revision)**
- Fire Certification Specialist Supervisor (revision)**

Classification Analysis: “The Office of the Illinois State Fire Marshal (OSFM) has requested the Fire Certification Specialist series be revised as follows to increase the candidate pool for the classes. Noted below are the proposed major changes to the Desirable Requirements Education and Experience sections as identified in the class specifications.

Fire Certification Specialist II proposed class specification changes:

- The requirement of Fire Instructor III certification is changed to Fire Instructor II.
- The requirement of four (4) years of administrative experience is removed entirely.

Fire Certification Specialist Supervisor proposed class specification changes:

- The requirement of Fire Officer III certification is changed to Fire Officer II certification.
- The requirement of four (4) years of administrative experience is lowered to two (2) years.
- The job duty to assume the Division Manager's responsibilities in the Division Manager's absence is removed from the class specification, because an Assistant Manager position has been introduced into the chain of command. The Assistant Manager of the Division of Personnel Standards & Education at the OSFM is now charged with this responsibility.
- The supervision duties of the class are clarified and updated to depict the functions of a working supervisor.

Additional proposed revisions update terminology and clarify the importance of travel as part of the functions and responsibilities. The full set of revisions are also reflected in the class specifications.”

- C. **Medical Administrator I - Option C (revision)**
Medical Administrator I - Option D (revision)
Medical Administrator II - Option C (revision)
Medical Administrator II - Option D (revision)
Medical Administrator III (revision)
Medical Administrator IV (revision)
Medical Administrator V (abolishment)

Classification Analysis: “The Central Management Services (CMS), Division of Examining and Counseling contacted the CMS Division of Technical Services, Class Studies Unit to clarify the number of years of experience required for incumbents to qualify for each level and each option on the class specifications for the Medical Administrator I - Option C, Medical Administrator I - Option D, Medical Administrator II - Option C and Medical Administrator II - Option D. The language in the current class specifications does not accurately define the experience requirements for each level and

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option which may lead to inaccurate interpretations of the desirable requirements for each class. CMS Class Studies has revised the class specifications, and has implemented other ancillary updates identified by the user agencies of positions allocated to the Medical Administrator series which includes the additional classes Medical Administrator III, Medical Administrator IV and Medical Administrator V. The Medical Administrator V class has not been used since June 2005 and the Department of Human Services has determined that it has no need for this class in the future. We therefore recommend that the Medical Administrator V be abolished from the State of Illinois Classification Plan.

The Department of Corrections, the Department of Healthcare & Family Services, the Department of Human Services, and the Department of Public Health were consulted on the issues of this study and have consented and agreed to the proposals described herein. The revisions to the Medical Administrator I - Option C, Medical Administrator I - Option D, Medical Administrator II - Option C, Medical Administrator II - Option D, Medical Administrator III, and Medical Administrator IV can be viewed in full in the draft class specifications.”

WILL THE COMMISSION APPROVE THE ABOLISHMENT AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE SEPTEMBER 1, 2018?

- B. Fire Certification Specialist I (revision)**
 - Fire Certification Specialist II (revision)**
 - Fire Certification Specialist Supervisor (revision)**

- C. Medical Administrator I - Option C (revision)**
 - Medical Administrator I - Option D (revision)**
 - Medical Administrator II - Option C (revision)**
 - Medical Administrator II - Option D (revision)**
 - Medical Administrator III (revision)**
 - Medical Administrator IV (revision)**
 - Medical Administrator V (abolishment)**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?

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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?

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IX. RECONVENE THE REGULAR OPEN MEETING

X. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

RV-22-18

Employee	Chelsea Cobb	Appeal Date	10/23/17
Agency	Human Services	Decision Date	07/23/18
Type	Rule Violation	Proposal for Decision	Violation of Section 8b.6 of Personnel Code and Sections 302.320 & 302.780 of Personnel Rules; agency instructed to comply by obtaining approval of CMS Director to discharge probationary employee, Chelsea Cobb.
ALJ	Andrew Barris		

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

XI. APPEALS TERMINATED WITHOUT DECISIONS ON THE MERITS

DA-1-19

Employee	Elzbieta Kaminski	Appeal Date	7/05/18
Agency	Human Services	Decision Date	7/31/18
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

DA-2-19

Employee	Amber Wroblewski	Appeal Date	7/11/18
Agency	Veterans' Affairs	Decision Date	7/23/18
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

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

XII. STAFF REPORT

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XIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held at 11:00 a.m. on Thursday, September 20, 2018 in the Chicago and Springfield offices of the Commission by interactive video conference.

XIV. MOTION TO ADJOURN