

December 15, 2022

REGULAR MEETING MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
DECEMBER 15, 2022

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:04 A.M. AT 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, IL

II. ROLL CALL AND CONFIRMATION OF A QUORUM

Timothy D. Sickmeyer, Chairman; G.A. Finch (remote), David Luechtefeld, Vivian Robinson, and Teresa Smith (remote), Commissioners; Thomas Klein, Executive Director, Andrew Barris, Assistant Executive Director, Sabrina Johnson, Exemption Monitor, and Alexandra Myers, Executive Secretary; Sarah Kerley (remote), Central Management Services; Viktorija Legge (remote), Office of Executive Inspector General; and Maurice Miner.

IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER ROBINSON THE MOTION ADOPTED 3-0 TO ALLOW COMMISSIONERS FINCH AND SMITH TO JOIN THE MEETING REMOTELY.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD NOVEMBER 17, 2022

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD THE MOTION ADOPTED 5-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD NOVEMBER 17, 2022.

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)

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B. None Submitted

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.

B. **None Submitted**

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD THE MOTION ADOPTED 5-0 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. None submitted

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER ROBINSON THE MOTION ADOPTED 5-0 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 LUECHTEFELD, SECONDED BY COMMISSIONER ROBINSON THE MOTION ADOPTED 5-0 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.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
SMITH	YES		

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IX. APPROVAL OF MINUTES OF THE CLOSED PORTION OF THE REGULAR MEETING HELD NOVEMBER 17, 2022

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER SMITH THE MOTION ADOPTED 5-0 TO APPROVE THE MINUTES OF THE CLOSED PORTION OF THE REGULAR MEETING HELD NOVEMBER 17, 2022.

X. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

S-15-21

Employee	Maurice G. Miner	Appeal Date	02/21/2021
Agency	Central Management Services	Decision Date	12/02/2022
Appeal Type	Discharge	Proposal for Decision	22-day suspension
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER SMITH, AND BY ROLL CALL VOTE OF 5-0 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
SMITH	YES		

RV-29-22

Employee	Gary Nolan	Appeal Date	05/04/2022
Agency	Dept. of Corrections	Decision Date	12/02/2022
Appeal Type	Rules Violation	Proposal for Decision	No violation
ALJ	Thomas Klein		

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE OF 5-0 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
SMITH	YES		

RV-2-23

Employee	Heidi Scott	Appeal Date	07/18/2022
Agency	Dept. of Corrections and Central Management Services	Decision Date	12/02/2022
Appeal Type	Rule Violation	Proposal for Decision	CMS violation of 303.20
ALJ	Thomas Klein		

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 5-0 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
SMITH	YES		

RV-11-23

Employee	Richard Gebhardt	Appeal Date	08/17/2022
Agency	Dept. of Human Services and Central Management Services	Decision Date	12/02/2022
Appeal Type	Rule Violation	Proposal for Decision	No violation
ALJ	Thomas Klein		

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE OF 5-0 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
SMITH	YES		

XI. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

DA-3-23

Employee	Julie Anthon	Appeal Date	07/19/2022
Agency	Dept. of Children and Family Services	Decision Date	12/02/2022
Appeal Type	Discharge	Proposal for Decision	Dismissed.
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER ROBINSON, AND BY ROLL CALL VOTE OF 5-0 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
SMITH	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.

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 5-0 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. APPROVAL OF THE DESTRUCTION OF THE AUDIO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO DECEMBER 2020 IN ACCORDANCE WITH THE OPEN MEETINGS ACT

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER SMITH, AND THE MOTION ADOPTED 5-0 THAT THE DESTRUCTION OF THE AUDIO AND VIDEO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO DECEMBER 2020¹ IS APPROVED IN ACCORDANCE WITH THE OPEN MEETINGS ACT.

¹ The Commission voted on July 15, 2011 to maintain verbatim recordings for a minimum of 24 months before destruction.

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XIV. STAFF REPORT

Assistant Executive Director Barris thanked the Commissioners for timely completing their 2022 trainings for Ethics and Prevention of Harassment and Discrimination. Commissioner Smith stated she would forward her training acknowledgements to Barris.

XV. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held at 11:00 a.m. on Thursday, January 19, 2023, in the Springfield office of the Commission.

XVI. MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 11:39 A.M.