

January 21, 2011

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
January 21, 2011

- I. OPENING OF MEETING AT 11:00 A.M. AT 160 N. LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

- II. PRESENT

- III. APPROVAL OF MINUTES OF REGULAR MEETING HELD DECEMBER 17, 2010

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD DECEMBER 17, 2010?

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

A. Report on Exempt Positions

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging	145.....	10
Agriculture	427.....	16
Arts Council.....	19.....	2
Capitol Development Board	46.....	0
Central Management Services	1,397.....	115
Children and Family Services	2,935.....	48
Civil Service Commission	4.....	0
Commerce & Economic Opportunity	425.....	66
Commerce Commission.....	76.....	0
Corrections.....	11,375.....	103
Criminal Justice Authority.....	60.....	5
Deaf and Hard of Hearing Comm.	7.....	1
Developmental Disabilities Council	9.....	1
Emergency Management Agency	92.....	7
Employment Security.....	1,937.....	29
Environmental Protection Agency	907.....	16
Financial & Professional Regulation	480.....	41
Gaming Board.....	86.....	5
Guardianship and Advocacy	108.....	7
Healthcare and Family Services.....	2,255.....	25
Historic Preservation Agency	199.....	9
Human Rights Commission	14.....	2
Human Rights Department	138.....	8
Human Services	13,260.....	77
Insurance.....	250.....	11
Investment Board.....	2.....	1
Juvenile Justice	1,182.....	20
Labor.....	77.....	7
Labor Relations Board Educational	12.....	2
Labor Relations Board State	18.....	2
Law Enforcement Training & Standards Bd.....	16.....	2
Medical District Commission	2.....	0
Military Affairs	123.....	3
Natural Resources	1,223.....	26
Pollution Control Board.....	21.....	1
Prisoner Review Board	19.....	0
Property Tax Appeal Board	23.....	1
Public Health.....	1,065.....	42
Racing Board	2.....	0
Revenue	1,993.....	56
State Fire Marshal.....	137.....	12
State Police	1,284.....	4
State Police Merit Board.....	6.....	1
State Retirement Systems	85.....	2
Transportation.....	2,402.....	0
Veterans' Affairs.....	1,207.....	7
Workers' Compensation Commission	173.....	8
TOTALS	47,723.....	801

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 Veterans' Affairs – Proposed Exemption

Position Number	40070-34-00-000-20-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administration
Functional Title	Senior Home Administrator
Incumbent	Vacant
Supervisor	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.”

D1. Illinois Emergency Management Agency – Exemption expires 2/20/11¹

Position Number	37015-50-17-040-00-03
Position Title	Public Service Administrator
Bureau/Division	Director's Office
Functional Title	Senior Policy Advisor
Incumbent	Phil Anello
Supervisor	Director
Location	Sangamon County

D2. Illinois Emergency Management Agency – Exemption expires 2/20/11²

Position Number	37015-50-17-000-10-04
Position Title	Public Service Administrator
Bureau/Division	Director's Office
Functional Title	Community Outreach Officer
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “The positions continue to meet the responsibility and reporting criteria of the Commission Rules, and I recommend continuance of their 4d(3) exemption.”

¹ Agenda item D1 was granted exemption for a period of six months on August 20, 2010.

² Agenda item D2 was granted exemption for a period of six months on August 20, 2010.

E. Illinois Dept. of Commerce & Economic Opportunity – Proposed Exemption

Position Number	40070-42-00-030-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Urban Assistance
Functional Title	Deputy Director of Urban Assistance
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.”

F. Illinois Dept. of Commerce & Economic Opportunity – Proposed Rescission

Position Number	37015-42-00-030-10-01
Position Title	Public Service Administrator
Bureau/Division	Urban Assistance
Functional Title	Assistant Deputy Director of Urban Assistance
Incumbent	Vacant
Supervisor	Deputy Director of Urban Assistance, who reports to the Director
Location	Cook County

CMS Recommendation: “Because the position will no longer meet the reporting criteria of the Commission, and due to the diminished authority now vested, the Department requests the 4d(3) exemption be removed.”

G. Illinois Department of Public Health – Proposed Rescission

Position Number	40070-20-02-100-00-81
Position Title	Senior Public Service Administrator
Bureau/Division	Legal Services
Functional Title	Deputy General Counsel
Incumbent	Allan Abinoja
Supervisor	General Counsel who reports to the Director
Location	Cook County

CMS Recommendation: “Because the position no longer meets the principal policy authority criteria vested in 4d(3) exempt positions, the Department of Central Management Services agrees that the 4d(3) exemption should be rescinded.”

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

- C: Senior Home Administrator (DVA)**
- D1: Senior Policy Advisor (EMA)**
- D2: Community Outreach Officer (EMA)**
- E: Deputy Director of Urban Assistance (CEO)**

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

- F: Assistant Deputy Director of Urban Assistance (CEO)**
- G: Deputy General Counsel (DPH)**

V. CLASS SPECIFICATIONS

The following class titles were submitted for creation by the Director of Central Management Services:

- End-User Computer Services Specialist I**
- End-User Computer Services Specialist II**
- End-User Computer Systems Analyst**

Classification Analysis: “The End-User Computer Services series results from a negotiated agreement between the State of Illinois, Department of Central Management Services and the Teamsters Union NR-916. The series applies to the positions identified in the collective bargaining agreement and working in the infrastructure Services Division providing end-user computer services consisting of user support, hardware and software configuration, testing, installation, documentation and troubleshooting. Conditions of employment as set out in both the labor agreement and in the class series distinguish this group of positions apart from similar positions represented under the AFSCME RC-063 bargaining unit in the Information Services Specialist I-II and Information Systems Analyst I classes. The positions in this series were brought under the Personnel Code and allocated to the Public Service Administrator class Option 9T, on an interim basis and in accordance with previously negotiated rates when the positions were first brought under the Personnel Code, and preparatory to placement in this newly developed class series.

The End-User Computer Services Specialist I class is the entry level of the series, requiring the equivalency of two years of college with coursework in computer science or a related field or an agency sponsored training program. This classification does not require prior work experience. Incumbents in these positions perform professional assignments of limited scope supporting end-user computer systems by providing user support and maintenance of systems and assisting users with problems and following up to ensure problem resolution.”

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“The End-User Computer Services Specialist II class performs work under general supervision, at an intermediate level of difficulty, and requiring the equivalency of two years of college with course work in computer science or directly related fields. The class additionally requires one year of information technology work experience. Incumbents in the class perform planning and/or scheduling activities and may coordinate the tasks of other staff. They also provide professional technical support and assistance ensuring CMS standards and procedures are followed.

Requiring the equivalency of four years of college with course work in computer science or directly related fields, supplemented by one year of related Information Technology work experience, the End-User Computer Systems Analyst class encompasses positions performing difficult and specialized system services functions. These advanced specialists serve in a team leadership capacity, providing guidance, direction, and advice to equivalent or lower level professionals. Further, they perform written analysis in determining agency needs, configurations, specifications, requirements, procedures and standards.”

WILL THE COMMISSION APPROVE THE CREATION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE FEBRUARY 1, 2011?

**End-User Computer Services Specialist I
End-User Computer Services Specialist II
End-User Computer Systems Analyst**

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

VI. MOTION TO GO INTO EXECUTIVE SESSION

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VII. RECONVENE MEETING

VIII. 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	11/30/10	12/31/10	12/31/09
Aging	1	1	2
Central Management Services	1	1	1
Children and Family Services	1	2	9
Commerce and Economic Opportunity	2	1	0
Employment Security	1	3	3
Healthcare and Family Services	5	4	5
Human Services	1	1	1
Natural Resources	0	3	15
State Fire Marshal	0	1	0
Transportation	2	1	15
Totals	14	18	51

IX. INTERLOCUTORY APPEAL

RV-14-11

Employee	John Petter	Appeal Date	07/26/10
Agency	DHS	Decision Date	12/16/10
Type	Rule Violation	ALJ	Andrew Barris
Allegation(s)	Violation of Personnel Rules Section 302.510 and 302.518	Proposal for Decision	Dismiss subject to approval of the Commission; failure to file requested information.

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

X. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

DA-3-11

Employee	Francis J. Lingle	Appeal Date	07/16/10
Agency	DCFS	Decision Date	01/07/11
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Conduct unbecoming; misuse of state time	Proposal for Decision	Charges are partially proven and warrant discharge.

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

DA-5-11

Employee	Marquitta Taylor	Appeal Date	07/19/10
Agency	DCFS	Decision Date	01/07/11
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Falsification of records in three investigations	Proposal for Decision	Charges are partially proven and warrant discharge.

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

XI. STAFF REPORT

XII. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Friday, February 18, 2011 at 11:00 a.m. in the Commission's Chicago office.

XIII. MOTION TO ADJOURN