

November 20, 2015

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
NOVEMBER 20, 2015

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 OCTOBER 16, 2015

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD OCTOBER 16, 2015?**

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.....	147.....	18
Agriculture .....	366.....	20
Arts Council .....	11.....	2
Capitol Development Board.....	48.....	0
Central Management Services.....	1,423.....	120
Children and Family Services .....	2,603.....	49
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	307.....	69
Commerce Commission .....	66.....	0
Corrections.....	11,767.....	98
Criminal Justice Authority .....	52.....	6
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	80.....	6
Employment Security.....	1,210.....	32
Environmental Protection Agency.....	733.....	18
Financial & Professional Regulation.....	441.....	49
Gaming Board .....	169.....	6
Guardianship and Advocacy .....	101.....	8
Healthcare and Family Services .....	2,013.....	26
Historic Preservation Agency.....	161.....	15
Human Rights Commission.....	14.....	2
Human Rights Department.....	129.....	9
Human Services .....	13,393.....	76
Illinois Torture Inquiry Relief Commission .....	2.....	1
Independent Tax Tribunal .....	1.....	0
Insurance .....	254.....	16
Investment Board .....	3.....	2
Juvenile Justice.....	1,056.....	25
Labor.....	90.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	14.....	2
Law Enforcement Training & Standards Bd. ....	18.....	2
Lottery.....	137.....	7
Military Affairs .....	127.....	3
Natural Resources .....	1,248.....	31
Pollution Control Board .....	19.....	2
Prisoner Review Board.....	20.....	0
Property Tax Appeal Board.....	33.....	1
Public Health.....	1,152.....	41
Racing Board.....	2.....	1
Revenue.....	1,644.....	54
State Fire Marshal .....	123.....	12
State Police.....	1,081.....	10
State Police Merit Board .....	6.....	2
State Retirement Systems.....	102.....	3
Transportation .....	2,269.....	0
Veterans' Affairs .....	1,380.....	10
Workers' Compensation Commission.....	123.....	11
<b>TOTALS .....</b>	<b>46,167.....</b>	<b>880</b>

**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)

\* \* \*

**C. Illinois Criminal Justice Information Authority – proposed exemption (continued from September 18, 2015 and October 16, 2015)**

Position Number	40070-50-05-700-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Targeted Violence Prevention Program
Functional Title	Director-Targeted Violence Prevention program
Incumbent	Vacant
Supervisor	Executive Director
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarity of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**D. Illinois Historic Preservation Agency – proposed exemption**

Position Number	4007-48-20-000-00-01*
Position Title	Senior Public Service Administrator
Functional Title	Manager of Historic Sites
Incumbent	Vacant
Supervisor	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 similarity of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**E. Illinois Historic Preservation Agency – proposed exemption**

Position Number	40070-48-00-400-00-01
Position Title	Senior Public Service Administrator
Functional Title	Chief Legal Counsel
Incumbent	Garth Madison
Supervisor	Director
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarity of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

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\* Exemption was granted December 16, 2011 and rescinded for extended vacancy on February 15, 2013.

**F. Illinois Department of Lottery – proposed exemption**

Position Number	37015-45-04-200-00-01
Position Title	Public Service Administrator
Functional Title	Legislative Liaison
Incumbent	Vacant
Supervisor	Communications 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 similarity of the 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: Director-Targeted Violence Prevention Program (Illinois Criminal Justice Information Authority)**
- D: Manager of Historic Sites (Illinois Historic Preservation Agency)**
- E: Chief Legal Counsel (Illinois Historic Preservation Agency)**
- F: Legislative Liaison (Lottery)**

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

On October 20, 2015 the Executive Director sent notice to the Director of Central Management Services of the proposed rescissions of 55 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 of time 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 a number of 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.

<b>Item</b>	<b>Position Number</b>	<b>Agency</b>	<b>Functional Title</b>
1	40070-29-00-200-00-01	Corrections	Chief Public Safety Officer
2	40070-29-00-000-01-03	Corrections	Public Safety Officer Liaison
3	40070-25-83-000-00-01	Revenue	Customer Service

<b>Item</b>	<b>Position Number</b>	<b>Agency</b>	<b>Functional Title</b>
4	40070-37-01-000-40-01	Central Mgmt. Services	Statewide Print Manager
5	40070-37-10-000-40-01	Central Mgmt. Services	BCCS, Agency Relations Manager
6	40070-37-80-100-00-01	Central Mgmt. Services	IOCI Media Administrator – Manager
7	40070-37-80-100-01-05	Central Mgmt. Services	IOCI Media Administrator – DCEO
8	40070-37-80-100-01-12	Central Mgmt. Services	IOCI Media Administrator – DNR
9	40070-37-80-100-01-20	Central Mgmt. Services	IOCI Media Administrator – EPA
10	40070-37-80-300-00-01	Central Mgmt. Services	IOCI Media Administrator – Publications
11	40070-37-80-400-00-01	Central Mgmt. Services	IOCI Media Administrator – Visual Media
12	40070-46-00-200-00-03	Environmental Protection	Citizen Response
13	40070-48-52-000-00-01	Historic Preservation	State Historian/Manager ALPLM Research and Collections
14	40070-10-00-000-12-29	Human Services	Director, Governor’s Office of New Americans
15	40070-10-12-100-10-29	Human Services	Immigrant Welcoming Center
16	40070-10-89-200-00-01	Human Services	Director, Bureau of Pharmacy & Clinical Support
17	37015-20-03-030-00-01	Public Health	Legislative Liaison
18	37015-25-04-000-02-01	Revenue	Legislative Liaison
19	40070-25-45-000-00-01	Revenue	Human Resources Director

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

- G1: Chief Public Safety Officer (Corrections)**
- G2: Public Safety Officer Liaison (Corrections)**
- G3: Customer Service (Revenue)**
- G4: Statewide Print Manager (Central Management Services)**
- G5: BCCS, Agency Relations Manager (Central Management Services)**
- G6: IOCI Media Administrator – Manager (Central Management Services)**
- G7: IOCI Media Administrator – DCEO (Central Management Services)**
- G8: IOCI Media Administrator – DNR (Central Management Services)**
- G9: IOCI Media Administrator – EPA (Central Management Services)**
- G10: IOCI Media Administrator – Publications (Central Mgmt. Services)**

- G11: IOCI Media Administrator – Visual Media (Central Mgmt. Services)**
- G12: Citizen Response (Environmental Protection Agency)**
- G13: State Historian/Manager ALPLM Research and Collections  
(Historic Preservation Agency)**
- G14: Director, Governor’s Office of New Americans (Human Services)**
- G15: Immigrant Welcoming Center (Human Services)**
- G16: Director, Bureau of Pharmacy & Clinical Support (Human Services)**
- G17: Legislative Liaison (Public Health)**
- G18: Legislative Liaison (Revenue)**
- G19: Human Resources Director (Revenue)**

VI. CLASS SPECIFICATIONS

**A. Civil Service Commission 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 REVISIONS TO CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED 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

**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?**

IX. RECONVENE THE REGULAR OPEN MEETING

X. 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	9/30/15	10/31/15	10/31/14
Agriculture	6	4	1
Arts Council	1	0	0
Central Management Services	3	2	0
Children and Family Services	1	1	2
Employment Security	1	0	0
Healthcare and Family Services	4	3	0
Historic Preservation Agency	3	2	0
Human Services	12	12	4
Insurance	1	0	0
Natural Resources	40	9	10
Public Health	1	0	0
Revenue	6	1	0
State Retirement Systems	3	3	0
Transportation	2	3	0
Workers' Compensation Commission	2	3	1
<b>Totals</b>	86	43	18

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

**DA-4-15**

Employee	Janis J. Hand	Appeal Date	07/07/14
Agency	Human Services	Decision Date	11/06/15
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

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

**DA-42-15**

Employee	Theresa M. Bisluk	Appeal Date	04/08/15
Agency	Revenue	Decision Date	11/05/15
Appeal Type	Discharge	Proposal for Decision	25-day suspension in lieu of discharge.
ALJ	Andrew Barris		

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

**DA-47-15**

Employee	Nicole D. King	Appeal Date	05/26/15
Agency	Human Services	Decision Date	10/22/15
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

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

XII. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

**DA-16-16**

Employee	Lisa Simmons	Appeal Date	09/24/15
Agency	Human Services	Decision Date	10/14/15
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

**S-19-16**

Employee	Jason Clark	Appeal Date	10/13/15
Agency	Corrections	Decision Date	10/20/15
Appeal Type	Suspension	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. CHAIRMAN REPORT

XIV. STAFF REPORT

November 20, 2015

XV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held at 11:00 a.m. on Friday, December 18, 2015 in the Commission's Chicago office.**

XVI. MOTION TO ADJOURN