

March 20, 2008

AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
MARCH 20, 2008

I. OPENING OF MEETING AT 9:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD FEBRUARY 21, 2008

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD FEBRUARY 21, 2008?**

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 .....	156.....	9
Agriculture.....	472.....	16
Arts Council.....	23.....	2
Capitol Development Board .....	36.....	0
Central Management Services .....	1,532.....	105
Children and Family Services.....	3,199.....	47
Civil Service Commission .....	4.....	0
Commerce & Economic Opportunity .....	410.....	67
Commerce Commission.....	67.....	0
Corrections.....	11,870.....	109
Criminal Justice Authority.....	58.....	6
Deaf and Hard of Hearing Comm. ....	7.....	1
Developmental Disabilities Council .....	9.....	1
Emergency Management Agency .....	97.....	2
Employment Security.....	1,628.....	25
Environmental Protection Agency .....	1,014.....	19
Financial & Professional Regulation .....	759.....	51
Guardianship and Advocacy .....	112.....	7
Healthcare and Family Services.....	2,386.....	29
Historic Preservation Agency .....	241.....	12
Human Rights Commission .....	9.....	2
Human Rights Department .....	151.....	9
Human Services .....	14,698.....	66
Investment Board.....	2.....	2
Juvenile Justice .....	1,211.....	18
Labor.....	81.....	8
Labor Relations Board Educational .....	12.....	2
Labor Relations Board State .....	20.....	2
Law Enforcement Training & Standards Bd.....	20.....	1
Medical District Commission .....	2.....	0
Military Affairs .....	118.....	3
Natural Resources .....	1,416.....	27
Pollution Control Board.....	20.....	3
Prisoner Review Board .....	22.....	0
Property Tax Appeal Board .....	23.....	2
Public Health.....	1,137.....	37
Revenue .....	2,103.....	66
State Fire Marshal .....	156.....	13
State Police .....	1,456.....	6
State Police Merit Board.....	6.....	1
State Retirement Systems .....	83.....	1
Transportation.....	4,311.....	1
Veterans' Affairs.....	1,124.....	6
Workers' Compensation Commission .....	169.....	11
TOTALS .....	52,430.....	795

**B. Governing Rule - Jurisdiction B Exemptions**

- a) Before a position shall qualify for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the position shall be directly responsible to:
  - 1. The Governor, or
  - 2. A departmental director or assistant director appointed by the Governor, or
  - 3. A board or commission appointed by the Governor, or
  - 4. The head of an agency created by Executive Order, or the director or assistant director of an agency carrying out statutory powers, whose offices are created by the Governor subject to legislative veto under Article V, Section 11, of the Constitution of 1970, which agency head, director, or assistant director may themselves be subject to exemption under Section 4d(3), or
  - 5. In an agency having a statutory assistant director, a deputy director exercising full line authority under the director for all operating entities of the agency, provided the statutory role of assistant director is vacant or is assigned clearly distinct and separate duties from the deputy director and as a colleague to him, or
  - 6. A line position organizationally located between the director and/or assistant director and a subordinate statutorily exempt position(s), provided the position proposed for exemption has line authority over the statutory exempt position(s), or
  - 7. The elected head of an independent agency in the executive, legislative, or judicial branch of government.
  
- b) If a position meets the above criterion, it must, in addition, be responsible for one or more of the following before it shall be approved as exempt:
  - 1. Directs programs defined by statute and/or departmental, board, or commission policy or possess significant authority when acting in the capacity of a director of programs to bind the agency.
  - 2. Makes decisions in exercising principal responsibility for the determination or execution of policy which fix objectives or state the principles to control action toward operating objectives of one or more divisions, such decisions being subject to review or reversal only by the director, assistant director, board or commission.
  - 3. Participates in the planning and programming of departmental, board, or commission activities, integrating the plans and projections of related divisions, and the scheduling of projected work programs of those agencies.

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**C. Illinois Department of Corrections – Proposed Exemption  
(continued from February 21, 2008)**

Position Number	40070-29-82-400-30-01
Position Title	Senior Public Service Administrator
Bureau/Division	Stateville Correctional Center
Functional Title	Assistant Warden of Operations-Reception & Classification Ctr.
Incumbent	None
Supervisor	Warden of Stateville Correctional Center, who reports to District 1 Deputy Director, who reports to the Chief of Operations, who reports to the Chief of Staff, who in turn reports to the Director
Location	Will County

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

**D1. Illinois Department of Corrections – Proposed Exemption**

Position Number	40070-29-400-310-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Public Safety Shared Services Center
Functional Title	Assistant Deputy Director of Fiscal Operations
Incumbent	None
Supervisor	Fiscal Deputy Director, who reports to the Director
Location	Sangamon County

**D2. Illinois Department of Corrections – Proposed Exemption**

Position Number	40070-29-400-320-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Public Safety Shared Services Center
Functional Title	Assistant Deputy Director of Fiscal Accounting Compliance
Incumbent	None
Supervisor	Fiscal Deputy Director, who reports to the Director
Location	Sangamon County

**D3. Illinois Department of Corrections – Proposed Exemption**

Position Number	40070-29-400-330-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Public Safety Shared Services Center
Functional Title	Assistant Deputy Director of Fiscal Strategic Planning
Incumbent	None
Supervisor	Fiscal Deputy Director, who reports to the Director
Location	Sangamon County

**CMS Recommendation:** “These positions do meet the reporting criteria of the Commission Rules and considering the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemptions.”

**E. Illinois Department of Juvenile Justice – Proposed Exemption**

Position Number	40070-27-00-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Program Services
Functional Title	Deputy Director, Division of Program Services
Incumbent	None
Supervisor	Director
Location	Sangamon County

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

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

- C: Assistant Warden of Operations-Reception & Classification Center**
- D1: Assistant Deputy Director of Fiscal Operations**
- D2: Assistant Deputy Director of Fiscal Accounting Compliance**
- D3: Assistant Deputy Director of Fiscal Strategic Planning**
- E: Deputy Director, Division of Program Services**

**V. CLASS SPECIFICATIONS**

- **None submitted.**

**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.

<b>Agency</b>	<b>1/31/08</b>	<b>2/29/08</b>	<b>2/28/07</b>
Agriculture	1	<b>2</b>	2
Arts Council	1	<b>1</b>	1
Central Management Services	2	<b>3</b>	1
Children and Family Services	4	<b>3</b>	8
Employment Security	0	<b>0</b>	2
Financial and Professional Regulation	0	<b>1</b>	1
Healthcare and Family Services	6	<b>16</b>	6
Historic Preservation	1	<b>0</b>	1
Human Services	4	<b>3</b>	3
Natural Resources	7	<b>1</b>	3
Property Tax Appeal Board	0	<b>0</b>	2
Public Health	0	<b>1</b>	0
State Fire Marshal	0	<b>0</b>	1
State Retirement Systems	0	<b>0</b>	1
Transportation	62	<b>70</b>	90
Veteran's Affairs	0	<b>1</b>	2
Workers' Compensation Committee	0	<b>2</b>	0
<b>Totals</b>	<b>88</b>	<b>104</b>	<b>124</b>

IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

- **DISCHARGE**

**DA-21-07**

Employee	Kimberly A. White	Appeal Date	1/02/07
Agency	DOC	Decision Date	3/07/08
Type	Discharge	ALJ	Barris
Charge(s)	Drug test results of urine sample were reported as: "Substituted; not consistent with normal human urine" in violation of DOC policy.	Recommended Decision	Discharge upheld.

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

X. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

• **DISMISSED**

**DA-29-08**

Employee	Debra C. Blakey	Appeal Date	12/20/07
Agency	DHS	Decision Date	02/19/08
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Ineligible for temporary leave of absence when arbitrator ruled she was permanently disabled	Recommended Decision	Dismissed subject to approval of Commission; settled.

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

XI. REVIEW OF EXECUTIVE SESSION MINUTES PURSUANT TO OPEN MEETINGS ACT

**AFTER REVIEW OF THE EXECUTIVE SESSION MINUTES PURSUANT TO THE OPEN MEETINGS ACT, WILL THE COMMISSION AGREE THAT THE NEED FOR CONFIDENTIALITY STILL EXISTS?**

XII. STAFF REPORT

XIII. CONSIDERATION OF RESCHEDULING THE APRIL AND MAY 2008 MEETINGS

**WILL THE COMMISSION RESCHEDULE THE APRIL AND MAY 2008 MEETINGS TO THE FOLLOWING:**

- **THURSDAY, APRIL 17, 2008 IN SPRINGFIELD BEGINNING AT 10:30 A.M.**
- **FRIDAY, MAY 16, 2008 IN CHICAGO BEGINNING AT 2:00 P.M.**

XIV. ANNOUNCEMENT OF NEXT MEETING

**The next regular meeting is to be held on Thursday, April 17, 2008 at 10:30 a.m. in the Commission's Springfield office.**

XV. MOTION TO ADJOURN