

July 19, 2007

AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
JULY 19, 2007

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 JUNE 21, 2007

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD JUNE 21, 2007?**

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 .....	152.....	9
Agriculture .....	544.....	17
Arts Council.....	22.....	2
Capitol Development Board .....	32.....	0
Central Management Services .....	1,619.....	111
Children and Family Services.....	3,288.....	41
Civil Service Commission .....	4.....	0
Commerce & Economic Opportunity .....	423.....	64
Commerce Commission.....	51.....	0
Corrections.....	12,252.....	102
Criminal Justice Authority .....	57.....	6
Deaf and Hard of Hearing Comm. ....	5.....	1
Developmental Disabilities Council .....	11.....	1
Emergency Management Agency .....	107.....	1
Employment Security.....	1,673.....	25
Environmental Protection Agency .....	1,051.....	19
Financial & Professional Regulation .....	788.....	45
Guardianship and Advocacy .....	112.....	7
Healthcare and Family Services.....	2,392.....	29
Historic Preservation Agency .....	401.....	12
Human Rights Commission .....	8.....	2
Human Rights Department .....	161.....	8
Human Services .....	14,595.....	67
Investment Board.....	4.....	2
Juvenile Justice .....	1,275.....	18
Labor.....	73.....	8
Labor Relations Board Educational .....	14.....	2
Labor Relations Board Local.....	1.....	0
Labor Relations Board State .....	19.....	2
Law Enforcement Training & Standards Bd.....	20.....	1
Medical District Commission .....	2.....	0
Military Affairs .....	140.....	3
Natural Resources .....	1,718.....	27
Pollution Control Board.....	25.....	3
Prisoner Review Board .....	22.....	0
Property Tax Appeal Board .....	24.....	2
Public Health.....	1,098.....	35
Revenue .....	2,058.....	62
State Fire Marshal .....	156.....	11
State Police .....	1,474.....	6
State Police Merit Board.....	5.....	1
State Retirement Systems .....	81.....	1
Transportation.....	2,677.....	1
Veterans' Affairs.....	1,152.....	5
Workers' Compensation Commission .....	171.....	11
<b>TOTALS .....</b>	<b>51,957.....</b>	<b>770</b>

**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 Children & Family Services – Proposed Exemption  
(continued from June 21, 2007)**

Position Number	40070-16-00-800-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Executive Deputy Director
Incumbent	None
Supervisor	Director
Location	Cook 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.”

**D. Illinois Department of Corrections – Proposed Exemption  
(continued from June 21, 2007)**

Position Number	40070-29-00-140-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Public Safety Shared Services Center
Functional Title	Agency Liaison for Human Resources
Incumbent	None
Supervisor	Director of the Agency
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.”

**E1. Illinois Department of Corrections – Proposed Exemption  
(continued from June 21, 2007)**

Position Number	40070-29-40-210-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Public Safety Shared Services Center
Functional Title	Assistant Deputy Director of Human Resources, Functional Processes
Incumbent	None
Supervisor	Deputy Director of Human Resources, Public Safety Shared Services Center (who reports to Director of Public Safety Shared Services Center, who in turn reports to the Governor)
Location	Sangamon County

**E2. Illinois Department of Corrections – Proposed Exemption  
(continued from June 21, 2007)**

Position Number	40070-29-40-220-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Public Safety Shared Services Center
Functional Title	Assistant Deputy Director of Human Resources, Strategic Processes
Incumbent	None
Supervisor	Deputy Director of Human Resources, Public Safety Shared Services Center (who reports to Director of Public Safety Shared Services Center, who in turn reports to the Governor)
Location	Sangamon County

**E3. Illinois Department of Corrections – Proposed Exemption  
(continued from June 21, 2007)**

Position Number	40070-29-40-420-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Public Safety Shared Services Center
Functional Title	Risk Assessment Project Manager
Incumbent	None
Supervisor	Deputy Director of Projects, Public Safety Shared Services Center (who reports to Director of Public Safety Shared Services Center, who in turn reports to the Governor)
Location	Sangamon County

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

**F. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption  
(continued from June 21, 2007)**

Position Number	40070-13-00-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Secretary’s Office
Functional Title	Chief Liaison for Human Resources
Incumbent	None
Supervisor	Secretary
Location	Cook 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.”

**G. Illinois Department of Revenue – Proposed Exemption**  
**(continued from 6/21/07)**

Position Number	40070-25-12-210-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative & Regulatory Shared Services Center
Functional Title	Assistant Human Resources Director, Strategic Processes
Incumbent	None
Supervisor	Human Resources Director of the Administrative & Regulatory Shared Services Center (who reports to the Director of the Administrative & Regulatory Shared Services Center, who in turn reports to the Governor)
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.”

**H. Illinois Department of Revenue – Proposed Exemption**  
**(continued from June 21, 2007)**

Position Number	40070-25-12-220-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative & Regulatory Shared Services Center
Functional Title	Assistant Human Resources Director, Functional Processes
Incumbent	None
Supervisor	Human Resources Director of the Administrative & Regulatory Shared Services Center (who reports to the Director of the Administrative & Regulatory Shared Services Center, who in turn reports to the Governor)
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.”

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

Position Number	40070-29-04-020-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Operations
Functional Title	Deputy Director of Offender Classification and Population Management
Incumbent	None
Supervisor	Chief of Operations, who reports to 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.”

**J1. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption**

Position Number	40070-13-40-931-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Professional Regulation
Functional Title	Chief of Medical Prosecutions
Incumbent	Sadzi Oliva
Supervisor	Director of Statewide Enforcement (who reports to the Director, who in turn reports to the Secretary)
Location	Cook County

**J2. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption**

Position Number	40070-13-40-932-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Professional Regulation
Functional Title	Chief of Business Prosecutions
Incumbent	None
Supervisor	Director of Statewide Enforcement (who reports to the Director, who in turn reports to the Secretary)
Location	Cook County

**J3. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption**

Position Number	40070-13-40-933-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Professional Regulation
Functional Title	Chief of Health Related Prosecutions
Incumbent	None
Supervisor	Director of Statewide Enforcement (who reports to the Director, who in turn reports to the Secretary)
Location	Cook County

**J4. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption**

Position Number	40070-13-40-934-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Professional Regulation
Functional Title	Chief of General Prosecutions
Incumbent	Bill Laskaris
Supervisor	Director of Statewide Enforcement (who reports to the Director, who in turn reports to the Secretary)
Location	Cook County

**J5. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption**

Position Number	40070-13-40-935-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Professional Regulation
Functional Title	Chief of Real Estate Prosecutions
Incumbent	Mary Benden
Supervisor	Director of Statewide Enforcement (who reports to the Director, who in turn reports to the Secretary)
Location	Cook County

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

**K. Illinois Department of Central Management Services – Proposed Exemption**

Position Number	40070-37-00-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director's Office
Functional Title	Deputy Director of Labor Relations
Incumbent	None
Supervisor	Director
Location	Cook County

**CMS Recommendation:** “As this position meets the reporting criteria as set forth in Section 1.142 Jurisdiction B Exemptions of the 80 Illinois Administrative Code and considering similarities of this requested position with those of other 4d(3) exempt positions in Central Management Services, I recommend 4d(3) exemption.”

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

- Item C: Executive Deputy Director**
- Item E1: Assistant Deputy Director of Human Resources (Functional)**
- Item E2: Assistant Deputy Director of Human Resources (Strategic)**
- Item E3: Risk Assessment Project Manager for Shared Services Center**
- Item F: Chief Liaison for Human Resources**
- Item G: Assistant Human Resources Director, Strategic Processes**
- Item H: Assistant Human Resources Director, Functional Processes**
- Item I: Dep. Dir. of Offender Classification & Population Management**
- Item J1: Chief of Medical Prosecutions**
- Item J2: Chief of Business Prosecutions**
- Item J3: Chief of Health Related Prosecutions**
- Item J4: Chief of General Prosecutions**
- Item J5: Chief of Real Estate Prosecutions**
- Item K: Deputy Director of Labor Relations**

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V. CLASS SPECIFICATIONS

- None

**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>5/31/07</b>	<b>6/30/07</b>	<b>6/30/06</b>
Agriculture	1	<b>8</b>	12
Arts Council	0	<b>1</b>	0
Central Management Services	6	<b>9</b>	3
Children and Family Services	4	<b>6</b>	8
Commerce and Economic Opportunity	1	<b>1</b>	2
Employment Security	1	<b>1</b>	0
Financial and Professional Regulation	0	<b>0</b>	6
Healthcare and Family Services	19	<b>18</b>	10
Historic Preservation	11	<b>25</b>	15
Human Rights Department	0	<b>0</b>	1
Human Services	4	<b>5</b>	3
Natural Resources	19	<b>29</b>	30
Property Tax Appeal Board	2	<b>2</b>	1
State Retirement Systems	1	<b>1</b>	0
Transportation	30	<b>28</b>	25
Veterans' Affairs	2	<b>2</b>	1
Workers' Compensation Commission	1	<b>1</b>	0
<b>Totals</b>	102	<b>137</b>	117

**IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL**

• **DISCHARGE APPEAL**

**DA-16-07**

Employee	Felicia J. Kirk	Appeal Date	12/12/06
Agency	DHS	Decision Date	7/06/07
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Conduct unbecoming (loud, inappropriate & disruptive); neglect of duties; failure to follow procedures	Recommended Decision	Charges are proven and warrant discharge.

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

• **DISCHARGE APPEAL**

**DA-30-07**

Employee	Candy J. Porter	Appeal Date	2/15/07
Agency	DHS	Decision Date	7/06/07
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Abuse of service recipient; squeezing hands, hitting back of the head & yelling.	Recommended Decision	Charges are proven and warrant discharge.

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

• **RULE VIOLATION APPEAL**

**RV-20-07**

Employee	Gerald Swinkle	Appeal Date	12/28/06
Agency	Liquor Control Commission	Decision Date	6/26/07
Type	Rule Violation	ALJ	Daniel Stralka
Charge(s)	Hiring practice violated Section 8b.7 of the Personnel Code (veteran preference)	Proposed Finding	Facts do not establish any violation of Section 8b.7 of the Personnel Code.

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSED FINDING IN THE ABOVE MATTER?**

X. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

• WITHDRAWN

DA-24-07

Employee	Rosalind Leonard-Coleman	Appeal Date	1/10/07
Agency	HFS	Decision Date	6/25/07
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Tardiness; personal use of state equipment (computer and telephone)	Recommended Decision	Dismissed subject to Commission approval; withdrawn (settled).

• DISMISSAL

S-40-07

Employee	Diane Erickson-Rodney <sup>1</sup>	Appeal Date	4/25/07
Agency	DCFS	Decision Date	6/29/07
Type	Suspension	ALJ	Daniel Stralka
Charge(s)	Failure to follow a directive (attend meeting) and misuse of time (absent without authorization)	Recommended Decision	Dismissed subject to Commission approval; default (no show at hearing) and no jurisdiction (suspension did not exceed 30 days and appeal not timely filed).

• DISMISSAL

DA-43-07

Employee	Terry W. Spurlin	Appeal Date	6/04/07
Agency	Workers' Comp. Commission	Decision Date	6/29/07
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Not available	Recommended Decision	Dismissed subject to Commission approval; no jurisdiction (employee appointed to exempt position).

**DOES THE COMMISSION APPROVE THE DISMISSALS OF THE ABOVE MATTERS?**

<sup>1</sup> Diane Erickson-Rodney's appeal was filed by her daughter, Simone Travis. Ms. Erickson-Rodney passed away April 7, 2007.

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XI. STAFF REPORT

XII. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Thursday, August 16, 2007 at 9:00 a.m. in the Commission's Chicago office.

XIII. MOTION TO ADJOURN