

August 16, 2007

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
AUGUST 16, 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 JULY 19, 2007

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD JULY 19, 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	675.....	17
Arts Council.....	22.....	2
Capitol Development Board	31.....	0
Central Management Services	1,630.....	111
Children and Family Services.....	3,271.....	41
Civil Service Commission	4.....	0
Commerce & Economic Opportunity	419.....	65
Commerce Commission.....	52.....	0
Corrections.....	12,193.....	102
Criminal Justice Authority	57.....	6
Deaf and Hard of Hearing Comm.	6.....	1
Developmental Disabilities Council	11.....	1
Emergency Management Agency	106.....	1
Employment Security.....	1,664.....	25
Environmental Protection Agency	1,041.....	19
Financial & Professional Regulation	784.....	45
Guardianship and Advocacy	111.....	7
Healthcare and Family Services.....	2,405.....	29
Historic Preservation Agency	404.....	12
Human Rights Commission	9.....	2
Human Rights Department	165.....	8
Human Services	14,655.....	67
Investment Board.....	4.....	2
Juvenile Justice	1,266.....	18
Labor.....	76.....	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	1,782.....	27
Pollution Control Board.....	23.....	3
Prisoner Review Board	22.....	0
Property Tax Appeal Board	22.....	2
Public Health.....	1,099.....	35
Revenue	2,060.....	62
State Fire Marshal	156.....	11
State Police	1,466.....	6
State Police Merit Board.....	5.....	1
State Retirement Systems	80.....	1
Transportation.....	2,754.....	1
Veterans' Affairs.....	1,147.....	5
Workers' Compensation Commission	169.....	11
TOTALS	52,194.....	771

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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**C1. Illinois Department of Corrections – Proposed Exemption
(continued from July 19, 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

**C2. Illinois Department of Corrections – Proposed Exemption
(continued from July 19, 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

**C3. Illinois Department of Corrections – Proposed Exemption
(continued from July 19, 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.”

D. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption (continued from July 19, 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.”

E. Illinois Department of Revenue – Proposed Exemption (continued from July 19, 2007)

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.”

**F. Illinois Department of Revenue – Proposed Exemption
(continued from July 19, 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.”

G. Illinois Department of Children & Family Services – Proposed Exemption

Position Number	37015-16-05-400-00-01
Position Title	Public Service Administrator
Bureau/Division	Affirmative Action
Functional Title	Chief of Asian-American Services
Incumbent	None
Supervisor	Affirmative Action Chief who reports to 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.”

H. Illinois Department of Children & Family Services – Proposed Exemption

Position Number	37015-16-05-500-00-01
Position Title	Public Service Administrator
Bureau/Division	Affirmative Action
Functional Title	Chief of Disability Services
Incumbent	None
Supervisor	Affirmative Action Chief who reports to 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.”

I. Illinois Department of Children & Family Services – Proposed Exemption

Position Number	40070-16-03-000-10-01
Position Title	Senior Public Service Administrator
Bureau/Division	Legal Services
Functional Title	Deputy General Counsel for Administrative Hearings & Freedom of Information Act (FOIA)
Incumbent	None
Supervisor	General Counsel who reports to 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.”

J. Illinois Department of Children & Family Services – Proposed Exemption

Position Number	40070-16-03-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Legal Services
Functional Title	Deputy General Counsel for Downstate Legal Services
Incumbent	Dixie L. Peterson
Supervisor	General Counsel who reports to 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.”

K. Illinois Department of Children & Family Services – Proposed Exemption

Position Number	40070-16-03-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Legal Services
Functional Title	Deputy General Counsel for Cook County Legal Services
Incumbent	None
Supervisor	General Counsel who reports to 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.”

L. Illinois Department of Corrections – Proposed Exemption

Position Number	40070-29-01-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Chief of Staff
Functional Title	Director of Staff Development & Training
Incumbent	None
Supervisor	Chief of Staff who reports to the 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.”

M. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption

Position Number	40070-13-40-940-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Professional Regulation
Functional Title	Director of Real Estate Investigations
Incumbent	None
Supervisor	Statewide Enforcement who reports to the Director, who in turn reports to the 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.”

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

- Item C1: Assistant Deputy Director of Human Resources (Functional)**
- Item C2: Assistant Deputy Director of Human Resources (Strategic)**
- Item C3: Risk Assessment Project Manager for Shared Services Center**
- Item D: Chief Liaison for Human Resources**
- Item E: Assistant Human Resources Director, Strategic Processes**
- Item F: Assistant Human Resources Director, Functional Processes**
- Item G: Chief of Asian-American Services**
- Item H: Chief of Disability Services**
- Item I: Deputy General Counsel for Administrative Hearings & FOIA**
- Item J: Deputy General Counsel for Downstate Legal Services**
- Item K: Deputy General Counsel for Cook County Legal Services**
- Item L: Director of Staff Development & Training**
- Item M: Director of Real Estate Investigations**

V. CLASS SPECIFICATIONS

The Director of Central Management Services has submitted the following class titles for creation, abolishment or revision:

A. Position Titles

Juvenile Justice Specialist Intern (new)
Juvenile Justice Specialist (new)
Juvenile Justice Supervisor (new)

Youth Supervisor Trainee (abolish)
Youth Supervisor 1 (abolish)
Youth Supervisor 2 (abolish)
Youth Supervisor 3 (abolish)
Youth Supervisor 4 (abolish)

Classification Analysis

“The Department of Juvenile Justice was created by the legislature, effective July 1, 2006. Most of the positions from the Department of Corrections, Juvenile Division, were transferred into the new agency. Included in the legislation were requirements of a minimum of a bachelor’s degree and incumbents’ age of at least 21 years old for professional positions responsible for ensuring security and participating or assisting in the rehabilitative and vocational training of delinquent youths. Accordingly, the new classes of Juvenile Justice Specialist Intern, Juvenile Justice Specialist and Juvenile Justice Supervisor are recommended for establishment for positions performing the security and treatment team functions. The Juvenile Justice Specialist Intern serves in a trainee capacity for a 12 month period, the Juvenile Justice Specialist is the working level of the class and the Juvenile Justice Supervisor performs functional supervisory functions. The Juvenile Justice Specialist Intern requires the minimum of the statutorily defined requirements; the other two classes require additional experience.”

“Currently, the Youth Supervisor 1-4 and Trainee classes are charged with responsibility for providing security in Youth Centers; these classes do not have the treatment team programmatic functions inherent in the new classes. The Youth Supervisor 1-4 and Trainee classes require educational attainment of the equivalent of completion of high school and various amounts of experience ranging from 0-3 years. As the new Juvenile Justice classes will encompass the security functions as well as participating as an active member on living unit resource treatment teams, the current Youth Supervisor 1-4 and Trainee classes are recommended for abolishment. The current incumbents of the Youth Supervisor 1-4 and Trainee will be reclassified into the new Juvenile Justice classes.”

B. Position Titles

Child Welfare Associate Specialist (revise)
Child Welfare Specialist (revise)
Child Protection Associate Specialist (revise)
Child Protection Specialist (revise)

Classification Analysis

“The Department of Children and Family Services has requested revisions to the Desirable Requirements Education and Experience section of these class specifications. The department would like to expand its recruitment and selection efforts and broaden the candidate pool for the four class titles noted above. To accomplish this, the department wishes to remove restrictions on the type of human service degrees that are deemed acceptable minimum qualifications for potential job applicants. It is proposed that these class specifications be revised by removing the language detailing specific acceptable human service degrees. This information is located near the end of the Education and Experience section of each title. This modification does not affect the classification or allocation of the incumbents of these titles. The user agency will work with CMS’ Examining Division to delineate the acceptable human services degree areas.”

C. Position Title

Public Administration Intern (revise)

Classification Analysis

“Per a directive from William J. Quinlan, General Counsel for the Office of the Governor, the Public Administration Intern (PAI) is herein proposed for revision. Per General Counsel Quinlan in his memorandum of July 26, 2006, the Department of Central Management Services is to apply new policies to the PAI program in order to ensure that the program continues to meet the goal of providing recent graduates with experience in public administration and training them for positions within State government. Two of the new policies have been applied to the class specification: a candidate for the class must have received a bachelor’s degree or graduate degree within 18 months prior to submitting an application and the minimum training period for the PAI will be 12 months.”

“Therefore, the class specification has been changed to reflect the training period length of 12-24 months and the requirements revised to reflect the post-degree 18 month maximum limit for submitting an application for the Public Administration Intern.”

WILL THE COMMISSION APPROVE THE CREATION, ABOLISHMENT OR REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE SEPTEMBER 1, 2007?

- **Item A: Juvenile Justice Specialist Intern (new)**
Juvenile Justice Specialist (new)
Juvenile Justice Supervisor (new)

Youth Supervisor Trainee (abolish)
Youth Supervisor 1 (abolish)
Youth Supervisor 2 (abolish)
Youth Supervisor 3 (abolish)
Youth Supervisor 4 (abolish)
- **Item B: Child Welfare Associate Specialist (revise)**
Child Welfare Specialist (revise)
Child Protection Associate Specialist (revise)
Child Protection Specialist (revise)
- **Item C: Public Administration Intern (revise)**

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	6/30/07	7/31/07	7/31/06
Agriculture	8	8	11
Arts Council	1	1	1
Central Management Services	9	7	2
Children and Family Services	6	9	8
Commerce and Economic Opportunity	1	0	2
Employment Security	1	0	0
Financial and Professional Regulation	0	0	5
Healthcare and Family Services	18	16	9
Historic Preservation	25	24	15
Human Rights Department	0	0	1
Human Services	5	4	3
Natural Resources	29	34	34
Property Tax Appeal Board	2	0	1
State Retirement Systems	1	0	0
Transportation	28	69	53
Veterans' Affairs	2	0	0
Workers' Compensation Commission	1	0	0
Totals	137	172	145

IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

- **DISCHARGE APPEAL ON REMAND**

DA-5-07

Employee	Michael K. Hogan	Appeal Date	8/29/06
Agency	DOC	Decision Date	8/03/07 on remand
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Tested positive for THC (marijuana) in random drug test	Recommended Decision	Charges are not proven.

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

- **DISCHARGE APPEAL**

DA-8-07

Employee	Diane Timmer	Appeal Date	9/26/06
Agency	DCEO	Decision Date	8/03/07
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Inefficiency, incompetence and negligence in duty performance; insubordination (failure to follow directive); making false statements; conduct unbecoming	Recommended Decision	Charges are partially proven and do warrant discharge.

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

- **DISCHARGE APPEAL**

DA-39-07

Employee	Toni P. Leachman	Appeal Date	4/24/07
Agency	DCFS	Decision Date	8/03/07
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Insubordination (failure to report to independent medical examinations)	Recommended Decision	Charges are proven and do warrant discharge.

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

August 16, 2007

- **SUSPENSION APPEAL**

S-29-07

Employee	Kirstin Henderson	Appeal Date	2/07/07
Agency	CMS	Decision Date	8/03/07
Type	Suspension	ALJ	Andrew Barris
Charge(s)	Unauthorized/unreported absence	Recommended Decision	Charges are partially proven and a 5-day suspension in lieu of a 26-day suspension is the appropriate discipline.

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

X. **STAFF REPORT**

XI. **ANNOUNCEMENT OF NEXT MEETING**

The next regular meeting is to be held on Thursday, September 20, 2007 at 9:00 a.m. in the Commission's Chicago office.

XII. **MOTION TO ADJOURN**