

September 16, 2004

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
September 16, 2004

- 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 AUGUST 19, 2004

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR
MEETING HELD AUGUST 19, 2004?**

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	150	5
Agriculture	585	18
Arts Council	20	1
Capitol Development Board.....	16	0
Central Management Services.....	1223	109
Children and Family Services	3552	41
Civil Service Commission.....	5	0
Commerce & Econ. Opportunity.....	494	60
Commerce Commission	58	0
Corrections	14,464	114
Criminal Justice Authority	72	3
Deaf and Hard of Hearing Comm.	7	1
Developmental Disabilities Council.....	12	1
Elections Board	55	1
Emergency Management Agency.....	110	2
Employment Security	2003	26
Environmental Protect. Agency.....	1141	13
Fin. & Prof. Regulation	892	22
Guardianship and Advocacy	111	6
Historic Preservation Agency.....	262	6
Human Rights Commission.....	11	2
Human Rights Department.....	147	7
Human Services.....	15,734	61
Industrial Commission	162	7
Investment Board	3	1
Labor	83	7
Labor Relations Board Educational.....	16	2
Labor Relations Board Local	2	0
Labor Relations Board State.....	18	2
Law Enforce. Trng. & Standard Bd.....	25	1
Medical District Comm.	2	0
Military Affairs	147	3
Natural Resources	1847	27
Pollution Control Board	26	3
Prisoner Review Board.....	24	0
Property Tax Appeal Board.....	24	2
Public Aid.....	2356	23
Public Health	1157	28
Revenue.....	2166	53
State Fire Marshal	135	7
State Police.....	1537	7
State Police Merit Board	5	1
State Retirement System	80	1
Transportation	2970	1
Veterans Affairs	1176	3
TOTALS	55,085	678

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

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

C. Environmental Protection Agency – Proposed Exemption

The following 4d(3) requests for exemption were continued at the August 19, 2004 meeting until September 16, 2004.

COPY

Dear Director Rumman:

The Illinois Environmental Protection Agency is requesting 4d(3) policy exemption of the following position:

Position Title:	Senior Public Service Administrator
Position Number	40070-46-00-000-00-07
Division:	Director's Office
Incumbent:	Vacant
Supervisor:	Director
Location:	Cook County

The rationale for requesting this exemption is supported by the following:

1. As the agency Regional Economic Development Officer, this position will report to the Director.
2. This position serves as the statewide Project Manager for the agency Regional Economic Development Plan to expand and retain existing and attract new businesses to all state regions focusing on export oriented businesses via the development and offering of packages of governmental incentives to businesses developed in collaboration with the Department of Commerce and Economic Opportunity.
3. Serves as spokesperson for the Director and the agency on issues associated with the agency's Economic Development Plan to the legislature, private businesses and associations, the media, public interest groups, DCEO, and various state, local and federal governmental entities.

Considering similarities of this requested position with those of other 4d(3) exempted positions in the Illinois Environmental Protection Agency I request 4d(3) exemption.

To facilitate your review, I have enclosed copies of the position description and organization charts. If additional information is required, please contact Kevin Tirey, Human Resources Manager, at 524-4157.

END OF COPY

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

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, CMS recommends 4d(3) exemption.

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

Position Title: Senior Public Service Administrator
Position Number 40070-46-00-000-00-07
Division: Director's Office
Incumbent: Vacant
Supervisor: Director
Location: Cook County

D. Department of Revenue – Proposed Exemption

The following 4d(3) request for exemption was continued at the August 19, 2004 meeting until September 16, 2004.

COPY

Dear Director Rumman:

I am proposing the exemption of two Senior Public Service Administrator positions, as provided for in Section 4d(3) of the Personnel Code.

Position Title: Senior Public Service Administrator
Position Number: 40070-25-94-200-00-01
Division: Lottery-Promotions Office
Incumbent: Vacant
Supervisor: Lottery Superintendent
Location: Cook County

Position Title: Senior Public Service Administrator
Position Number 40070-25-90-200-10-01
Division: Lottery-Events/Sponsorship Office
Incumbent: Vacant
Supervisor: Lottery Superintendent
Location: Cook County

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

These positions report directly to the Lottery Superintendent, which is attached to my office. The positions are responsible for the development of new, or expansion of current Lottery programs designed to improve and enhance the effectiveness and efficiency of Lottery operations. These positions will be responsible for the formulation and implementation of policy for their respective program, initiate legislative proposals and perform the primary controlling impact on the end results and outputs of their programs. While these positions now either have no subordinate staff or a very small subordinate staff, it is imperative that the Lottery Superintendent allows individuals to be hired into these positions to establish their program at a later date. As almost all functions of the State Lottery involve contracting with outside vendors, e.g., advertising firms, marketing firms, etc., these individuals will be responsible for the actions of those vendors on a day-to-day basis.

As these positions serve as direct subordinates to the Lottery Superintendent with responsibility for developing Lottery policy, rules and regulations, and have a crucial impact on decisions and actions of the State Lottery, I believe the positions meet all criteria for exemption.

Attached are CMS-104's to clarify or establish the positions and an organizational chart for your review. Your review and early positive presentation of this request to the Civil Service Commission is greatly appreciated. If additional information is needed, please advise Betty Ames of my Personnel Office so that we may respond most effectively and expeditiously.

END OF COPY

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, CMS recommends 4d(3) exemption.

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

Position Title:	Senior Public Service Administrator
Position Number:	40070-25-94-200-00-01
Division:	Lottery-Promotions Office
Incumbent:	Vacant
Supervisor:	Lottery Superintendent
Location:	Cook County

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

Position Title: Senior Public Service Administrator
Position Number: 40070-25-90-200-10-01
Division: Lottery-Events/Sponsorship Office
Incumbent: Vacant
Supervisor: Lottery Superintendent
Location: Cook County

E. **Department of Natural Resources – Proposed Exemption**

The following 4d(3) request for exemption was continued at the August 19, 2004 meeting until September 16, 2004.

COPY

Dear Mr. Rumman:

Please find enclosed the necessary documents to establish a Senior Public Service Administrator and exempt the position from Jurisdiction B, Section 4d(3), of the Personnel Code.

Position Title: Senior Public Service Administrator
Position Number: 40070-12-00-300-00-01
Division: Director's Office
Incumbent: Vacant
Supervisor: Director
Location: Cook County

The rationale for requesting this exemption is supported by the following:

- 1) The position would be developing and managing the Department's Regional Economic Development Plan.
- 2) The position will serve as a spokesperson for the Director and the Agency on issues associated with the Regional Economic Development Plan to the legislature, private businesses and associations, the media, public interest groups, DCEO, and various other entities.

Considering similarities of this requested position with those of other 4d(3) exempted positions in the department of Natural Resources, I request 4d(3) exemption.

Your concurrence with this request will be appreciated. Should you need additional information, please contact Michele Cusumano at 782-1274.

END OF COPY

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

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, CMS recommends 4d(3) exemption.

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

Position Title:	Senior Public Service Administrator
Position Number:	40070-12-00-300-00-01
Division:	Director's Office
Incumbent:	Vacant
Supervisor:	Director
Location:	Cook County

F. **Department of Agriculture – Proposed Exemption**

The following 4d(3) request for exemption was continued at the August 19, 2004 meeting until September 16, 2004.

COPY

Dear Director Rumman:

We are proposing the exemption of the following Senior Public Service Administrator, Opt. 1 (40070-11-01-000-00-02) as provided in exempt Code Section of the Personnel Code.

Position Title:	Senior Public Service Administrator
Position Number:	40070-11-01-000-00-02
Division:	Director's Office
Incumbent:	Vacant
Supervisor:	Director
Location:	Sangamon County

This position reports directly to the Director of Agriculture and serves as statewide Project Manager developing policy and implementing and managing the agency Regional Economic Development Plan for the Department of Agriculture. This

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

position serves as spokesperson for the Director and the Agency on issues associated with the Agency's Economic Development Plan. This position acts in full authority for the Director allocating and reallocating resources to accommodate fluctuating operational needs.

The attached CMS-104 and organizational charts will depict the placement and responsibility of this position.

If additional information is needed, please contact Tammy Payne at 217/785-5099. Thank you for your assistance in this matter.

END OF COPY

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, CMS recommends 4d(3) exemption.

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

Position Title:	Senior Public Service Administrator
Position Number:	40070-11-01-000-00-02
Division:	Director's Office
Incumbent:	Vacant
Supervisor:	Director
Location:	Sangamon County

G. Department of Corrections - Proposed Exemption

The following recommendation and supporting materials were received from the Director of the Illinois Department of Corrections.

COPY

Dear Director Rumman:

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

The Illinois Department of Corrections is requesting the 4d(3) policy exemption of the following position:

Position Title:	Public Service Administrator
Position Number:	37015-29-00-000-70-01
Division:	Sheridan Project
Incumbent:	Vacant
Supervisor:	Assistant Director
Location:	La Salle

The Sheridan Project Data Collection Program Coordinator will report to the Agency's Assistant Director. This position serves as the Data Collection Coordinator for the Sheridan Project, an extensive re-entry program created at the Governor's direction to reduce recidivism and rising prison populations throughout the State of Illinois.

The Data Collection Program Coordinator is responsible for the development of policy, the planning, organization, execution and control of the collection of key data from treatment group and comparison group facilities. This position will develop and implement measures of success through items related to drug treatment progress, drug testing, residential program services participation and disciplinary infractions. Data gathered and presented by the Data Collection Program Coordinator will be utilized to fix objectives and state principles to control actions of several agency divisions involved in the operations of the Sheridan Project.

The position description of this Public Service Administrator position and the organizational chart depicting the reporting structure and subordinate staff are attached to assist you in your review.

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, CMS recommends 4d(3) exemption.

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

Position Title:	Public Service Administrator
Position Number:	37015-29-00-000-70-01
Division:	Director's Office
Incumbent:	Vacant
Supervisor:	Agency Assistant Director
Location:	LaSalle County

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

H. **Department of Corrections – Proposed Exemption**

The following recommendation and supporting materials were received from the Director of the Illinois Department of Corrections.

COPY

Dear Director Rumman:

The Illinois Department of Corrections is requesting the 4d(3) policy exemption of the following position:

Position Title:	Senior Public Service Administrator
Position Number:	40070-29-00-000-60-01
Division:	Planning and Research
Incumbent:	Vacant
Supervisor:	Agency Director
Location:	Sangamon County

The Manager of the Planning and Research Unit will report to the Assistant Director. This position serves as a policy-formulating administrator of the Agency's Planning and Research Unit in planning, directing, implementing and administering, in collaboration with the Director and the Assistant Director, the procedures of this program area. This position has principal responsibility for the creation and execution of policies that guide the operation of this Unit.

The position description of this Sr. Public Service Administrator position and the organizational chart depicting the reporting structure and subordinate staff are attached to assist you in your review.

If you have any questions regarding this request, please contact James Reinhart at (217) 522-2666.

END OF COPY

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, CMS recommends 4d(3) exemption.

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

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

Position Title:	Senior Public Service Administrator
Position Number:	40070-29-00-000-60-01
Division:	Planning and Research
Incumbent:	Vacant
Supervisor:	Agency Director
Location:	Sangamon County

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

The following recommendation and supporting materials were received from the Director of the Illinois Department of Corrections.

COPY

Dear Director Rumman:

The Illinois Department of Corrections is requesting the 4d(3) policy exemption of the following position:

Position Title:	Public Service Administrator
Position Number:	37015-29-00-000-70-02
Division:	Sheridan Project
Incumbent:	Vacant
Supervisor:	Assistant Director
Location:	Sangamon County

The Sheridan Project Information Collection and Translation Coordinator will report to the Agency's Assistant Director. This position serves as the coordinator of the Information Collection and Translation component of the Sheridan Project, an extensive re-entry program created at the Governor's direction to reduce recidivism and rising prison populations throughout the State of Illinois.

The Information Collection and Translation Coordinator is responsible for the development of policy, the planning, organization, execution and control of the program responsible for the collection and translation of information for the production of follow-up and outcome studies which are utilized to fix objectives and state principles that affect the operating objectives of multiple divisions for project development, implementation and projection of the program's success. This position implements and evaluates studies to identify and continuously monitor the accuracy of the data collection and presentation of pre- and post-release activities maintained in database format.

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

The position description of this Public Service Administrator position and the organizational chart depicting the reporting structure and subordinate staff are attached to assist you in your review.

END OF COPY

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, CMS recommends 4d(3) exemption.

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

Position Title:	Public Service Administrator
Position Number:	37015-29-00-000-70-02
Division:	Sheridan Project
Incumbent:	Vacant
Supervisor:	Assistant Director
Location:	Sangamon County

J. Department of Corrections – Proposed Exemption

The following recommendation and supporting materials were received from the Director of the Illinois Department of Corrections.

COPY

Dear Director Rumman:

The Illinois Department of Corrections is requesting the 4d(3) policy exemption of the following position:

Position Title:	Public Service Administrator
Position Number:	37015-29-00-000-70-03
Division:	Sheridan Project
Incumbent:	Vacant
Supervisor:	Assistant Director
Location:	Cook County

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

The Sheridan Project Manual Data Collection Program Coordinator will report to the Agency's Assistant Director. This position serves as the coordinator of the Manual Data Collection component of the Sheridan Project, an extensive re-entry program created at the Governor's direction to reduce recidivism and rising prison populations throughout the State of Illinois.

The Manual Data Collection Program Coordinator is responsible for the development of policy, the planning, organization, execution and control of the program responsible for the collection of outcome data that is utilized to fix objectives and state principles that affect the operating objectives of Agency divisions such as Clinical Services, Parole and Placement Resources. This position plans and coordinates departmental activities, integrating the plans and projections of a number of related divisions so that they may be properly surveyed and interviewed to ensure that the qualitative assessments of the Sheridan Project can be made.

The position description of this Public Service Administrator position and the organizational chart depicting the reporting structure and subordinate staff are attached to assist you in your review.

END OF COPY

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, CMS recommends 4d(3) exemption.

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

Position Title:	Public Service Administrator
Position Number:	37015-29-00-000-70-03
Division:	Sheridan Project
Incumbent:	Vacant
Supervisor:	Assistant Director
Location:	Cook County

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

K. Environmental Protection Agency – Proposed Exemption

The following recommendation and supporting materials were received from the Director of the Illinois Environmental Protection Agency.

COPY

Dear Director Rumman:

We are requesting approval to exempt the position of Senior Public Service Administrator (40070-46-00-200-00-03) in accordance with Section 4d(3) of the Personnel Code.

Position Title:	Senior Public Service Administrator
Position Number:	40070-46-00-200-00-03
Division:	Director's Office
Incumbent:	Vacant
Supervisor:	Director
Location:	Sangamon County

This position directly reports to the Director and is located in Springfield, Illinois. The position serves as Manager of Citizens Response of the Agency, which manages the Citizen Response Program. Other duties also include formulating and recommending policies and guidelines for the Director to initiate public awareness of the IEPA.

The attached CMS-104 (Position Description) and an organizational chart will depict the placement and responsibilities of this position.

If additional information is needed, please contact me so that we may respond effectively and expeditiously.

END OF COPY

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, CMS recommends 4d(3) exemption.

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

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

Position Title: Senior Public Service Administrator
Position Number: 40070-46-00-200-00-03
Division: Director's Office
Incumbent: Vacant
Supervisor: Director
Location: Sangamon County

L. **Department of Natural Resources – Proposed Exemption**

The following recommendation and supporting materials were received from the Director of the Illinois Department of Natural Resources.

COPY

Dear Director Rumman:

Please find enclosed the necessary documents to establish a Senior Public Service Administrator and exempt the position from Jurisdiction B, Section 4d(3), of the Personnel Code.

Position Title: Senior Public Service Administrator
Position Number: 40070-12-09-000-00-01
Division: Office of Business Management
Incumbent: Vacant
Supervisor: Director
Location: Sangamon

The rationale for requesting this exemption is supported by the following:

- 1) The position would be managing the Department's Business Office, including fiscal operations as well as human resources.
- 2) The position will serve as a spokesperson for the Director and the Agency on issues associated with business management plans to the legislature, private businesses and associations, the media, public interest groups and various other entities.

Considering similarities of this requested position with those of other 4d(3) exempted positions in the Department of Natural Resources, I request 4d(3) exemption.

Your concurrence with this request will be appreciated. Should you need additional information, please contact Michele Cusumano at 782-1274.

END OF COPY

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

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, CMS recommends 4d(3) exemption.

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

Position Title:	Senior Public Service Administrator
Position Number:	40070-12-09-000-00-01
Division:	Office of Business Management
Incumbent:	Vacant
Supervisor:	Director
Location:	Sangamon

M. **Department of Public Aid – Removal of 4d(3) Exemption**

The following request was received from the Director of the Illinois Department of Public Aid to rescind the 4d(3) exemption status of the following position:

COPY

Dear Director Rumman:

We are requesting the removal of the 4d(3) designation on the Senior Public Service Administrator position (40070-33-00-230-00-61) that serves as our agency's Procurement Coordinator.

Position Title:	Senior Public Service Administrator
Position Number:	40070-33-00-230-00-61
Division:	Office of the Director
Incumbent:	Vacant
Supervisor:	Deputy Director 40070-33-00-040-00-21
Location:	Sangamon County

This position reports directly to the agency's Strategic Sourcing and Procurement Administrator and no longer acts in my behalf or has responsibility for formulating and developing agency policies.

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

The attached CMS-104 Position Description and organizational chart depict the placement and responsibility of this position.

If additional information is needed, please contact Theresa Bietsch, the Administrator of our Division of Personnel and Administrative Services, at 557-5797.

END OF COPY

CMS Recommendation

This position has been clarified and no longer reports to the Director. Additionally, this position's authority to formulate policies and procedures has been restricted to the Agency's Procurement Program. CMS agrees with Director Maram and recommends the rescinding of 4d(3) exemption.

WILL THE COMMISSION GRANT THE REQUEST TO RESCIND THE 4D(3) EXEMPTION STATUS FOR THE FOLLOWING POSITION?

Position Title:	Senior Public Service Administrator
Position Number:	40070-33-00-230-00-61
Division:	Office of the Director
Incumbent:	Vacant
Supervisor:	Deputy Director 40070-33-00-040-00-21
Location:	Sangamon County

V. MOTION TO GO INTO EXECUTIVE SESSION

WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS OF DISMISSAL FILED WITH THE COMMISSION?

VI. RECONVENE MEETING

VII. 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 report as of August 31, 2004.

	<u>7/31/04</u>	<u>8/31/04</u>
Agriculture	8	9
Central Management Services	8	9
Children & Family Services	6	3
Comm. & Econ. Opportunity	2	1
Emergency Management Agency	1	1
Environmental Protection	2	1
Historic Preservation	34	33
Human Rights	1	0
Natural Resources	51	40
Public Aid	4	3
Transportation	3	2
Totals	120	102

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VIII. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

• **DISCHARGE**

DA-10-04

Respondent	Robert P. Jones	Appeal Date	8/11/03
Agency	DHS	Decision Date	8/31/04
Type of Appeal	Discharge	ALJ	Daniel Stralka
Charge	Conduct Unbecoming A State Employee.	Recommended Decision	Charges Proven; Discharge Upheld.

DOES THE COMMISSION CONCUR WITH THE RECOMMENDED DECISION IN THE ABOVE MATTER?

• **DISCHARGE**

DA-75-04

Respondent	Steven M. Cohen	Appeal Date	11/24/03
Agency	DHS	Decision Date	9/1/04
Type of Appeal	Discharge	ALJ	Leonard Sacks
Charge	Conduct Unbecoming A State Employee.	Recommended Decision	Charges Proven; 90-Day Suspension In Lieu Of Discharge Recommended.

DOES THE COMMISSION CONCUR WITH THE RECOMMENDED DECISION IN THE ABOVE MATTER?

VIII. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL (continued)

- **DISCHARGE**

DA-76-04

Respondent	Sharon B. Newell	Appeal Date	12/01/03
Agency	DHS	Decision Date	9/02/04
Type of Appeal	Discharge	ALJ	Leonard Sacks
Charge	Abuse of Time	Recommended Decision	Charges Proven; (Unspecified) Suspension In Lieu Of Discharge Recommended.

DOES THE COMMISSION CONCUR WITH THE RECOMMENDED DECISION IN THE ABOVE MATTER?

- **DISCHARGE**

DA-74-04

Respondent	Kent Yager	Appeal Date	11/21/03
Agency	CMS	Decision Date	9/03/04
Type of Appeal	Discharge	ALJ	Daniel Stralka
Charge	Failure To Return From An Approved Leave Of Absence.	Recommended Decision	Charges Proven; Discharge Upheld.

DOES THE COMMISSION CONCUR WITH THE RECOMMENDED DECISION IN THE ABOVE MATTER?

VIII. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL (continued)

- **DISCHARGE**

DA-85-04

Respondent	Kendrick Brantley	Appeal Date	2/23/04
Agency	Agriculture	Decision Date	9/03/04
Type of Appeal	Discharge	ALJ	Leonard Sacks
Charge	Unauthorized Absence; Inappropriate Conduct.	Recommended Decision	Charges Proven; 90-Day Suspension (In Addition To 30-Day Suspension Pending) In Lieu Of Discharge.

DOES THE COMMISSION CONCUR WITH THE RECOMMENDED DECISION IN THE ABOVE MATTER?

IX. APPEALS TERMINATED WITHOUT DECISION

- **DISMISSAL**

DA-102-04

Respondent	Fred Graham	Appeal Date	6/09/04
Agency	Human Services	Decision Date	9/03/04
Type of Appeal	Discharge	ALJ	Andrew Barris
Charge	Unauthorized Absence; Inappropriate Conduct.	Recommended Decision	Respondent Failed To Appear At Hearing; Appeal Dismissed.

DOES THE COMMISSION CONCUR WITH THE RECOMMENDED DECISION IN THE ABOVE MATTER?

IX. APPEALS TERMINATED WITHOUT DECISION (Continued)

- **DISMISSAL**

DA-98-04

Respondent	James D. Kline	Appeal Date	6/04/04
Agency	DHS	Decision Date	9/03/04
Type of Appeal	Discharge	ALJ	Daniel Stralka
Charge	Abuse Of Time.	Recommended Decision	Discharge Appeal Dismissed – Untimely Filing.

At a hearing held in the above-entitled matter, the Petitioner’s Motion to Dismiss was granted and the Respondent’s discharge appeal dismissed subject to the approval of the Commission.

DOES THE COMMISSION CONCUR WITH THE RECOMMENDED DECISION IN THE ABOVE MATTER?

- **LAYOFF APPEAL**

LA-59-04

Petitioners	Edith LeMasters and Barbara Prosperini	Appeal Date	9/05/03
Agency	Labor Relations Board	Decision Date	8/24/04
Type of Appeal	Layoff	ALJ	Daniel Stralka
Charge	Violation Of Section 302.530 Of Personnel Code And Rules.	Recommended Decision	No Violation Of Personnel Code Or Rules Found.

DOES THE COMMISSION CONCUR WITH THE RECOMMENDED DECISION IN THE ABOVE MATTER?

September 16, 2004

IX. APPEALS TERMINATED WITHOUT DECISION (continued)

• **DISMISSAL**

LA-95-04

Petitioner	Carol Brigman	Appeal Date	5/26/04
Agency	Human Services	Decision Date	8/30/04
Type of Appeal	Discharge	ALJ	Andrew Barris
Charge	Conduct Unbecoming A State Employee--2 Counts.	Recommended Decision	Appeal Dismissed; Agreed Settlement Between The Parties.

DOES THE COMMISSION CONCUR WITH THE RECOMMENDED DECISION IN THE ABOVE MATTER?

X. STAFF REPORT

XI. ANNOUNCEMENT OF NEXT MEETING

Announcement of the next regular meeting to be held on Thursday, October 21, 2004 at 9:00 a.m. in the Commission's Chicago Office.

XII. MOTION TO ADJOURN