

October 18, 2007

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
OCTOBER 18, 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 SEPTEMBER 20, 2007

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD SEPTEMBER 20, 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	522.....	17
Arts Council.....	21.....	2
Capitol Development Board	32.....	0
Central Management Services	1,584.....	109
Children and Family Services.....	3,236.....	41
Civil Service Commission	4.....	0
Commerce & Economic Opportunity	409.....	65
Commerce Commission.....	52.....	0
Corrections.....	12,100.....	103
Criminal Justice Authority	58.....	6
Deaf and Hard of Hearing Comm.	7.....	1
Developmental Disabilities Council	10.....	1
Emergency Management Agency	102.....	1
Employment Security.....	1,693.....	25
Environmental Protection Agency	1,032.....	19
Financial & Professional Regulation	781.....	49
Guardianship and Advocacy	112.....	7
Healthcare and Family Services.....	2,383.....	29
Historic Preservation Agency	338.....	12
Human Rights Commission	9.....	2
Human Rights Department	154.....	8
Human Services	14,687.....	67
Investment Board.....	3.....	2
Juvenile Justice	1,249.....	18
Labor.....	79.....	8
Labor Relations Board Educational	12.....	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	1,649.....	27
Pollution Control Board.....	22.....	3
Prisoner Review Board	21.....	0
Property Tax Appeal Board	24.....	2
Public Health.....	1,110.....	35
Revenue	2,059.....	63
State Fire Marshal	158.....	12
State Police	1,469.....	6
State Police Merit Board.....	5.....	1
State Retirement Systems	80.....	1
Transportation.....	2,674.....	1
Veterans' Affairs.....	1,142.....	5
Workers' Compensation Commission	173.....	11
TOTALS	51,589.....	776

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 September 20, 2007)

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 the 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 Children & Family Services – Proposed Exemption (continued from September 20, 2007)

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 the 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.”

E. Illinois Dept. of Commerce and Economic Opportunity – Proposed Exemption (continued from September 20, 2007)

Position Number	40070-42-00-800-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Chief Accountability Officer
Incumbent	None
Supervisor	Director
Location	Sangamon County

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

F. Illinois Department of Children & Family Services – Proposed Exemption (continued from September 20, 2007)

Position Number	40070-16-08-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Division of Quality Assurance
Functional Title	Deputy Director, Division of Quality Assurance
Incumbent	None
Supervisor	Director
Location	Cook County

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

G1. Illinois Department of Central Management Services – Proposed Exemption

Position Number	40070-37-00-010-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Associate Director (BOSSAP, Property Mgmt., BEP)
Incumbent	None
Supervisor	Director
Location	Cook County

G2. Illinois Department of Central Management Services – Proposed Exemption

Position Number	40070-37-00-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Chief Administrative Officer
Incumbent	None
Supervisor	Director
Location	Cook County

CMS Recommendation: “These positions 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) exemption.”

H. Illinois Department of Central Management Services – Proposed Exemption

Position Number	40070-37-60-000-20-01
Position Title	Senior Public Service Administrator
Bureau/Division	Bureau of Property Management
Functional Title	Chief Operating Officer
Incumbent	None
Supervisor	Deputy Director, Bureau of Property Management who reports to the Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the 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	40070-29-40-410-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Public Safety Shared Services Center
Functional Title	Change Management Project Manager
Incumbent	None
Supervisor	Deputy Director of Projects for the Shared Services Center, who reports to Director of 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 the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

J. Illinois Department of Public Health – Proposed Exemption

Position Number	40070-20-02-100-00-81
Position Title	Senior Public Service Administrator
Bureau/Division	Division of Legal Services
Functional Title	Deputy Chief Legal Counsel
Incumbent	Frank Urso
Supervisor	Chief Legal Counsel, who reports to the Director
Location	Sangamon County

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

K1. Illinois Department of Central Management Services – Proposed Rescission

Position Number	40070-37-31-000-01-01
Position Title	Senior Public Service Administrator
Bureau/Division	Bureau of Benefits/Group Insurance Division
Functional Title	Group Insurance Division Manager
Incumbent	None
Supervisor	Deputy Director of the Bureau of Benefits
Location	Sangamon County

K2. Illinois Department of Central Management Services – Proposed Rescission

Position Number	40070-37-33-000-01-02
Position Title	Senior Public Service Administrator
Bureau/Division	Bureau of Benefits/Deferred Compensation Division
Functional Title	Deferred Compensation Division Manager
Incumbent	None
Supervisor	Deputy Director of the Bureau of Benefits
Location	Sangamon County

CMS Analysis: “These positions no longer hold major programmatic decision making authority.”

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

- Item C: Chief of Asian-American Services**
- Item D: Chief of Disability Services**
- Item E: Chief Accountability Officer**
- Item F: Deputy Director, Division of Quality Assurance**
- Item G1: Associate Director (BOSSAP, Property Management, BEP)**
- Item G2: Chief Administrative Officer**
- Item H: Chief Operating Officer, Bureau of Property Management**
- Item I: Change Management Project Manager (Shared Services Center)**
- Item J: Deputy Chief Legal Counsel**
- Item K1: Group Insurance Division Manager (rescission)**
- Item K2: Deferred Compensation Division Manager (rescission)**

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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.

Agency	8/31/07	9/30/07	9/30/06
Agriculture	8	6	5
Arts Council	0	0	1
Central Management Services	9	8	3
Children and Family Services	7	7	3
Financial and Professional Regulation	0	0	1
Healthcare and Family Services	15	14	5
Historic Preservation	22	18	14
Human Services	4	3	3
Natural Resources	29	20	29
State Retirement System	0	0	1
Transportation	67	41	90
Veterans' Affairs	0	0	1
Workers' Compensation Commission	1	1	0
Totals	162	118	156

IX. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

- **DISMISSED**

DA-3-08

Employee	Fannie Blake	Appeal Date	8/02/07
Agency	DCFS	Decision Date	10/02/07
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Falsification of information; conduct unbecoming; and poor work performance	Recommended Decision	Dismissed subject to approval of Commission; no jurisdiction (employee resigned before discharge).

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

- **DISMISSED**

RV-36-07

Petitioner	Algie Crivens, III	Appeal Date	4/02/07
Agency	DES	Decision Date	9/26/07
Type	Rule Violation	ALJ	Andrew Barris
Charge(s)	Negative performance evaluation was racially biased instead of merit based	Proposed Finding	Dismissed, subject to approval of Commission no jurisdiction; (employee filed a CMS grievance).

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

X. STAFF REPORT

XI. FY 2007 ANNUAL REPORT

WILL THE COMMISSION APPROVE THE FISCAL YEAR 2007 ANNUAL REPORT?

XII. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Thursday, November 15, 2007 at 10:30 a.m. in the Commission's new Springfield office.

XIII. MOTION TO ADJOURN