

October 19, 2006

AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
October 19, 2006

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 21, 2006

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD SEPTEMBER 21, 2006?**

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 .....	142.....	9
Agriculture .....	529.....	17
Arts Council.....	20.....	1
Capitol Development Board .....	32.....	0
Central Management Services .....	1,615.....	111
Children and Family Services.....	3,358.....	41
Civil Service Commission .....	4.....	0
Commerce & Econ. Opportunity .....	429.....	61
Commerce Commission.....	54.....	0
Corrections.....	12,358.....	100
Criminal Justice Authority .....	69.....	6
Deaf and Hard of Hearing Comm. ....	6.....	1
Developmental Disabilities Council .....	10.....	1
Emergency Management Agency .....	106.....	1
Employment Security.....	1,794.....	26
Environmental Protect. Agency .....	1,086.....	17
Financial. & Prof. Regulation .....	803.....	44
Guardianship and Advocacy .....	114.....	6
Healthcare and Family Services .....	2,337.....	29
Historic Preservation Agency .....	328.....	11
Human Rights Commission .....	12.....	2
Human Rights Department .....	137.....	8
Human Services .....	14,883.....	62
Investment Board.....	5.....	2
Juvenile Justice .....	1321.....	18
Labor.....	79.....	7
Labor Relations Board Educational .....	17.....	2
Labor Relations Board Local .....	1.....	0
Labor Relations Board State .....	17.....	2
Law Enforce. Trng. & Standard Bd. ....	23.....	1
Medical District Comm.....	2.....	0
Military Affairs .....	144.....	3
Natural Resources .....	1,625.....	27
Pollution Control Board.....	26.....	3
Prisoner Review Board .....	22.....	0
Property Tax Appeal Board .....	23.....	2
Public Health.....	1,116.....	35
Revenue .....	2,037.....	59
State Fire Marshal .....	150.....	9
State Police .....	1,458.....	6
State Police Merit Board.....	5.....	1
State Retirement Systems .....	85.....	1
Transportation.....	2,847.....	1
Veterans Affairs.....	1,163.....	5
Workers Comp. Commission.....	177.....	10
<b>TOTALS .....</b>	<b>52,569.....</b>	<b>748</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 Revenue – Proposed Exemption (Continued from 9/21/06)**

Position Number	37015-25-90-210-10-01
Position Title	Public Service Administrator
Bureau/Division	Lottery-Superintendent’s Office
Functional Title	Communications Manager
Incumbent	None
Supervisor	Lottery Superintendent (reports to 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.”

**D. Illinois State Fire Marshal – Proposed Exemption (Continued from 9/21/06)**

Position Number	40070-50-50-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Boiler and Pressure Vessel Safety
Functional Title	Director, Statewide Boiler and Pressure Vessel Safety Division
Incumbent	David Douin
Supervisor	Illinois State Fire Marshal
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.”

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

Position Number	40070-29-00-000-20-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	EEO/Affirmative Action Officer
Incumbent	Janet Richmond
Supervisor	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.”

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

Position Number	37015-27-00-000-10-01
Position Title	Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	EEO/Affirmative Action Officer
Incumbent	None
Supervisor	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.”

**G. Illinois Department of Revenue – Proposed Exemption**

Position Number	40070-25-41-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Audit
Functional Title	Manager of the Audit Bureau
Incumbent	Daniel E. Hall
Supervisor	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.”

**H. Illinois Dept. of Commerce and Economic Opportunity – Proposed Exemption**

Position Number	40070-42-00-700-05-01
Position Title	Senior Public Service Administrator
Bureau/Division	Entrepreneurial/Small Business Programs
Functional Title	Assistant Deputy Director
Incumbent	None
Supervisor	Deputy Director, Entrepreneurial/Small Business Programs (reports to agency Director)
Location	Sangamon County

**CMS Recommendation:** “This position meets 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. Guardianship and Advocacy Commission – Proposed Exemption**

Position Number	40070-50-70-050-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administration
Functional Title	Director of Financial and Fiscal Operations
Incumbent	Jerry Turnbull
Supervisor	Reports to Director
Location	Sangamon County

**CMS Recommendation:** “This position meets 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 C: Communications Manager**
- **Item D: Director, Statewide Boiler and Pressure Vessel Safety Division**
- **Item E: EEO/Affirmative Action Officer**
- **Item F: EEO/Affirmative Action Officer**
- **Item G: Manager of the Audit Bureau**
- **Item H: Assistant Deputy Director for Entrepreneurial/Small Business Office**
- **Item I: Director of Financial and Fiscal Operations**

**V. CLASS SPECIFICATIONS**

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

**A. Position Title**

Social Service Career Trainee (revise)

**Classification Analysis**

“The Department of Healthcare & Family Services requested that the Social Services Career Trainee (SSCT) Program used in their Department be changed from a six to twelve month program to a six to twenty-four month program. The additional twelve month period will allow time for trainees to acquire the two years of casework

experience needed to qualify for the Public Aid Family Support Specialist I title, which is an approved targeted title for Social Services Career Trainee positions. However, a review of Trainee programs revealed that the Department of Human Services (DHS) requires a 48 month training period for certain Social Services Career Trainee positions which target the Rehabilitation Counselor class; the Rehabilitation Counselor requires a Master's degree and one year of experience. Although a more specific Rehabilitation Counselor Trainee class exists for training in the rehabilitation field, the requirements are a Master's degree. Typically, DHS has found that many of the Master's degreed candidates for the Rehabilitation Counselor Trainee lack the requisite bilingual skills (e.g., manual communication, Spanish) necessary for completion of duties in Rehabilitation Counselor positions, but such skills appear to be more prevalent in those employees having a Bachelor's degree. Therefore, DHS uses the Social Services Career Trainee to enable bilingually qualified candidates with a Bachelor's degree time in which to acquire a Master's degree and experience, in order to successfully promote to the Rehabilitation Counselor. Due to DHS' desire to continue the use of the Social Services Career Trainee in this manner, we have revised the class to reflect a maximum training period of 48 months."

B. Position Titles

Revenue Tax Specialist Trainee (revise)  
Revenue Tax Specialist I (revise)  
Revenue Tax Specialist II (revise)

Property Tax Examiner Trainee (abolish)  
Property Tax Examiner (abolish)  
Property Tax Analyst I (abolish)  
Property Tax Analyst II (abolish)  
Property Tax Analyst III (abolish)

Classification Analysis

"The Department of Revenue is requesting the merging of the Property Tax titles into their broadband Revenue Tax Specialist class series. After reviewing their proposal and analyzing job duties and responsibilities, we concur that the reclassification of the Property Tax classes is appropriate. The reclassification should improve productivity by providing advancement opportunities for employees. The changes made in the existing class specifications for the Revenue Tax Specialist I, II and Trainee are minor and do not warrant an increase in compensation; the Public Service Administrator is not being revised."

**WILL THE COMMISSION APPROVE THE REVISION OR ABOLISHMENT OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE NOVEMBER 1, 2006?**

- **Item A: Social Service Career Trainee (revise)**

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- **Item B: Revenue Tax Specialist Trainee (revise)**
  - Revenue Tax Specialist I (revise)**
  - Revenue Tax Specialist II (revise)**
  - Property Tax Examiner Trainee (abolish)**
  - Property Tax Examiner (abolish)**
  - Property Tax Analyst I (abolish)**
  - Property Tax Analyst II (abolish)**
  - Property Tax Analyst III (abolish)**

**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>8/31/06</b>	<b>9/30/06</b>	<b>9/30/05</b>
Agriculture	6	5	4
Arts Council	1	1	0
Central Management Services	4	3	5
Children and Family Services	5	3	5
Commerce and Economic Opportunity	1	0	1
Financial and Professional Regulation	2	1	0
Healthcare and Family Services	6	5	12
Historic Preservation	18	14	22
Human Rights Department	0	0	1
Human Services	2	3	0
Natural Resources	34	29	18
State Police	1	0	0
State Retirement Systems	0	1	1
Transportation	78	90	42
Veterans' Affairs	0	1	0
<b>Totals</b>	<b>158</b>	<b>156</b>	<b>111</b>

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IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

• DISCHARGE APPEAL

DA-1-07

Petitioner	Mandy Taylor	Appeal Date	07/11/06
Agency	DHS	Decision Date	10/06/06
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Unauthorized absences	Recommended Decision	Charges proven; discharge upheld.

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

• GEOGRAPHICAL TRANSFER APPEAL

GT-4-07

Petitioner	Susan Armstrong	Appeal Date	08/03/06
Agency	Employment Security	Decision Date	10/06/06
Type	Geographical Transfer	ALJ	Daniel Stralka
Charge(s)	Transferred from Peoria County to Tazewell County as retaliation	Recommended Decision	No violation.

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

X. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

• WITHDRAWN

LA-51-05

Petitioner	Olga Aranzubia	Appeal Date	1/28/05
Agency	DNR	Decision Date	9/25/06
Type	Layoff	ALJ	Andrew Barris
Charge(s)	Violation of Personnel Rules	Proposed Finding	Dismissed subject to Commission approval; withdrawn due to settlement.

**DOES THE COMMISSION APPROVE THE DISMISSAL OF THE ABOVE MATTER?**

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- **WITHDRAWN**

**DA-56-06**

Petitioner	Mary K. Cook	Appeal Date	06/30/06
Agency	DVA	Decision Date	10/03/06
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Failure to follow procedures; HIPAA and confidentiality violations	Recommended Decision	Dismissed subject to Commission approval; withdrawn due to settlement.

**DOES THE COMMISSION APPROVE THE DISMISSAL OF THE ABOVE MATTER?**

- **WITHDRAWN**

**DA-6-07**

Petitioner	Catherine Biggs	Appeal Date	9/18/06
Agency	DHS	Decision Date	9/29/06
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Conduct unbecoming; (pled guilty to Class 4 Felony for possession of a controlled substance)	Recommended Decision	Dismissed subject to Commission approval; withdrawn.

**DOES THE COMMISSION APPROVE THE DISMISSAL OF THE ABOVE MATTER?**

XI. **CONSIDERATION OF FISCAL YEAR 2006 ANNUAL REPORT**

XII. **STAFF REPORT**

XIII. **ANNOUNCEMENT OF NEXT MEETING**

Announcement of the next regular meeting to be held on Thursday, November 16, 2006 at 10:30 a.m. in the Commission's **Springfield** office.

XIV. **MOTION TO ADJOURN**