

November 15, 2007

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
NOVEMBER 15, 2007

I. OPENING OF MEETING AT 10:30 A.M. AT 400 WEST MONROE STREET, SUITE 306, SPRINGFIELD, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 18, 2007

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD OCTOBER 18, 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	153.....	9
Agriculture	481.....	17
Arts Council.....	21.....	2
Capitol Development Board	37.....	0
Central Management Services	1,554.....	108
Children and Family Services.....	3,225.....	44
Civil Service Commission	4.....	0
Commerce & Economic Opportunity	414.....	65
Commerce Commission.....	52.....	0
Corrections.....	12,072.....	107
Criminal Justice Authority	59.....	6
Deaf and Hard of Hearing Comm.	7.....	1
Developmental Disabilities Council	10.....	1
Emergency Management Agency	100.....	2
Employment Security.....	1,678.....	25
Environmental Protection Agency	1,035.....	19
Financial & Professional Regulation	775.....	50
Guardianship and Advocacy	111.....	7
Healthcare and Family Services.....	2,367.....	29
Historic Preservation Agency	285.....	12
Human Rights Commission	9.....	2
Human Rights Department	154.....	8
Human Services	14,655.....	67
Investment Board.....	3.....	2
Juvenile Justice	1,239.....	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	139.....	3
Natural Resources	1,522.....	27
Pollution Control Board.....	22.....	3
Prisoner Review Board	21.....	0
Property Tax Appeal Board	24.....	2
Public Health.....	1,121.....	36
Revenue	2,080.....	64
State Fire Marshal	158.....	12
State Police	1,474.....	6
State Police Merit Board.....	5.....	1
State Retirement Systems	81.....	1
Transportation.....	2,646.....	1
Veterans' Affairs.....	1,133.....	5
Workers' Compensation Commission	175.....	11
TOTALS	51,234.....	786

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.

* * *

C1. Illinois Department of Central Management Services – Proposed Exemption (continued from October 18, 2007)

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

C2. Illinois Department of Central Management Services – Proposed Exemption (continued from October 18, 2007)

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.”

D. Illinois Department of Central Management Services – Proposed Exemption (continued from October 18, 2007)

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.”

E1. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-12-310-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative & Regulatory Shared Services Center
Functional Title	Assistant CFO of Fiscal Strategic Processes
Incumbent	None
Supervisor	CFO of Administrative & Regulatory Shared Services Center, who reports to Administrative & Regulatory Shared Services Center Director, who in turn reports to the Governor
Location	Sangamon County

E2. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-12-320-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative & Regulatory Shared Services Center
Functional Title	Assistant CFO of Fiscal Functional Processes
Incumbent	None
Supervisor	CFO of Administrative & Regulatory Shared Services Center, who reports to Administrative & Regulatory Shared Services Center Director, 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 the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

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

Position Number	26404-16-00-900-00-01
Position Title	Medical Administrator III
Bureau/Division	Director’s Office
Functional Title	Associate Director for Psychiatric Services
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.”

G. Illinois Department of Corrections – Proposed Exemption

Position Number	00502-29-00-700-01-01
Position Title	Administrative Assistant II
Bureau/Division	Director’s Office
Functional Title	Staff Assistant to Chief Legal Counsel and the Chief of Labor Relations
Incumbent	None
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.”

H1. Illinois Department of Corrections – Proposed Exemption

Position Number	37015-29-00-110-05-01
Position Title	Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Executive Staff Assistant to Chief of Intergovernmental Relations
Incumbent	None
Supervisor	Chief of Intergovernmental Relations, who reports to the Director
Location	Sangamon County

H2. Illinois Department of Corrections – Proposed Exemption

Position Number	40070-29-05-150-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Parole Division
Functional Title	District 1-Area South/Area North Regional Supervisor
Incumbent	None
Supervisor	Chief of Parole, who reports to the Director
Location	Cook County

H3. Illinois Department of Corrections – Proposed Exemption

Position Number	40070-29-05-400-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Parole Division
Functional Title	Districts 4 & 5 Regional Supervisor
Incumbent	None
Supervisor	Chief of Parole, who reports to the Director
Location	Sangamon County

CMS Recommendation: “These positions do 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.”

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

Position Number	26401-13-40-850-00-01
Position Title	Medical Administrator I – Option D
Bureau/Division	Professional Regulation
Functional Title	Medical Coordinator
Incumbent	Dr. Larry McLain
Supervisor	Director of Professional Regulation, who reports to the Secretary
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.”

J. Proposed Rescissions in accordance with Rule 11(c) of the Rules of the Civil Service Commission

On October 16, 2007 the Executive Director sent notice to the Director of Central Management Services of the proposed rescissions of 35 current 4d(3) exempt positions which may no longer meet the requirements for exemption. According to information provided by Central Management Services, these positions were granted exempt status but appointments had never been made to them.¹ Each affected agency director was also provided notice of this proposed action. After resolving a number of issues with many of the proposed rescissions, the following is a list of the positions that will now be put forth before the Commission for formal consideration of rescission of their exemption. Rule 11(c) also provides that withdrawal of exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status positions which will ensure responsive and accountable administrative control of the programs of the agency.

Agenda Item	Agency	Position Number	Functional Title
J1	DHS	40070-10-00-300-00-01	Policy
J2	DOC	40070-29-00-000-60-01	Planning & Research
J3	DOC	40070-29-00-500-00-01	Placement Resource
J4	Agriculture	40070-11-01-000-00-02	RED Project Manager
J5	DPH	40070-20-06-205-00-51	Regional Health Officer, Marion
J6	DPH	26404-20-50-000-00-02	Health Protection

¹ With the exception of Item J1 which is proposed for rescission due to a change in duties, and Items J2 and J3 which are in accordance with a prior representation by the agency.

Agenda Item	Agency	Position Number	Functional Title
J7	DOT	40070-23-40-000-00-01	Human Resources Manager
J8	Revenue	40070-25-73-000-00-01	Fiscal Manager, Liquor Control Commission
J9	Revenue	40070-25-90-200-20-01	Deputy Director, Lottery-Hispanic Market
J10	DOC	40070-29-00-120-00-01	
J11	EPA	40070-46-00-000-00-07	RED Project Manager
J12	Aging	40070-47-30-000-00-01	Div. Manager Community Care Program
J13	GAC	37015-50-70-021-00-01	Chief Spokesperson / Legislative Liaison

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

- C1: Associate Director (BOSSAP, Property Management, BEP)**
- C2: Chief Administrative Officer**
- D: Chief Operating Officer, Bureau of Property Management**
- E1: Assistant CFO of Fiscal Strategic Processes**
- E2: Assistant CFO of Fiscal Functional Processes**
- F: Associate Director for Psychiatric Services**
- G: Staff Assistant to Chief Legal Counsel & Labor Relations Chief**
- H1: Executive Staff Assistant to Chief of Intergovernmental Relations**
- H2: District 1-Area South/Area North Regional Supervisor**
- H3: Districts 4 & 5 Regional Supervisor**
- I: Medical Coordinator**

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

- J1: Human Services – Policy**
- J2: Corrections – Planning & Research**
- J3: Corrections – Placement Resource**
- J4: Agriculture – RED Project Manager**
- J5: Department of Public Health – Regional Health Officer, Marion**

- J6: Department of Public Health – Health Protection**
- J7: Department of Transportation - Human Resources Manager**
- J8: Revenue – Fiscal Manager, Liquor Control Commission**
- J9: Revenue – Deputy Director, Lottery-Hispanic Market Office**
- J10: Department of Corrections – 40070-29-00-120-00-01**
- J11: Environmental Protection Agency – RED Project Manager**
- J12: Aging – Div. Manager Community Care Program**
- J13: Guardianship & Advocacy Commission - Chief Spokesperson /
Legislative Liaison**

V. CLASS SPECIFICATIONS

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

A. Position Titles

- Children & Family Service Intern Option 1 (revise)
- Children & Family Service Intern Option 2 (revise)

Classification Analysis

“The Department of Children and Family Services, the sole user agency, asked that the training program for the Children & Family Service Intern Option 1 and 2 be extended from 24 months to 36 months. Their primary reason for requesting the change is the difficulty they have experienced in finding qualified candidates for the Child Protection series. The minimum requirements for the Child Protection Associate Specialist - the lowest level in the Child Protection specialist series - are a bachelor’s degree in a related human services field and three years of directly related professional experience. If an applicant is appointed to the Children & Family Service Intern Option 1 with a bachelor’s degree and no experience and the training program is 24 months, the person cannot qualify for the Child Protection Associate Specialist after the training is completed. Therefore, we propose the class specification be revised to reflect the extension of the training program to 36 months.

The Requirements for the classes have been modified to include the possession of a valid appropriate driver’s license or an ability to travel, as travel plays an inherent part in the job duties and responsibilities. Also included are changes in the abilities to reflect the physical requirements to successfully perform the job functions and the possibility of position duties requiring communication with deaf persons.”

November 15, 2007

WILL THE COMMISSION APPROVE THE REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE DECEMBER 1, 2007?

- **Item A: Children & Family Services Intern Option 1
Children & Family Services Intern Option 2**

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	9/30/07	10/31/07	10/31/06
Agriculture	6	0	2
Arts Council	0	0	1
Central Management Services	8	5	2
Children and Family Services	7	6	5
Healthcare and Family Services	14	5	8
Historic Preservation	18	7	2
Human Services	3	2	0
Natural Resources	20	9	17
State Retirement System	0	0	1
Transportation	41	10	41
Workers' Compensation Commission	1	2	0
Totals	118	46	79

IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

- **DISCHARGE**

DA-8-08

Employee	Karolyn Sheridan	Appeal Date	08/20/07
Agency	DOC	Decision Date	11/02/07
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Failure to maintain accurate and appropriate records; failure to conduct supervisor checks on morphine; and improper disposal of morphine	Recommended Decision	Discharge upheld.

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

- **RULE VIOLATION APPEAL REMANDED FOR DISMISSAL**

RV-44-06

Petitioner	Justin Hale	Appeal Date	05/09/06
Agency	DHS	Decision Date	02/21/07
Type	Rule Violation	ALJ	Andrew Barris
Charge(s)	Alleged violation of Personnel Rules in selecting interview candidates for vacant position	Proposed action	Remanded by the Circuit Court to be dismissed pursuant to settlement agreement.

DOES THE COMMISSION DISMISS THE ABOVE MATTER PURSUANT TO THE SETTLEMENT AGREEMENT AND COURT ORDER?

X. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

- **DISMISSED**

RV-2-08

Petitioner	Teamsters Local 726	Appeal Date	07/05/07
Agency	DOT	Decision Date	10/23/07
Type	Rule Violation	ALJ	Daniel Stralka
Charge(s)	Temporary employees performing full time work as highway maintainers but are not on full-time status	Proposed Finding	Dismissed subject to approval of Commission; withdrawn.

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

XI. STAFF REPORT

XII. ANNOUNCEMENT OF NEXT MEETING

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

XIII. MOTION TO ADJOURN