

November 18, 2004

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
NOVEMBER 18, 2004

I. OPENING OF MEETING AT 10:30 A.M. AT 425 ½ SOUTH FOURTH STREET,
SPRINGFIELD, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 21, 2004

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR
MEETING HELD OCTOBER 21, 2004?**

IV. APPROVAL OF MINUTES OF MEETING HELD NOVEMBER 5, 2004

**WILL THE COMMISSION APPROVE THE MINUTES OF THE MEETING
HELD NOVEMBER 5, 2004?**

November 18, 2004

V. 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 | 154 | 5 |
| Agriculture | 530 | 19 |
| Arts Council | 20 | 1 |
| Capitol Development Board..... | 16 | 0 |
| Central Management Services..... | 1253 | 111 |
| Children and Family Services | 3492 | 41 |
| Civil Service Commission..... | 5 | 0 |
| Commerce & Econ. Opportunity..... | 486 | 60 |
| Commerce Commission | 58 | 0 |
| Corrections | 14,375 | 114 |
| Criminal Justice Authority | 74 | 5 |
| Deaf and Hard of Hearing Comm. | 7 | 1 |
| Developmental Disabilities Council..... | 8 | 1 |
| Elections Board | 57 | 1 |
| Emergency Management Agency..... | 112 | 2 |
| Employment Security | 1982 | 25 |
| Environmental Protect. Agency..... | 1137 | 15 |
| Fin. & Prof. Regulation | 886 | 33 |
| Guardianship and Advocacy | 110 | 6 |
| Historic Preservation Agency..... | 216 | 7 |
| Human Rights Commission..... | 11 | 2 |
| Human Rights Department..... | 136 | 7 |
| Human Services..... | 15,584 | 62 |
| Industrial Commission | 168 | 7 |
| Investment Board | 3 | 1 |
| Labor | 78 | 7 |
| Labor Relations Board Educational..... | 16 | 2 |
| Labor Relations Board Local | 1 | 0 |
| Labor Relations Board State..... | 17 | 2 |
| Law Enforce. Trng. & Standard Bd..... | 24 | 1 |
| Medical District Comm. | 2 | 0 |
| Military Affairs | 146 | 3 |
| Natural Resources | 1622 | 28 |
| Pollution Control Board | 26 | 3 |
| Prisoner Review Board..... | 23 | 0 |
| Property Tax Appeal Board..... | 24 | 2 |
| Public Aid..... | 2325 | 21 |
| Public Health | 1155 | 28 |
| Revenue..... | 2160 | 56 |
| State Fire Marshal | 138 | 7 |
| State Police..... | 1514 | 5 |
| State Police Merit Board | 5 | 1 |
| State Retirement System | 79 | 1 |
| Transportation | 2950 | 1 |
| Veterans Affairs | 1185 | 2 |
| TOTALS | 54,370 | 696 |

V. 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.

* * *

November 18, 2004

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

C. **Department of Children and Family Services – Request To Rescind**

The following recommendation and supporting materials were received from the Director of the Department of Children and Family Services.

COPY

Dear Director Rumman:

I am requesting that the following position be considered for removal of its 4d(3) exemption:

| | |
|------------------|-------------------------------------|
| Position Title: | Senior Public Service Administrator |
| Position Number: | 40070-16-16-000-00-01 |
| Division: | Training and Development Services |
| Incumbent: | Vacant |
| Supervisor: | Deputy Director |
| Location: | Cook County |

This position will now function as the Associate Deputy Director rather than as Deputy Director. As a result, its high-level policy-formulating responsibilities will be diminished. The level of latitude with regard to decision-making and independence with respect to the establishment, development and implementation of agency policy as well as advice and counsel regarding department operations and initiatives will be decreased since this position will now answer to the Deputy Director of Clinical Practice and Professional Development.

Due to the nature and scope of the duties of this position, I am requesting this position be granted consideration for removal of its 4d(3) exemption. Enclosed are the position description, position review/determination form and organizational chart.

END OF COPY

CMS Recommendation

Because the position will no longer meet the reporting criteria of the Commission, and due to the diminished authority now vested, I agree with Director Samuels that the 4d(3) exemption should be removed.

November 18, 2004

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

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

Position Title: Senior Public Service Administrator
Position Number: 40070-16-16-000-00-01
Division: Training and Development Services
Incumbent: Vacant
Supervisor: Deputy Director
Location: Cook County

D. Department On Aging – Proposed Exemption

The following recommendation and supporting materials were received from the Director of the Department On Aging.

COPY

Dear Director Rumman:

I am requesting the establishment of a 4d(3) exemption to serve as the Personnel Manager of the Office of Human Resources within the Executive Office. A position description is attached and describes a Public Service Administrator, Opt. 1, with responsibility for developing and implementing policy for the Office of Human Resources within the Executive Office.

Position Title: Public Service Administrator
Position Number: 37015-47-00-000-00-02
Division: Executive Office
Incumbent: Vacant
Supervisor: Director
Location: Sangamon County

I appreciate your prompt consideration of this request.

END OF COPY

November 18, 2004

V. 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: | Public Service Administrator |
| Position Number: | 37015-47-00-000-00-02 |
| Division: | Executive Office |
| Incumbent: | Vacant |
| Supervisor: | Director |
| Location: | Sangamon County |

E. **Department Of Corrections – Proposed Exemption**

The following recommendation and supporting materials were received from the Director of the 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: | 40070-29-11-200-00-01 |
| Division: | Fiscal Services |
| Incumbent: | Vacant |
| Supervisor: | Deputy Director/Finance and Administration |
| Location: | Sangamon County |

The Manager of the Fiscal Services Division is an agency policy making official who reports directly to the Deputy Director of Finance and Administration. This position is responsible for making decisions in exercising principal responsibility for the

November 18, 2004

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

determination and execution of fiscal policy, which fixes objectives or states principles to control actions toward the financial reporting and budgetary operations of the Fiscal Services Division. The Fiscal Services Manager has primary authority to bind the Agency regarding statewide Accounting, Fiscal Support, and Statewide Grants operations. Additionally, this position possesses significant authority to bind the Agency on other fiscal matters in the absence of the Deputy Director.

The Manager of Fiscal Services formulates and implements policy for the fiscal and budgetary processes of the Agency's Fiscal Services operations that have a statewide impact, conferring with the Director and the Deputy Director on feasibility of recommended policies. Additionally, this position serves as a liaison with the Comptroller, Department of Central Management Services, Department of Public Aid, IDOC facility staff, Offices of the Attorney General and Auditor General, Legislative committees and various vendors.

The position description of this Sr. Public Service Administrator position and the organizational charts 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: | Senior Public Service Administrator |
| Position Number: | 40070-29-11-200-00-01 |
| Division: | Fiscal Services |
| Incumbent: | Vacant |
| Supervisor | Deputy Director/Finance and Administration |
| Location: | Sangamon County |

November 18, 2004

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

F. **Department of Financial and Professional Regulation – Proposed Exemption**

The following recommendation and supporting materials were received from the Director of Financial and Professional Regulation.

COPY

Dear Director Rumman:

Attached please find a job description for a Senior Public Service Administrator within the Department of Financial and Professional Regulation's Division of Banks and Real Estate:

| | |
|------------------|-------------------------------------|
| Position Title: | Senior Public Service Administrator |
| Position Number: | 40070-13-10-020-00-01 |
| Division: | Banks and Real Estate |
| Incumbent: | Vacant |
| Supervisor: | Director/Banks and Real Estate |
| Location: | Cook County |

This newly established position will serve as the Manager of Loan Originator Regulation. This is a Senior Staff position, and, as you will see in the attached job description, involves responsibility for the determination and implementation of policy. As such this position meets the criteria for partial exemption under Section 4d(3) of the Personnel Code. Therefore, I am requesting that CMS review the attached job description and make a favorable recommendation to the Civil Service Commission that this position be placed on the agenda for consideration of 4d(3) exemption of the Commission's regularly scheduled meeting to be held on November 18, 2004.

Should you have any questions regarding this request, please feel free to contact our Human Resources Director, Richard Foxman, at 312-814-3230.

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.

November 18, 2004

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

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: 40070-13-10-020-00-01
Division: Banks and Real Estate
Incumbent: Vacant
Supervisor: Director/Banks and Real Estate
Location: Cook County

G Department of Public Aid – Proposed Exemption

The following recommendation and supporting materials were received from the Director of the Department of Public Aid.

COPY

Dear Director Rumman:

We are proposing the exemption of the following Senior Public Service Administrator positions as provided in Section 4d(3) of the Personnel Code.

Position Title: Senior Public Service Administrator
Position Number: 40070-33-00-080-00-21
Division: Office of the Director
Incumbent: Vacant
Supervisor: Director
Location: Cook

Position Title: Senior Public Service Administrator
Position Number: 40070-33-00-090-00-21
Division: Office of the Director
Incumbent: Vacant
Supervisor: Director
Location: Cook

SPSA 40070-33-00-080-00-21 will serve as my Special Assistant and Chief Operating Officer and will work closely with me in all matters relating to the total operations of the Agency. SPSA 40070-33-00-090-00-21 also will work closely with me in the reorganization of the Department of Public Aid's business practices and procedures.

November 18, 2004

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

Both positions will serve as my policy advisors and are responsible for formulating and developing policies consistent with federal and state rules and regulations. They have full authority to act in my behalf with respect to these responsibilities and have principle administrative responsibility for the manner in which policy affecting these two areas is implemented.

The attached CMS-104 position descriptions and organizational chart depict the placement and responsibility of these positions. If you need additional information, please contact Theresa Bietsch in our Division of Personnel and Administrative Services at 782-3328.

END OF COPY

CMS Recommendation

These positions do meet the reporting criteria of the Commission Rules and considering similarities of these 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: 40070-33-00-080-00-21
Division: Office of the Director
Incumbent: Vacant
Supervisor: Director
Location: Cook

Position Title: Senior Public Service Administrator
Position Number: 40070-33-00-090-00-21
Division: Office of the Director
Incumbent: Vacant
Supervisor: Director
Location: Cook

November 18, 2004

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

H. **Illinois State Police – Proposed Exemption**

The following recommendation and supporting materials were received from the Director of the Illinois State Police.

COPY

Dear Director Rumman:

The Illinois State Police is requesting 4d(3) policy exemption for the following position:

| | |
|------------------|-------------------------------------|
| Position Title: | Senior Public Service Administrator |
| Position Number: | 40070-21-00-300-00-01 |
| Division: | Human Resources Bureau |
| Incumbent: | Vacant |
| Supervisor: | Deputy Director of Administration |
| Location: | Sangamon County |

This position serves as the Chief of the Human Resource Bureau. A recent re-alignment of our Agency has moved this position's supervisor to report directly to me. Due to the nature and scope of the duties of this position, as well as the sensitivity of the issues encountered, I am requesting this position be granted exempt status. Enclosed are a position description and an organizational chart of our agency.

Your early review and positive presentation of this proposal to the Civil Service Commission would be greatly appreciated. If additional information is needed, please contact Ms. Katherine Parmenter, Interim Chief, Human Resource Bureau, at 217/785-1325, so that we may respond most effectively and expeditiously.

END OF COPY

CMS Recommendation

This position was previously submitted for consideration at the April 2004 meeting and denied due to reporting structure. However, the agency has realigned its organizational structure and this position now 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.

November 18, 2004

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

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: 40070-21-00-300-00-01
Division: Human Resources Bureau
Incumbent: Vacant
Supervisor: Deputy Director
Location: Sangamon County

I. **Department of Financial and Professional Regulation – Proposed Exemption**

The following recommendation and supporting materials were received from the Director of the Illinois Department of Financial and Professional Regulation.

COPY

Dear Director Rumman:

I am requesting 4d(3) exemption for the following newly created position:

Position Title: Senior Public Service Administrator
Position Number: 40070-13-03-000-00-01
Division: Human Resources
Incumbent: Vacant
Supervisor: Secretary
Location: Cook County

It appears this position qualifies for such exemption as listed below:

- 1) The position will report to the Secretary of the Department;
- 2) Will have principal administrative responsibility for the planning, formulation and implementation of policies and procedures on any matter involving all human resources and labor relations functions for the Department; and
- 3) Will serve as the Deputy Director of Human Resources for the department; serve as spokesperson, representing the Secretary and the Department on all matters related to human resources and labor relations in all levels of interaction with government officials, other state agencies, community organizations and the public. Testifies for the Department before the Civil Service Commission, Department of Human rights, the Human Rights Commission, etc.

November 18, 2004

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

If you require additional information, please contact Jeanine K. Hamm, Human Resources, at 217-785-0816.

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: | 40070-13-03-000-00-01 |
| Division: | Human Resources |
| Incumbent: | Vacant |
| Supervisor: | Secretary |
| Location: | Cook County |

J. **Central Management Services – Proposed Exemption**

The following recommendation and supporting materials were received from the Director of Central Management Services.

COPY

Dear Chairman Kolker:

The Department of Central Management Services is requesting 4d(3) policy exemption of the following position:

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

Position Title: Senior Public Service Administrator
Position Number: 40070-37-60-340-01-01
Bureau/Division: Bureau of Property Management/Transactions & Property
Incumbent: Vacant
Supervisor: Manager of Transactions and Property Administration
Location: Cook County

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

- 1) The Manager of Real Property Transactions reports to the Manager of Transactions and Property Administration (MTPA) who in turn reports to the Deputy Director of Property Management for Central Management Services.
- 2) This position exercises principal responsibility for the determination and execution of policy involved in the development, negotiation and implementation of real property disposition and acquisition statewide which fixes objectives and states principles towards operating objectives of multiple divisions and agencies with decisions being subject to reversal only by the Deputy Director of Property Management.
- 3) This position serves as official spokesperson and representative acting with autonomy on behalf of the agency in negotiations with prospective clients, property owners and their representatives in the disposition of surplus properties and the acquisition of new properties possessing significant independent authority acting in the capacity of the MTPA, the Deputy Director of Property Management, CMS and the client agencies to bind the agency to commitments in the development and negotiation of dispositions and acquisitions consisting of an annual disposition income/acquisition spend portfolio of approximately \$15 - \$25 million (primarily consisting of disposition income due to migration towards the increased economy in many cases of leased real estate versus owned real estate) thereby impacting the economy and operational efficiency of all agencies, boards and commissions occupying and or utilizing state-owned facilities and properties statewide. Also impacting the economy and efficiency of operations in addition to the real property income and expenditure budget for which this position is responsible, the Transactions Financial Analysis staff which this position manages is responsible for the provision of financial, market, lease versus by analyses, property valuation and comparable properties studies and the development of financial models to analyze property transactions for all real property transactions and also the most monetarily substantial leases negotiated by the Bureau Transactions Managers.
- 4) This position plans and programs the activities of other divisions in Property Management, senior management of all client agencies statewide which occupy and /or utilize owned facilities and properties, prospective clients, property owners and their representatives in the development, execution and implementation of dispositions and acquisitions of facilities and properties integrating the plans and projections of these related entities, and schedules projected work activities of those

November 18, 2004

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

entities in the transaction process during the negotiation and execution of the sale and purchase of facilities and properties.

Considering similarities of this requested position with those of other 4d(3) exempted positions in Central Management Services, I recommend 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 Larry Plummer in the Bureau of Personnel at 557-0225.

END OF COPY

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: | 40070-37-60-340-01-01 |
| Bureau/Division: | Bureau of Property Management/Transactions & Property |
| Incumbent: | Vacant |
| Supervisor: | Manager of Transactions and Property Administration |
| Location: | Cook County |

K. Central Management Services – Proposed Exemption

The following recommendation and supporting materials were received from the Director of Central Management Services.

COPY

Dear Chairman Kolker:

The Department of Central Management Services is requesting 4d(3) policy exemption of the following position:

November 18, 2004

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

| | |
|------------------|---|
| Position Title: | Senior Public Service Administrator |
| Position Number: | 40070-37-60-330-01-02 |
| Bureau/Division: | Bureau of Property Management/Transactions & Property |
| Incumbent: | Vacant |
| Supervisor: | Manager of Transactions and Property Administration |
| Location: | Sangamon County |

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

- 1) The Manager of Transactions – Central and Southern Regions reports to the Manager of Transactions and Property Administration who in turn reports to the Deputy Director of Property Management for Central Management Services.
- 2) This position exercises principal responsibility for the determination and execution of policy involved in the development, negotiation and implementation of leases for the Central and Southern Regions to accommodate geographically varying real estate economics, leasing regulations and client agencies' operational requirements in these Regions which fixes objectives and states principles towards operating objectives of multiple divisions and agencies with decisions being subject to reversal only by the Deputy Director of Property Management.
- 3) This position serves as official spokesperson and representative acting with autonomy on behalf of the agency in negotiations with property owners, landlords and their representatives in the leasing of all new properties and the restructuring of existing leasing arrangements, possessing significant independent authority acting in the capacity of the MTPA, the Deputy Director of Property Management, CMS and the client agencies to bind the agency to commitments in the development and negotiations of leases consisting of an annual spend portfolio of approximately \$40 million thereby impacting the economy and efficiency of operations of all agencies, boards and commissions occupying leased facilities located in these Regions.
- 4) This position plans and programs the activities of other divisions in Property Management, senior management of all Central and Southern Region client agencies, property owners and their representatives in the development, execution and implementation of leases for facilities integrating the plans and projections of these related entities and schedules projected work activities of those entities in the lease transaction process during the initial development of lease specifications, the lease negotiation and execution process.

Considering similarities of this requested position with those of other 4d(3) exempted positions in Central Management Services, I recommend 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 Larry Plummer in the Bureau of Personnel at 557-0225.

END OF COPY

November 18, 2004

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

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: | 40070-37-60-330-01-02 |
| Bureau/Division: | Bureau of Property Management/Transactions & Property |
| Incumbent: | Vacant |
| Supervisor: | Manager of Transactions and Property Administration |
| Location: | Sangamon County |

L. Central Management Services – Proposed Exemption

The following recommendation and supporting materials were received from the Director of Central Management Services.

COPY

Dear Chairman Kolker:

The Department of Central Management Services is requesting 4d(3) policy exemption of the following position:

| | |
|-------------------|--|
| Position Title | Senior Public Service Administrator |
| Position Number | 40070-37-60-310-01-02 |
| Bureau / Division | Bureau Of Property Management / Transactions and Property Administration |
| Incumbent | Vacant |
| Supervisor | Manager of Transactions and Property Administration |
| Location | Cook County |

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

- 1) The Manager of Transactions – Chicago and Northern Regions reports to the Manager of Transactions and Property Administration who in turn reports to the Deputy Director of Property Management for Central Management Services.
- 2) This position exercises principal responsibility for the determination and execution of policy involved in the development, negotiation and implementation of leases for the Chicago and Northern Regions to accommodate geographically varying real estate economics, leasing regulations and client agencies' operational requirements in these Regions which fixes objectives and states principles towards operating objectives of multiple divisions and agencies with decisions being subject to reversal only by the Deputy Director of Property Management.

November 18, 2004

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

- 3) This position serves as official spokesperson and representative acting with autonomy on behalf of the agency in negotiations with property owners, landlords and their representatives in the leasing of all new properties and the restructuring of existing leasing arrangements possessing significant independent authority acting in the capacity of the MTPA, the Deputy Director of Property Management, CMS and the client agencies to bind the agency to commitments in the development and negotiations of leases consisting of an annual spend portfolio of approximately \$40 million thereby impacting the economy and operational efficiency of all agencies, boards and commissions occupying leased facilities located in these Regions.
- 4) This position plans and programs the activities of other divisions in Property Management, senior management of all Chicago and Northern Region client agencies, property owners and their representatives in the development, execution and implementation of leases for facilities integrating the plans and projections of these related entities and schedules projected work activities of those entities in the lease transaction process during the initial development of lease specifications, the lease negotiation and execution process.

Considering similarities of this requested position with those of other 4d(3) exempted positions in Central Management Services, I recommend 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 Larry Plummer in the Bureau of Personnel at 557-0225.

END OF COPY

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 | 40070-37-60-310-01-02 |
| Bureau / Division | Bureau Of Property Management / Transactions and Property Administration |
| Incumbent | Vacant |
| Supervisor | Manager of Transactions and Property Administration |
| Location | Cook County |

November 18, 2004

VI. MOTION TO GO INTO EXECUTIVE SESSION

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

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 report as of October 31, 2004.

| | <u>9/30/04</u> | <u>10/31/04</u> |
|-----------------------------|----------------|-----------------|
| Agriculture | 8 | 0 |
| Central Management Services | 9 | 8 |
| Children & Family Services | 3 | 3 |
| Comm. & Econ. Opportunity | 2 | 2 |
| Emergency Management Agency | 1 | 0 |
| Environmental Protection | 1 | 1 |
| Historic Preservation | 20 | 16 |
| Natural Resources | 26 | 9 |
| Prisoner Review Board | 1 | 0 |
| Public Aid | 3 | 4 |
| Public Health | 0 | 1 |
| State Retirement Systems | 1 | 1 |
| Transportation | 3 | 1 |
| Totals | 78 | 47 |

November 18, 2004

IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

• **DISCHARGE**

DA-72-04

| | | | |
|----------------|--|--------------------------------------|---|
| Respondent | William O. Kelley | Appeal Date | 11-19-03 |
| Agency | Corrections | Decision Date | 11-08-04 |
| Type of Appeal | Discharge | ALJ | Daniel Stralka |
| Charge | Sexual Harassment; Submitting A False Incident Report; Retaliating Against A Female Correctional Officer. | Recommended Decision On Remand | Charges Partially Proven; Discharge Upheld. |

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

• **DISCHARGE**

DA-93-04

| | | | |
|----------------|---|--------------------------------------|--------------------------------------|
| Respondent | Dion P. Butler | Appeal Date | 5/03/04 |
| Agency | IDOT | Decision Date | 11/05/04 |
| Type of Appeal | Discharge | ALJ | Daniel Stralka |
| Charge | Failure To Answer Snow And Ice Call- Out. | Recommended Decision On Remand | Charges Proven; Discharge Upheld. |

(This matter was remanded by the Commission to the ALJ on August 19, 2004 for further proceedings and the taking of additional evidence.)

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

IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL (continued)

- **DISCHARGE**

DA-60-04

| | | | |
|----------------|------------------|--------------------------------|--------------------------------------|
| Respondent | Oyindamola Omole | Appeal Date | 9/20/03 |
| Agency | DHS | Decision Date | 11/8/04 |
| Type of Appeal | Discharge | ALJ | Leonard Sacks Andrew Barris |
| Charge | Neglect. | Recommended Decision On Remand | Charges Proven; Discharge Upheld. |

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

- **DISCHARGE**
REMAND FOR CLARIFICATION

DA-34-02

| | | | |
|----------------|--------------------------|----------------------|--|
| Respondent | Latina Pickett | Appeal Date | 4-8-02 |
| Agency | DHS | Decision Date | 3/18/04 |
| Type of Appeal | Discharge | ALJ | Leonard Sacks |
| Charge | Service Recipient Abuse. | Recommended Decision | ALJ Clarifies Basis For Finding Of Fact In Recommended Decision. |

DOES THE COMMISSION CONCUR WITH THE ADMINISTRATIVE LAW JUDGE'S SUPPLEMENTAL EXPLANATION OF OCTOBER 29, 2004, CLARIFYING HIS FINDING IN HIS MARCH 3, 2004 RECOMMENDED DECISION?

November 18, 2004

X. APPEALS TERMINATED WITHOUT DECISION

DISMISSAL

DA-99-04

| | | | |
|----------------|--------------------------|----------------------|--|
| Respondent | Karla A. Powe | Appeal Date | 8/9/04 |
| Agency | DHS | Decision Date | 10/28/04 |
| Type of Appeal | Discharge | ALJ | Andrew Barris |
| Charge | Service Recipient Abuse. | Recommended Decision | Motion To Dismiss Granted; Appeal Dismissed. |

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

DISMISSAL

DA-86-04

| | | | |
|----------------|---|----------------------|--|
| Respondent | Maurice Levy | Appeal Date | 3/12/04 |
| Agency | IDES | Decision Date | 11/3/04 |
| Type of Appeal | Discharge | ALJ | Daniel Stralka |
| Charge | Insubordination; Failure To Complete Assigned Work; Unauthorized Absences/Notification Of Absence | Recommended Decision | Stipulation To Dismiss And Resignation Agreement Received. Appeal Dismissed. |

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

November 18, 2004

X. APPEALS TERMINATED WITHOUT DECISION (continued)

• **DISMISSAL**

DA-18-05

| | | | |
|----------------|-------------------------|----------------------|--------------------------|
| Respondent | Bobby Gevrekis | Appeal Date | 8/03/04 |
| Agency | CMS | Decision Date | 10/15/04 |
| Type of Appeal | Discharge | ALJ | Andrew Barris |
| Charge | Non-Certified Employee. | Recommended Decision | CSC Has No Jurisdiction. |

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

XI. EMERGENCY AMENDMENT TO THE PERSONNEL RULES

- The Personnel Rules were duly amended by the Department of Central Management Services on September 30, 2004 by statutory authority (20 ILCS 415) as follows:

| | |
|-------------------|--------------------------|
| Heading of Part | Conditions of Employment |
| Code Citation | 80 Ill. Adm. Code 303 |
| Sections Involved | 303.381 (New Section) |
| Effective Date | October 1, 2004 |
| Date Submitted | October 1, 2004 |

The amended Rule allows the Department of Central Management Services to create a program of incentive payments for early retirement from state service. The program is called the Contingent Lump Sum Incentive Program.

XII. SEMI-ANNUAL REVIEW OF EXECUTIVE SESSION MINUTES PURSUANT TO OPEN MEETINGS ACT

XIII. STAFF REPORT

November 18, 2004

XIV. ANNOUNCEMENT OF NEXT MEETING

Announcement of the next regular meeting to be held on Thursday, December 16, 2004 at 9:00 a.m. in the Commission's Chicago Office.

XV. MOTION TO ADJOURN