

December 21, 2006



AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
December 21, 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 NOVEMBER 16, 2006

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD NOVEMBER 16, 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	137.....	9
Agriculture	488.....	17
Arts Council.....	22.....	2
Capitol Development Board	31.....	0
Central Management Services	1,610.....	111
Children and Family Services	3,368.....	41
Civil Service Commission	4.....	0
Commerce & Economic Opportunity	427.....	61
Commerce Commission.....	54.....	0
Corrections.....	12,505.....	101
Criminal Justice Authority	63.....	6
Deaf and Hard of Hearing Comm.	6.....	1
Developmental Disabilities Council	9.....	1
Emergency Management Agency	106.....	1
Employment Security.....	1,788.....	26
Environmental Protection Agency	1,086.....	18
Financial & Professional Regulation	803.....	42
Guardianship and Advocacy	114.....	7
Healthcare and Family Services.....	2,345.....	29
Historic Preservation Agency	264.....	11
Human Rights Commission	12.....	2
Human Rights Department	132.....	8
Human Services	14,807.....	64
Investment Board.....	5.....	2
Juvenile Justice	1,312.....	18
Labor.....	75.....	7
Labor Relations Board Educational	15.....	2
Labor Relations Board Local	1.....	0
Labor Relations Board State	20.....	2
Law Enforcement Training & Standards Bd.....	22.....	1
Medical District Commission	2.....	0
Military Affairs	145.....	3
Natural Resources	1,488.....	27
Pollution Control Board.....	26.....	3
Prisoner Review Board	21.....	0
Property Tax Appeal Board	21.....	2
Public Health.....	1,116.....	35
Revenue	2,057.....	61
State Fire Marshal	157.....	9
State Police	1,491.....	6
State Police Merit Board.....	5.....	1
State Retirement Systems	83.....	1
Transportation.....	2,798.....	1
Veterans' Affairs.....	1,146.....	5
Workers' Compensation Commission	174.....	10
TOTALS	52,361.....	754



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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C1. Illinois Dept. of Commerce and Economic Opportunity – Proposed Exemption

Position Number	40070-42-00-040-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Legal Office
Functional Title	Chief Legal Counsel
Incumbent	David Steicker
Supervisor	Agency Director
Location	Cook County

C2. Illinois Dept. of Commerce and Economic Opportunity – Proposed Exemption

Position Number	40070-42-00-040-20-01
Position Title	Senior Public Service Administrator
Bureau/Division	Legal Office
Functional Title	Deputy General Counsel/Springfield
Incumbent	None
Supervisor	Chief Legal Counsel (reports to Agency Director)
Location	Sangamon County

C3. Illinois Dept. of Commerce and Economic Opportunity – Proposed Exemption

Position Number	40070-42-00-040-30-01
Position Title	Senior Public Service Administrator
Bureau/Division	Legal Office
Functional Title	Deputy General Counsel/Chicago
Incumbent	Vacant
Supervisor	Chief Legal Counsel (reports to Agency Director)
Location	Cook County

CMS Recommendation: “The positions meet the reporting criteria of the Commission Rules and considering the similarities of these positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemptions.”

D1. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-12-210-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative and Regulatory Shared Services Center
Functional Title	Human Resources Strategic Manager
Incumbent	None
Supervisor	Human Resources Director (reports to Shared Services Center Director who in turn reports to the Governor)
Location	Sangamon County



D2. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-12-220-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative and Regulatory Shared Services Center
Functional Title	Human Resources Functional Manager
Incumbent	None
Supervisor	Human Resources Director (reports to Shared Services Center Director who in turn reports to the Governor)
Location	Sangamon County

D3. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-12-310-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative and Regulatory Shared Services Center
Functional Title	Fiscal Strategic Manager
Incumbent	None
Supervisor	Chief Fiscal Officer (reports to Shared Services Center Director who in turn reports to the Governor)
Location	Sangamon County

D4. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-12-320-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative and Regulatory Shared Services Center
Functional Title	Fiscal Functional Manager
Incumbent	None
Supervisor	Chief Fiscal Officer (reports to Shared Services Center Director who in turn reports to the Governor)
Location	Sangamon County

CMS Recommendation: “The positions report to their respective program director who in turn report to the Director of the Administrative and Regulatory Shared Services Center. Considering the similarities of these positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemptions.”



E. Illinois Department of Revenue - Proposed Exemption

Position Number	40070-25-31-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Accounts Processing Administration
Functional Title	Bureau Manager, Returns & Deposit Operations
Incumbent	Laurie Riva
Supervisor	Account Processing Admin (reports to Director)
Location	Sangamon County

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

F. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-73-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Fiscal Division, Liquor Control Commission
Functional Title	Manager, Fiscal Division for Liquor Control Comm.
Incumbent	Mark T. Lewis
Supervisor	Executive Director, Liquor Control Commission (reports to Director)
Location	Cook County

CMS Recommendation: “The position does meet the reporting criteria of the Commission Rules and considering similarities of this 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 C1: Chief Legal Counsel**
Item C2: Deputy General Counsel, Sangamon County
Item C3: Deputy General Counsel, Cook County
- **Item D1: Human Resources Strategic Manager**
Item D2: Human Resources Functional Manager
Item D3: Fiscal Strategic Manager
Item D4: Fiscal Functional Manager
- **Item E: Bureau Manager, Returns & Deposit Operations**
- **Item F: Manager, Fiscal Division for Liquor Control Commission**



V. CLASS SPECIFICATIONS

The Director of Central Management Services submitted the following class title for creation:

A. Position Title

Conservation Police Sergeant

Classification Analysis

“Effective February 22, 2006, the State Labor Relations Board ruled that those positions which serve as sworn peace officers with the informal working title of Conservation Police Sergeant would be subject to collective bargaining and be represented by the Illinois State Employees’ Association in a supervisory bargaining unit; these positions are currently classified as Public Service Administrator (option 7). We have reinstated a modified version of the Conservation Police Sergeant class for these positions; the original version of the Conservation Police Sergeant was a full line supervisor and was subsumed by the PSA class in 1994.

Conservation Police Sergeants execute policies, procedures and directives that are deemed necessary and proper to carry out the mission of the Department of Natural Resources. This new class does not serve as a complete line supervisor, but performs such functions as assigning and reviewing Conservation Police Officers’ and other departmental employees’ work, approving their time off, preparing and signing their performance evaluations, and issuing oral and written reprimands to subordinates, as necessary. However, incumbents of this class do not resolve grievances or impose more serious disciplinary actions (i.e., suspensions or discharges); these matters are referred to higher level managers.”

WILL THE COMMISSION APPROVE THE CREATION OF THE FOLLOWING CLASS TITLE TO BE EFFECTIVE JANUARY 1, 2007?

- **Item A: Conservation Police Sergeant**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

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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	10/31/06	11/30/06	11/30/05
Aging	0	0	1
Agriculture	2	2	3
Arts Council	1	1	1
Central Management Services	2	2	6
Children and Family Services	5	6	5
Commerce and Economic Opportunity	0	0	1
Emergency Management Agency	0	0	1
Environmental Protection Agency	0	0	1
Financial and Professional Regulation	0	0	0
Healthcare and Family Services	8	7	11
Historic Preservation	2	0	1
Human Rights Department	0	0	1
Human Services	0	3	1
Natural Resources	17	17	25
State Fire Marshal	0	1	0
State Retirement Systems	1	1	0
Transportation	41	7	11
Veterans' Affairs	0	0	2
Totals	79	47	71



IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

- **DISCHARGE APPEAL**

DA-45-06

Petitioner	Joseph Irwin	Appeal Date	05/11/06
Agency	DHS	Decision Date	12/08/06
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Unauthorized absences	Recommended Decision	Charges are proven and warrant discharge.

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

- **DISCHARGE APPEAL**

DA-54-06

Petitioner	Freddie Higgins	Appeal Date	06/20/06
Agency	DCFS	Decision Date	12/08/06
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Falsification of information; misuse of state time and property; failure to follow a supervisory directive	Recommended Decision	Charges are partially proven; unique factual circumstances warrant 55-day suspension in lieu.

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

X. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

- **WITHDRAWN**

S-11-07

Petitioner	Kirstin Henderson	Appeal Date	11/08/06
Agency	CMS	Decision Date	12/01/06
Type	Suspension (of less than 30 days)	ALJ	Andrew Barris
Charge(s)	Unauthorized absences	Recommended Decision	Withdrawn; dismissed subject to Commission approval.

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

XI. STAFF REPORT

XII. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Thursday, January 18, 2007 at 9:00 a.m. in the Commission's Chicago office.

XIII. MOTION TO ADJOURN