

June 17, 2004

MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
JUNE 17, 2004

I. OPENING OF MEETING AT 9:01 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

Chris Kolker, Chairman; George E. Richards, Betty Bukraba, Raymond W. Ewell and Barbara J. Peterson, Commissioners; Daniel Stralka, Andrew Barris and Leonard J. Sacks of the Commission staff; Anne McElroy and Barb Jeffers, Department of Human Services; and Arleatha Kelly, Office of Banks and Real Estate.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD MAY 20, 2004

IT WAS MOVED BY COMMISSIONER EWELL, SECONDED BY COMMISSIONER RICHARDS, AND THE MOTION UNANIMOUSLY ADOPTED TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD MAY 20, 2004.

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.....	104.....	5
Agriculture.....	534.....	16
Arts Council.....	21.....	1
Banks and Real Estate.....	256.....	8
Capitol Development Board.....	15.....	0
Central Management Services.....	1227.....	83
Children and Family Services.....	3476.....	39
Civil Service Commission.....	5.....	0
Commerce & Econ. Opportunity.....	528.....	59
Commerce Commission.....	58.....	0
Corrections.....	14,498.....	110
Criminal Justice Authority.....	72.....	3
Deaf and Hard of Hearing Comm.....	6.....	1
Developmental Disabilities Council.....	14.....	1
Elections Board.....	53.....	1
Emergency Management Agency.....	108.....	2
Employment Security.....	1946.....	26
Environmental Protect. Agency.....	1148.....	12
Financial Institutions.....	80.....	5
Guardianship and Advocacy.....	112.....	6
Historic Preservation Agency.....	230.....	5
Human Rights Commission.....	12.....	2
Human Rights Department.....	135.....	7
Human Services.....	15,819.....	60
Industrial Commission.....	167.....	8
Insurance.....	317.....	7
Investment Board.....	4.....	1
Labor.....	79.....	7
Labor Relations Board Educational.....	16.....	2
Labor Relations Board Local.....	2.....	0
Labor Relations Board State.....	19.....	2
Law Enforce. Trng. & Standard Bd.....	25.....	1
Medical District Comm.....	2.....	0
Military Affairs.....	141.....	3
Natural Resources.....	1735.....	28
Pollution Control Board.....	26.....	3
Prisoner Review Board.....	25.....	0
Professional Regulation.....	257.....	17
Property Tax Appeal Board.....	24.....	2
Public Aid.....	2354.....	20
Public Health.....	1136.....	27
Revenue.....	2216.....	45
State Fire Marshal.....	126.....	7
State Police.....	1510.....	6
State Police Merit Board.....	5.....	1
State Retirement System.....	80.....	1
Transportation.....	3007.....	1
Veterans Affairs.....	1176.....	3
TOTALS.....	54,906.....	644

IV. 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.
 - 4. 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.
 - 5. 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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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (Continued)

- ?? Assistant Executive Director Andrew Barris stated that the Commission staff had questions regarding the policy-making responsibilities of Items D (Deferred Compensations Manager) and E (Benefits Manager). Barris spoke with Paul Solito at CMS regarding the positions' responsibilities. Solito explained that the Deferred Compensation position determines the distribution of the money to employees, makes investment decisions subject to the Illinois State Board of Investments (ISBI), meets with the ISBI quarterly and reviews the fund manager performance. Solito stated that the Benefits Manager position evaluates vendors throughout the state, negotiates contracts and rates, formulates plan design and engages in union negotiations. For these reasons, the staff recommended that the positions met the policy-making requirements of Rule 11.
- ?? Assistant Executive Director Andrew Barris stated that the Commission staff had questions regarding the potential overlap of the policy-making responsibilities of Items F1 and F2. Barris was informed by Jim Shupenus at the Department of Agriculture that the positions had separate responsibilities in the area of promotional services. Shupenus stated Item F2 made policy regarding the negotiation of sponsorship packages with state and international corporate sponsors while Item F1 made policy regarding advertising and media-based strategies for Fair and Non-Fair events on the Illinois State Fairgrounds. He also addressed Commissioner Peterson's question about the marketing function of these positions. For these reasons, the staff recommended approval of the exemption requests.
- ?? Executive Director Daniel Stralka indicated that staff recommended all Office of Banks and Real Estate exemption requests (Items G1-J6) be continued due to unanswered questions regarding consolidation and its effect on these position requests.
- ?? Chairman Kolker raised a question regarding the Department of Insurance exemption request (Item O) after which a general discussion about the eligibility for exemption of agency general counsel positions ensued.

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (Continued)

IT WAS MOVED BY COMMISSIONER RICHARDS, SECONDED BY COMMISSIONER BUKRABA AND THE MOTION UNANIMOUSLY ADOPTED TO CONTINUE OR APPROVE THE REQUESTS FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITIONS IN ACCORDANCE WITH STAFF RECOMMENDATION:

C. Requests for 4d(3) Exemption Continued by the Commission

The following 4d(3) requests for exemption were continued at the June 17, 2004 meeting to the July 15, 2004 meeting:

Agency: Department of Revenue
Position Title: Senior Public Service Administrator
Position Number: 40070-25-07-100-00-01
Bureau/Division: Legal Services – Special Counsel Office
Incumbent: John T. Robinson
Supervisor: General Counsel
Location: Sangamon County

Agency: Department of Revenue
Position Title: Senior Public Service Administrator
Position Number: 40070-25-07-210-00-01
Bureau/Division: Legal Services - Litigation Office
Incumbent: Paul G. Badanski
Supervisor: General Counsel
Location: Sangamon County

Agency: Office of Banks and Real Estate
Position Title: Senior Public Service Administrator
Position Number: 40070-50-92-301-00-01
Division: Legal Division
Incumbent: Michael D. Morehead
Supervisor: SPSA (40070-50-92-300-00-01)
Location: Sangamon County

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (Continued)

Agency: Office of Banks and Real Estate
Position Title: Senior Public Service Administrator
Position Number: 40070-50-92-401-10-01
Division: Legal Division – General Counsel
Incumbent: Alan I. Anderson
Supervisor: SPSA (40070-50-92-40-00-01)
Location: Cook County

Agency: Office of Banks and Real Estate
Position Title: Senior Public Service Administrator
Position Number: 40070-50-92-230-00-01
Division: Fiscal Division
Incumbent: Linda C. Harrod
Supervisor: SPSA (40070-50-92-200-00-01)
Location: Sangamon County

Agency: Office of Banks and Real Estate
Position Title: Senior Public Service Administrator
Position Number: 40070-50-92-002-00-01
Division: Commissioner’s Office
Incumbent: Steven D. Ginsburg
Supervisor: Commissioner
Location: Cook County

Agency: Office of Banks and Real Estate
Position Title: Senior Public Service Administrator
Position Number: 40070-50-92-303-00-01
Division: Specialized Activities Supervisor
Incumbent: Vacant (40070-50-92-300-00-01)
Supervisor: SPSA (40070-50-92-300-00-01)
Location: Sangamon County

Agency: Office of Banks and Real Estate
Position Title: Senior Public Service Administrator
Position Number: 40070-50-92-304-00-01
Division: Springfield Commercial Bank Supervisor
Incumbent: Marc A. Edwards
Supervisor: SPSA (40070-50-92-300-00-01)
Location: Sangamon County

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (Continued)

Agency: Office of Banks and Real Estate
Position Title: Senior Public Service Administrator
Position Number: 40070-50-92-305-00-01
Division: Chicago Commercial Bank Supervisor
Incumbent: Richard C. Burnskill
Supervisor: SPSA (40070-50-92-300-00-01)
Location: Cook County

Agency: Office of Banks and Real Estate
Position Title: Senior Public Service Administrator
Position Number: 40070-50-92-306-00-01
Division: International Bank Supervision Division
Incumbent: Craig S. Volk
Supervisor: SPSA (40070-50-92-300-00-01)
Location: Cook County

Agency: Office of Banks and Real Estate
Position Title: Senior Public Service Administrator
Position Number: 40070-50-92-403-00-01
Division: Thrifts Division
Incumbent: James R. Copley
Supervisor: SPSA (40070-50-92-400-00-01)
Location: Cook

Agency: Office of Banks and Real Estate
Position Title: Senior Public Service Administrator
Position Number: 40070-50-92-404-00-01
Division: Mortgage Banking Division
Incumbent: Arleatha H. Kelly
Supervisor: SPSA (40070-50-92-400-00-01)
Location: Cook County

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (Continued)

D. Requests for 4d(3) Exemption Approved by the Commission

The following 4d(3) requests for exemption were approved at the June 17, 2004 meeting:

Agency: Central Management Services
Position Title: Senior Public Service Administrator
Position Number: 40070-37-33-000-01-02
Bureau/Division: Bureau of Benefits/Deferred Compensation Div. Mgr.
Incumbent: Vacant
Supervisor: Deputy Director of the Bureau of Benefits
SPSA 40070-37-30-000-01-01
Location: Sangamon County

Agency: Central Management Services
Position Title: Senior Public Service Administrator
Position Number: 40070-37-34-000-01-01
Bureau/Division: Bureau of Benefits/Benefits Management Div. Mgr.
Incumbent: Vacant
Supervisor: Deputy Director of the Bureau of Benefits
SPSA 40070-37-30-000-01-01
Location: Sangamon County

Agency: Central Management Services
Position Title: Senior Public Service Administrator
Position Number: 40070-37-60-000-01-19
Bureau/Division: Property and Transactions Manager
Incumbent: Vacant
Supervisor: Deputy Director-SPSA-40070-37-60-000-01-02
Location: Cook County

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (Continued)

Agency: Department of Agriculture
Position Title: Senior Public Service Administrator
Position Number: 40070-11-10-000-00-01
Division: Promotional Services
Incumbent: Vacant
Supervisor: Assistant Director
Location: Sangamon

Agency: Department of Agriculture
Position Title: Senior Public Service Administrator
Position Number: 40070-11-13-000-00-01
Division: Promotional Services
Incumbent: Vacant
Supervisor: Assistant Director
Location: Sangamon

Agency: Department of Children & Family Services
Position Title: Executive II
Position Number: 13852-16-00-320-00-01
Division: Office of Legislative Affairs
Incumbent: Vacant
Supervisor: Chief of Legislative Affairs
Location: Cook County

Agency: Department of Financial Institutions
Position Title: Senior Public Service Administrator
Position Number: 40070-19-01-120-00-01
Division: Information Systems Division
Incumbent: Ronald Miller
Supervisor: Director
Location: Sangamon County

Agency: Department of Human Services
Position Title: Senior Public Service Administrator
Position Number: 40070-10-00-000-84-01
Division: Executive Assistant
Incumbent: Vacant
Supervisor: Secretary of Human Services
Location: Sangamon County

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE (Continued)

Agency: Department of Insurance
Position Title: Senior Public Service Administrator
Position Number: 40070-14-10-000-00-01
Division: Legal – Chief Counsel
Incumbent: Robert Wagner
Supervisor: Chief Deputy Director
Location: Sangamon County

Agency: Department of Public Aid
Position Title: Senior Public Service Administrator
Position Number: 40070-33-00-050-00-21
Division: Policy Advisor
Incumbent: Vacant
Supervisor: Director
Location: Cook County

Agency: Department of Revenue
Position Title: Senior Public Service Administrator
Position Number: 40070-25-07-160-00-01
Division: Legal Services – Lottery Legal Division
Incumbent: Vacant
Supervisor: General Counsel
Location: Sangamon County

Agency: Department of Revenue
Position Title: Senior Public Service Administrator
Position Number: 40070-25-11-000-00-01
Division: Purchasing Officer
Incumbent: Vacant
Supervisor: Director – Illinois Department of Revenue
Location: Sangamon County

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V. MOTION TO GO INTO EXECUTIVE SESSION

IT WAS MOVED BY COMMISSIONER PETERSON, SECONDED BY COMMISSIONER EWELL AND THE MOTION UNANIMOUSLY ADOPTED TO HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS OF DISMISSAL FILED WITH THE COMMISSION.

VI. RECONVENE MEETING

Upon due and proper notice the regular meeting of the Illinois Civil Service Commission was reconvened at 160 North LaSalle Street, Chicago, Illinois at 9:43 a.m.

Present: Chris Kolker, Chairman; George E. Richards, Betty Bukraba, Raymond W. Ewell and Barbara J. Peterson, Commissioners; and Daniel Stralka, Andrew Barris and Leonard F. Sacks of the Commission staff.

VII. AMENDMENTS IN CLASS SPECIFICATIONS

A. Comments on Class Specifications

1. The following class title was submitted for abolishment by the Director of Central Management Services:

Current Position Title

Proposed Position Title

Secretary to the Athletic Board

Abolish

IT WAS MOVED BY COMMISSIONER EWELL, SECONDED BY COMMISSIONER PETERSON AND THE MOTION UNANIMOUSLY ADOPTED TO ABOLISH THE FOLLOWING CLASS TITLE EFFECTIVE JULY 1, 2004.

Secretary to the Athletic Board

VII. AMENDMENTS IN CLASS SPECIFICATIONS (Continued)

2. The following class titles were submitted for revision by the Director of Central Management Services:

<u>Current Position Title</u>	<u>Proposed Position Title</u>
Site Assistant Superintendent I	Site Assistant Superintendent I
Site Assistant Superintendent II	Site Assistant Superintendent II

IT WAS MOVED BY COMMISSIONER PETERSON, SECONDED BY COMMISSIONER EWELL AND THE MOTION UNANIMOUSLY ADOPTED TO REVISE THE FOLLOWING CLASS TITLES EFFECTIVE JULY 1, 2004.

Site Assistant Superintendent I
Site Assistant Superintendent II

3. The following class title was submitted for revision by the Director of Central Management Services:

<u>Current Position Title</u>	<u>Proposed Position Title</u>
Educator Aide	Educator Aide

IT WAS MOVED BY COMMISSIONER RICHARDS, SECONDED BY COMMISSIONER EWELL AND THE MOTION UNANIMOUSLY ADOPTED TO REVISE THE FOLLOWING CLASS TITLE EFFECTIVE JULY 1, 2004.

Educator Aide

4. The following class titles were submitted for revision by the Director of Central Management Services:

<u>Current Position Title</u>	<u>Proposed Position Title</u>
Residential Services Supervisor	Residential Services Supervisor
Internal Auditor Trainee	Internal Auditor Trainee
Liability Claims Adjuster Trainee	Liability Claims Adjuster Trainee

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VII. AMENDMENTS IN CLASS SPECIFICATIONS (Continued)

Accounting & Fiscal Administration Career Trainee	Accounting & Fiscal Administration Career Trainee
Activity Therapist	Activity Therapist
Chemist I	Chemist I
Child Protection Associate Specialist	Child Protection Associate Specialist
Child Welfare Associate Specialist	Child Welfare Associate Specialist
Child Welfare Specialist	Child Welfare Specialist
Corrections Medical Technician	Corrections Medical Technician
Corrections Nurse I	Corrections Nurse I
Dietitian	Dietitian
Disability Claims Adjudicator I	Disability Claims Adjudicator I
Environmental Protection Engineer I	Environmental Protection Engineer I
Financial Institutions Examiner Trainee	Financial Institutions Examiner Trainee
Habilitation Program Coordinator	Habilitation Program Coordinator
Information Services Intern	Information Services Intern
Licensed Practical Nurse I	Licensed Practical Nurse I
Licensed Practical Nurse II	Licensed Practical Nurse II
Life Sciences Career Trainee	Life Sciences Career Trainee
Pharmacist Technician	Pharmacist Technician
Psychologist I	Psychologist I
Psychologist II	Psychologist II

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VII. AMENDMENTS IN CLASS SPECIFICATIONS (Continued)

Registered Nurse I	Registered Nurse I
Rehabilitation Counselor Trainee	Rehabilitation Counselor Trainee
Revenue Auditor Trainee	Revenue Auditor Trainee
Social Worker I	Social Worker I
Social Worker II	Social Worker II
Veterans' Nursing Assistant Certified	Veterans' Nursing Assistant- Certified
Laboratory Associate I	Laboratory Associate I
Security Officer	Security Officer
Site Technician I	Site Technician I
Information Services Specialist I	Information Services Specialist I

IT WAS MOVED BY COMMISSIONER EWELL, SECONDED BY COMMISSIONER RICHARDS AND THE MOTION UNANIMOUSLY ADOPTED TO REVISE THE FOLLOWING CLASS TITLES EFFECTIVE JULY 1, 2004.

Current Position Title

Residential Services Supervisor
Internal Auditor Trainee
Liability Claims Adjuster Trainee
Accounting & Fiscal Administration Career Trainee
Activity Therapist
Chemist I
Child Protection Associate Specialist
Child Welfare Associate Specialist
Child Welfare Specialist
Corrections Medical Technician

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VII. AMENDMENTS IN CLASS SPECIFICATIONS (Continued)

Corrections Nurse I
Dietitian
Disability Claims Adjudicator I
Environmental Protection Engineer I
Financial Institutions Examiner Trainee
Habilitation Program Coordinator
Information Services Intern
Licensed Practical Nurse I
Licensed Practical Nurse II
Life Sciences Career Trainee
Pharmacist Technician
Psychologist I
Psychologist II
Registered Nurse I
Rehabilitation Counselor Trainee
Revenue Auditor Trainee
Social Worker I
Social Worker II
Veterans' Nursing Assistant Certified
Laboratory Associate I
Security Officer
Site Technician I
Information Services Specialist I

IT WAS MOVED BY COMMISSIONER RICHARDS, SECONDED BY COMMISSIONER BUKRABA, AND THE MOTION UNANIMOUSLY ADOPTED TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY.

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 May 31, 2004.

	<u>4/30/04</u>	<u>5/31/04</u>
Agriculture	1	10
Central Management Services	13	14
Children & Family Services	0	1
Comm. & Econ. Opportunity	2	2
Emergency Management Agency	1	0
Environmental Protection	2	2
Historic Preservation	3	21
Human Rights.	1	1
Natural Resources	30	38
Public Aid	5	4
Revenue	3	2
State Retirement Systems	1	1
Transportation	1	0
Veterans Affairs	<u>1</u>	<u>0</u>
Totals	64	96

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IX. APPEALS TERMINATED WITHOUT DECISION

?? **RULE VIOLATION**

DA-79-04

Respondent	Ronald Matrisciano	Appeal Date	12-29-03
Agency	Corrections	Decision Date	4-21-04
Charge	Rule Violation	ALJ	Daniel Stralka
Rule Violation	Violation of Personnel Code and Rules with respect to filling vacancies within agency.	Recommended Decision	Appeal Upheld; ALJ found that a rule violation had been committed.

IT WAS MOVED BY COMMISSIONER PETERSON, SECONDED BY COMMISSIONER RICHARDS AND BY ROLL CALL VOTE THE MOTION UNANIMOUSLY ADOPTED TO AFFIRM THE STAFF RECOMMENDATION THAT THE APPEAL OF THE RESPONDENT BE UPHELD.

?? **DISMISSAL**

DA-93-03

Respondent	Ronald PuFundt, Jr.	Appeal Date	4-7-03
Agency	DCEO	Decision Date	5/17/04
Type of Appeal	Discharge	ALJ	Daniel Stralka
Charge(s)	Falsification and Misrepresentation of Documents in order to Restart and Improperly Lengthen Term Appt.	Recommendation	Settlement and Release Received by CSC 5/17/04; Appeal Dismissed.

IT WAS MOVED BY COMMISSIONER RICHARDS, SECONDED BY COMMISSIONER EWELL AND BY ROLL CALL VOTE THE MOTION UNANIMOUSLY ADOPTED TO AFFIRM THE STAFF RECOMMENDATION THAT THE APPEAL OF THE RESPONDENT BE DISMISSED.

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IV. APPEALS TERMINATED WITHOUT DECISION (Continued)

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

DA-89-03

Respondent	Linda Williamson	Appeal Date	4/7/03
Agency	DCEO	Decision Date	5/17/04
Type of Appeal	Discharge	ALJ	Daniel Stralka
Charge(s)	Falsification and Misrepresentation of Documents in order to Restart and Improperly Lengthen Term Appt.	Recommendation	Settlement and Release Received by CSC 5/17/04; Appeal Dismissed.

IT WAS MOVED BY COMMISSIONER RICHARDS, SECONDED BY COMMISSIONER EWELL AND BY ROLL CALL VOTE THE MOTION UNANIMOUSLY ADOPTED TO AFFIRM THE STAFF RECOMMENDATION THAT THE APPEAL OF THE RESPONDENT BE DISMISSED.

?? **DISMISSAL**

DA-67-04

Respondent	Louis Betts, III	Appeal Date	10-29-04
Agency	Corrections	Decision Date	5-18-04
Type of Appeal	Discharge	ALJ	Daniel Stralka
Charge(s)	Violation of Standards of Conduct.	Recommendation	Respondent's Motion For Directed Finding Granted. Appeal Dismissed.

IT WAS MOVED BY COMMISSIONER EWELL, SECONDED BY COMMISSIONER PETERSON AND BY ROLL CALL VOTE THE MOTION UNANIMOUSLY ADOPTED TO REJECT THE STAFF RECOMMENDATION THAT THE RESPONDENTS' MOTION FOR DIRECTED FINDING BE GRANTED. IT IS THE FINDING AND DECISION OF THE COMMISSION THAT THE HEARING IN THIS MATTER BE REMANDED FOR FURTHER PROCEEDINGS.

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IX. APPEALS TERMINATED WITHOUT DECISION (Continued)

?? **LAYOFF**

LA-96-04

Petitioner	M. Kathleen Nolan	Appeal Date	5/27/04
Agency	Commerce Commission	Decision Date	6/9/04
Action	Layoff	ALJ	Daniel Stralka
Allegation	Violation of Personnel Code and Rules.	Recommended Decision	Appeal Dismissed as Untimely and Petitioner Not a Code-Covered Employee.

IT WAS MOVED BY COMMISSIONER RICHARDS, SECONDED BY COMMISSIONER EWELL AND BY ROLL CALL VOTE, THE MOTION UNANIMOUSLY ADOPTED TO AFFIRM THE RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE THAT THE COMMISSION IS WITHOUT JURISDICTION TO CONSIDER THE APPEAL OF THE RESPONDENT M. KATHLEEN NOLAN.

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X. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

?? DISCHARGE

DA-90-04

Respondent	Kamika J. Washington	Appeal Date	4/12/04
Agency	DHS	Decision Date	5/25/04
Type of Appeal	Discharge	ALJ	Daniel Stralka
Charge	Absenteeism.	Recommended Decision	Appeal dismissed. Respondent failed to appear at scheduled hearing.

IT WAS MOVED BY COMMISSIONER RICHARDS, SECONDED BY COMMISSIONER BUKRABA AND BY ROLL CALL VOTE, THE MOTION UNANIMOUSLY ADOPTED TO AFFIRM THE STAFF RECOMMENDATION THAT THE APPEAL OF THE RESPONDENT BE DISMISSED AND THAT THE RESPONDENT, KAMIKA J. WASHINGTON, BE DISCHARGED FROM HER EMPLOYMENT WITH THE DEPARTMENT OF HUMAN SERVICES.

XI. STAFF REPORT

- ?? Executive Director Daniel Stralka reported that the new Commission website should be up and running by July 1, 2004.
- ?? Executive Director Daniel Stralka attended the House Appropriations Committee hearing on June 16, 2004. Sandy Guppy has been working with our budget analyst to develop a number of different budgets that will meet the expected 2.25-3% reduction from what was initially submitted.
- ?? We recently completed a space needs survey for CMS in anticipation of the current lease on our Springfield office expiring at the end of this year.
- ?? Executive Director Daniel Stralka made a presentation before the Personnel Managers meeting May 25, 2004 on preparing a successful employee discharge.
- ?? Six new appeals were recently filed with the Commission. It is anticipated that there will be a rush of layoff appeals filed with the Commission as the newspapers have reported a number of agencies are planning layoffs effective June 30, 2004.

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XII. ANNOUNCEMENT OF NEXT MEETING

Announcement of the next regular meeting to be held on Thursday, July 15, 2004 at 9:00 a.m. in the Commission's Chicago Office.

XIII. MOTION TO ADJOURN.

IT WAS MOVED BY COMMISSIONER EWELL, SECONDED BY COMMISSIONER PETERSON AND THE MOTION UNANIMOUSLY ADOPTED TO ADJOURN THE MEETING AT 10:10 A.M.