

November 15, 2007

MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
November 15, 2007

I. OPENING OF MEETING AT 10:38 A.M. AT 400 WEST MONROE STREET, SUITE 306, SPRINGFIELD, ILLINOIS

II. PRESENT

Chris Kolker, Chairman; Raymond W. Ewell, Barbara J. Peterson, and Betty A. Bukraba, Commissioners; Daniel Stralka, Executive Director; Andrew Barris of the Commission staff; Tina Neely, Shared Services Center; Mark Magill, Bill Lipsmire, John Logsdon, Larry Plummer and Anne McElroy of Central Management Services; Daniel Bluthardt, Department of Financial and Professional Regulations; DiAna McCarter, Department of Public Health; Rebecca Shuster and Brigitte M. Smith, Department of Corrections.

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

IT WAS MOVED BY CHAIRMAN KOLKER, SECONDED BY COMMISSIONER EWELL AND THE MOTION ADOPTED 3-0 TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON 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.

* * *

C. Requests for 4d(3) Exemption

- With regard to Items C1, C2, and D, Executive Director Daniel Stralka indicated that these matters were continued from last month since there were questions about this request which the agency was unable to respond to prior to the meeting and requested a face-to-face meeting to address. As the meeting had yet to be scheduled, Staff recommended continuing these requests.
- With regard to Items E1 and E2, Executive Director Daniel Stralka represented that these are the Shared Services Center Assistant Chief Financial Officer positions for Functional and Strategic Processes for the Administrative and Regulatory Shared Services Center. With regard to these positions, they will be reporting to the Chief Financial Officer for the Shared Services Center, a position that reports to the Shared Services Center Director. To meet the reporting requirement, this is similar in an agency to a Deputy Director who is the equivalent of a statutory Assistant Director. This also requires the Shared Services Center Director to be treated as the equivalent of an agency director. These Chief Financial Officers were previously granted 4d(3) exempt status and are the principal policy developers with regard to all aspects of fiscal management in the Shared Services Center. The submitted positions will have principal administrative responsibility for the way in which the following fiscal functions are carried out in and for the benefit of the subordinate agencies:

Strategic Processes: General Accounting, Financial Reporting, Locally Held Funds, Fixed Asset Reporting and Grant Reporting.

Functional Processes: Accounts Receivable and Accounts Payable.

Budget and Procurement are not included in the fiscal processes being assumed by the Shared Services Centers.

The model being proposed and first presented to this Commission at its June meeting this year cited examples of inefficient operation of State government due to the inability of various subordinate agency fiscal systems that would be under the jurisdiction of these positions to uniformly and efficiently share fiscal information. These positions have the principal programmatic responsibility to carry out the development and implementation of compatible fiscal management/accounting/reporting systems to remedy these inefficiencies. This is just a summarized version of the programmatic goal as more fully set forth in Executive Order 2006-06.

Similar to its counterparts in Human Resources, it is anticipated that there will be some principal policy overlap between these positions and the functions that will be carried out by remaining subordinate agency fiscal positions as the implementation progresses. As the implementation continues, it will become clearer where the principal administrative responsibility for the way in which

these fiscal functions are carried out truly sits. Approving these requests acknowledges that for at least during this implementation period, positions with overlapping principal policy responsibilities may coexist to support the smooth transition to the Shared Services model. However, the Commission as well as Central Management Services, the Shared Services Centers, and subordinate agencies must be conscious of their responsibilities to minimize this overlap both in time and subject matter and to either abolish or clarify positions as warranted by future circumstances.

Having reviewed these requests and spent a significant amount of time considering the interaction between the Shared Services Center and its subordinate agencies in developing and carrying out these fiscal functions, Executive Director Daniel Stralka noted that it does not appear that any agency fiscal liaison request – similar to any human resources liaison request – would qualify for principal policy exemption at this time.

It was noted that the Personnel Code provides that the Commission is to use its judgment when determining whether to grant principal policy exemptions to any agency request. The Director of Central Management Services has indicated that she recommends approval of these requests. This is a highly unique situation and even though these requests do not meet a strict interpretation of the Commission's rules for exemption, the Commission must make a judgment call with regard to these requests as it has done many times in the past and did so favorably for the Human Resources counterparts this past September. In light of the past presentation before the Commission, information provided to the Commission over the past 15 months regarding this initiative, and the Commission's past actions addressing Shared Services Center exemption requests, it was the staff recommendation to approve these requests. Tina Neely, Transition Manager, was present on behalf of the Shared Services Center to answer any questions the Commissioners may have. Chairman Kolker reaffirmed that the Commissioners have been provided a great deal of information regarding the Shared Services Center from their presentations.

- With regard to Item F, Executive Director Daniel Stralka stated that this is the Associate Director for Psychiatric Services position at Department of Children & Family Services. This position reports to the Director and has principal programmatic responsibility for the provision of psychiatric services to wards and families served by Department of Children & Family Services. These services had previously been provided by contractual personnel, but the Director has created this position and made his request as part of an initiative to put a greater priority on addressing child psychiatry issues. For these reasons, Staff recommended approval.
- With regard to Item G, Executive Director Daniel Stralka indicated that this request is for exemption for a “high level staff assistant” to the Chief Legal Counsel and the Chief of Labor Relations. Staff recommended denying this

request. Initially, it was noted that while the Commission has acted favorably on requests for somewhat similar positions in larger agencies when they serve the Director of the agency, it has not done so for positions that are responsible for specific programs within the agency. This position description references responsibilities that indicate the position may have input in the development of program policy decisions, but it does not come close to having the sort of independent decision-making responsibilities that could justify principal policy exemption. Rebecca Shuster, Personnel Manager for Department of Corrections, responded on behalf of the request. She indicated that this position will have significant authority to bind the agency in the resolution of grievances, a program that has seen an increase in activity at the agency.

In response to a question from Chairman Kolker about the discretionary policy functions of the position, Shuster restated the grievance resolution responsibilities and also noted it has some legislative liaison responsibilities. In response to a question from Commissioner Peterson, Executive Director Daniel Stralka reiterated the Staff recommendation to deny this request. After noting that the denial of this request does not prevent the agency from filling the position under the Merit and Fitness provisions of the Personnel Code, he noted for the Commissioners the language in the position description that is inconsistent with principal policy responsibilities. He indicated that the resolution of grievances has not traditionally been a function that has supported principal policy exemption since grievances get resolved all the way down to the line manager level. Finally, he stated that granting this request for principal policy exemption for a "high level staff assistant" to a Deputy Director who is the equivalent of a statutory assistant director may open the door for the similar assistant requests from the hundreds of similarly situated positions in the State agencies.

Anne McElroy, Deputy Director-CMS Personnel, spoke on behalf of the request by outlining managerial control hardships that are the consequence of the creation of bargaining units from what were previously managerial positions and other strictures in the Personnel Code. She referenced generally how the granting of exemptions for positions such as this can assist agencies to efficiently operate and further their programmatic goals. Chairman Kolker suggested that this matter be continued to allow additional time for the agency and Commission staff to resolve the differences that aired during this discussion.

- With regard to Item H1, Executive Director Daniel Stralka indicated that this request is for exemption for a "high level staff assistant" to the Chief of Intergovernmental Relations, essentially another legislative liaison. Counting the Chief of Intergovernmental Relations, Department of Corrections currently has five legislative liaisons. Department of Corrections did not provide a reason why it needed to increase the number of legislative liaisons. In addition, Department of Corrections did not respond until late last night to Staff questions and its response raised other issues about the viability of this request. One of these is that the granting of this request would alter the organizational structure of the

department by having four current legislative liaisons report to this position. That would make the four current legislative liaisons three levels removed from the Director. These issues could not be resolved in such a short period of time and for that reason, Staff recommended continuing this request.

- With regard to Items H2 and H3, Executive Director Daniel Stralka stated that these requests are for two additional Parole Division Regional Supervisors in Department of Corrections. They report to the Chief of Parole – a position that would be considered the equivalent of a statutory Assistant Director – who in turn reports to the Director. The Commission approved exemption for companion positions back in July 2004. Now, due to the growth of the Parole Division, the agency is adding Regional Supervisors so that there will be a total of four responsible for all parole activities in the five regions of the state. As the position descriptions are essentially unchanged from July 2004 and reflect that these positions continue to have principal programmatic responsibility for implementing all parole programs in their assigned geographic regions, Staff recommended approval of these requests.
- With regard to Item I, Executive Director Daniel Stralka reported that this is the Medical Coordinator for Department of Professional Regulation, a position that reports to the Director of Department of Professional Regulation, who in turn reports to the Secretary of Department of Financial and Professional Regulation. This position has principal programmatic responsibility for all aspects of the administration of the Illinois Medical Practice Act which addresses the practice of medicine or any of its branches in Illinois. The Act provides for the creation of a Disciplinary Board and three Medical Coordinator positions, each of which shall serve at the will of the Disciplinary Board. This is one of those three positions, the Chief Medical Coordinator. For these reasons, Staff recommended approval of this request. Daniel Bluthart, Director of Department of Professional Regulation, was present and provided the Commissioners with additional information on the importance of the administration of this position's programmatic responsibilities relative to the overall mission of the Department of Professional Regulation.

IT WAS MOVED BY CHAIRMAN KOLKER, SECONDED BY COMMISSIONER PETERSON, AND THE MOTION ADOPTED 4-0 TO GRANT AND CONTINUE THE REQUESTS FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITIONS:

The following 4d(3) exemption requests were granted on November 15, 2007:

E1. Illinois Department of Revenue

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

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

F. Illinois Department of Children & Family Services

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

H2. Illinois Department of Corrections

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

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

I. Illinois Dept. of Financial and Professional Regulation

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

The following 4d(3) exemption requests were continued on November 15, 2007:

C1. Illinois Department of Central Management Services

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

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

D. Illinois Department of Central Management Services

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

G. Illinois Department of Corrections

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

H1. Illinois Department of Corrections

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

Prior to addressing Items J1-J13 on the agenda, Executive Director Daniel Stralka reiterated for the Commissioners that the original list of Commission initiated rescissions for this month's meeting contained 35 positions, most of which had been vacant in excess of six months. Notice went out to both the Director of Central Management Services and each affected Agency Director of the proposed rescissions. After discussions with many of the affected agencies over the course of the past 30 days, many of the concerns that led to the proposed rescission notices were resolved and only the following 13 were placed on the agenda. He also noted that out of the 13, all but two had been vacant in excess of six months and most were for longer than that. If the Commission approves the rescission of 4d(3) exempt status for any of these positions, it does not mean that the position is eliminated, only that the position is subject to the merit and fitness provisions of the Personnel Code and Rules. Finally, if a position has its exempt status rescinded and an agency subsequently decides that it believes exemption is warranted, there is nothing that prevents it from making a new request for exemption next month.

- As to Item J1, Executive Director Daniel Stralka reported that this position is a policy advisor to the Secretary of the Illinois Department of Human Services. There were media reports that the position was being utilized in a manner inconsistent with the position description. After notifying the agency of the proposed rescission, the Department of Human Services at first indicated that it would present information against the rescission at this meeting, but subsequently indicated that it has accepted the rescission. For this reason, Staff recommended that the exemption be rescinded.
- As to Items J2 and J3, Executive Director Daniel Stralka indicated that these positions first came to his attention when the Department of Corrections submitted the Statewide Resources and Program Development position for exemption in April of this year. The Department of Corrections was notified at that time that the granting of that exemption request would have a negative impact on the qualification for exemption of these two positions because some of the programmatic responsibilities that justified the exemption of these two positions were being assigned to the Statewide Resources and Program Development position and also because these two positions were being moved one further step down the organizational ladder – they would be three steps removed from the Director and two steps from a Deputy Director who could be classified as the equivalent of a statutory assistant director. The agency responded late yesterday with what appear to be proposed clarifications of the position descriptions, but they have not been submitted to and evaluated by Central Management Services yet. For those reasons, it is the Staff recommendation to continue these proposed rescissions. Executive Director Daniel Stralka noted that both these positions have incumbents, unlike the other positions on today's agenda.
- As to Item J4, Executive Director Daniel Stralka reported that this is the Illinois Department of Agriculture's Project Manager for the Regional Economic

Development Plan which was granted exemption in June 2004 and according to Central Management Services' records has never been filled. The Regional Economic Development Plan was a multi-agency initiative focusing on attracting and maintaining export-oriented businesses by developing and offering packages of government incentives. The agency has not responded to the notification, but since there is another Regional Economic Development Plan position on this list it can only be speculated that the program either never got off the ground, the agencies decided they could not afford to fill the positions, or the responsibilities have been assumed by other positions in the agency and/or Department of Commerce and Economic Opportunity. For those reasons, Staff recommended that the exemption be rescinded.

- As to Item J5, Executive Director Daniel Stralka stated that this is the Illinois Department of Public Health Regional Health Officer for the region based in Marion. The agency had not responded to the notification but from past communication, he had been informed that it was having difficulty acquiring funding for all seven Regional Health Officers and was considering consolidating some of them, including this position, with the Edwardsville position. At that point, DiAna McCarter, Deputy Director of Human Resources for the agency came forward to respond to the proposed rescission. She confirmed that the position was not presently filled, but the agency has begun to staff the Regional Health Officers and this is the last one to be filled. There have been delays partly attributable to the introduction of a new Director at the agency. She indicated that the agency has both the need to fill this position and funding to do so though there is no identified candidate. Based on the agency's representations, Staff recommended that this proposed rescission be denied, and Staff would follow up with the agency in 90 days.
- As to Item J6, Executive Director Daniel Stralka reported that this is the Illinois Department of Public Health Deputy Director for its Office of Health Protection program which has been vacant for, at a minimum, three years. Department of Public Health had previously indicated that they were having trouble recruiting for this position which requires a medical license. This position was first granted exemption in 1999. Up to this time, the agency had not responded to the proposed rescission. DiAna McCarter, Deputy Director of Human Resources for the agency, then responded by stating that the Department of Public Health has a critical need to fill this vacancy, and the previous Director was acting in this capacity while the agency completed the appointment process. The agency has an identified candidate, adequate funding and commenced the appointment process. Chairman Kolker noted that three years is a long time to leave such a position vacant, and Commissioner Ewell observed that the agency can always come back to the Commission to make its case for exemption once it was prepared to fill the position. Based on the agency's representations, Staff recommended continuing this proposed rescission.

- As to Item J7, Executive Director Daniel Stralka stated that this is the Illinois Department of Transportation Human Resources Manager for which exemption was granted in July 2003 but has never been filled. The agency has not responded to the notification, but he speculated that the functions are being performed by one of its Technical Managers. For those reasons, Staff recommended that the exemption be rescinded.
- As to Item J8, Executive Director Daniel Stralka indicated that this is the Fiscal Manager for the Liquor Control Commission, first granted exemption in January 2007. Central Management Services' records indicate it has never been filled, and upon notification, the Department of Revenue indicated that it had no objection to the rescission. For this reason, Staff recommended that the exemption be rescinded.
- As to Item J9, Executive Director Daniel Stralka reported that this is the Lottery Deputy Director for the Hispanic Market Office, first granted exemption in July 2004. This position had been filled at one time, but has been vacant at least two years. Upon notification, the Illinois Department of Revenue indicated that it had a person acting in this position for over a year pending appointment approval. They have requested such approval and it is their intention to fill this position permanently. Commission staff responded to the Department of Revenue on November 7, 2007 seeking the appointment history of the position and an explanation as to who was performing the responsibilities of the position while it was vacant. The agency failed to reply until this day when it asked that this be continued so it may further respond. For these reasons, Staff recommended to continue this proposed rescission.
- As to Item J10, Executive Director Daniel Stralka stated that this is the Information Services Manager for the Illinois Department of Corrections which he had recently been advised is finally, after several years being vacant, being filled next month. Based on the agency's representation, Staff recommended that this proposed rescission be denied.
- As to Item J11, Executive Director Daniel Stralka indicated that this is the Illinois Environmental Protection Agency's Project Manager for the Regional Economic Development Plan which was granted exemption in June 2004 and according to Central Management Services' records has never been filled. This program was described earlier in Item J4 and, like the Department of Agriculture position, this position has never been filled and the agency never responded to the notice of proposed rescission. For those reasons, Staff recommended that the exemption be rescinded.
- As to Item J12, Executive Director Daniel Stralka reported that this is the Illinois Department of Aging Division Manager for the Community Care Program which he had recently been advised was filled earlier this month. Based on the agency's representation, Staff recommended that this proposed rescission be denied.

- As to Item J13, Executive Director Daniel Stralka stated that this is the Illinois Guardianship and Advocacy Commission's Chief Spokesperson/Legislative Liaison, first granted exemption in 1995. It has been vacant for over two years and the agency never responded to the notice of proposed rescission. For those reasons, Staff recommended that the exemption be rescinded.

IT WAS MOVED BY COMMISSIONER BUKRABA, SECONDED BY COMMISSIONER EWELL, AND THE MOTION ADOPTED 4-0 TO APPROVE, CONTINUE AND DENY THE PROPOSED RESCISSIONS FROM 4D(3) EXEMPTION FOR THE FOLLOWING POSITIONS:

The following 4d(3) exemption rescissions were approved on November 15, 2007:

Agenda Item	Agency	Position Number	Functional Title
J1	DHS	40070-10-00-300-00-01	Policy
J4	Agriculture	40070-11-01-000-00-02	RED Project Manager
J7	DOT	40070-23-40-000-00-01	Human Resources Manager
J8	Revenue	40070-25-73-000-00-01	Fiscal Manager, Liquor Control Commission
J11	EPA	40070-46-00-000-00-07	RED Project Manager
J13	GAC	37015-50-70-021-00-01	Chief Spokesperson / Legislative Liaison

The following 4d(3) exemption rescissions were continued on November 15, 2007:

Agenda Item	Agency	Position Number	Functional Title
J2	DOC	40070-29-00-000-60-01	Planning & Research
J3	DOC	40070-29-00-500-00-01	Placement Resource
J6	DPH	26404-20-50-000-00-02	Health Protection
J9	Revenue	40070-25-90-200-20-01	Deputy Director, Lottery-Hispanic Market

The following 4d(3) exemption rescissions were denied on November 15, 2007:

Agenda Item	Agency	Position Number	Functional Title
J5	DPH	40070-20-06-205-00-51	Regional Health Officer, Marion
J10	DOC	40070-29-00-120-00-01	Information Services Manager
J12	Aging	40070-47-30-000-00-01	Div. Manager Community Care Program

V. CLASS SPECIFICATIONS

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

A. Position Titles

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

Staff Analysis: Assistant Executive Director Andrew Barris addressed the Commission about the proposed revisions to Children & Family Service Intern Option 1 and 2. Barris stated that 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, a revision was requested to extend 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 perform the job functions successfully and the possibility of position duties requiring communication with deaf persons.

IT WAS MOVED BY CHAIRMAN KOLKER, SECONDED BY COMMISSIONER EWELL AND THE MOTION ADOPTED 4-0 TO APPROVE THE REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE DECEMBER 1, 2007:

- Item A:** Children & Family Service Intern Option 1 (revise)
Children & Family Service Intern Option 2 (revise)

IT WAS MOVED BY COMMISSIONER PETERSON, SECONDED BY COMMISSIONER EWELL AND THE MOTION ADOPTED 4-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY.

November 15, 2007

VI. MOTION TO GO INTO EXECUTIVE SESSION

IT WAS MOVED BY COMMISSIONER PETERSON, SECONDED BY COMMISSIONER EWELL, AND BY ROLL CALL VOTE THE MOTION ADOPTED 4-0 TO HOLD AN EXECUTIVE SESSION PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT.

KOLKER	YES	EWELL	YES
PETERSON	YES	DALIANIS	
BUKRABA	YES		

VII. RECONVENE MEETING

Upon due and proper notice the regular meeting of the Illinois Civil Service Commission was reconvened at 400 West Monroe Street, Suite 360, Springfield, Illinois at 11:55 a.m.

PRESENT

Chris Kolker, Chairman; Raymond W. Ewell, Barbara J. Peterson, and Betty A. Bukraba, Commissioners; Daniel Stralka, Executive Director; and Andrew Barris of the Commission staff.

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.

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.

IT WAS MOVED BY COMMISSIONER PETERSON, SECONDED BY COMMISSIONER EWELL AND BY ROLL CALL VOTE OF 3-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE ADMINISTRATIVE LAW JUDGE'S RECOMMENDED DECISION THAT THE WRITTEN CHARGES HAVE BEEN PROVEN AND DO WARRANT DISCHARGE BECAUSE OF THE SERIOUSNESS OF THE CHARGES, THE EMPLOYEE'S MINIMAL SENIORITY, PAST DISCIPLINE OF AN ORAL REPRIMAND, AND CONSISTENTLY UNACCEPTABLE PERFORMANCE EVALUATIONS. CHAIRMAN KOLKER ABSTAINED.

KOLKER		EWELL	YES
PETERSON	YES	DALIANIS	
BUKRABA	YES		

- 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.

IT WAS MOVED BY CHAIRMAN KOLKER, SECONDED BY COMMISSIONER BUKRABA AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO DISMISS THE APPEAL PURSUANT TO THE SETTLEMENT AGREEMENT AND COURT ORDER.

KOLKER	YES	EWELL	YES
PETERSON	YES	DALIANIS	
BUKRABA	YES		

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.

IT WAS MOVED BY CHAIRMAN KOLKER, SECONDED BY COMMISSIONER BUKRABA AND BY ROLL CALL VOTE OF 4-0, THE MOTION ADOPTED TO AFFIRM AND ADOPT THE ADMINISTRATIVE LAW JUDGE'S PROPOSED FINDING TO DISMISS AS THE PETITIONER FILED A REQUEST TO WITHDRAW THE APPEAL.

KOLKER	YES	EWELL	YES
PETERSON	YES	DALIANIS	
BUKRABA	YES		

XI. STAFF REPORT

Assistant Executive Director Andrew Barris reported that:

- Beckie Daniken attended a Central Management Services seminar on listening.
- The State and University Employees Combined Appeal (SECA) campaign ended November 9, 2007. We had 100% participation and raised \$1075.
- Our FY 2009 budget is due November 16. OMB is mandating submissions of 95% and 100% of FY 2008 funding. An alternate submission of 102% may also be submitted.
- Sandra Guppy and Daniel Stralka attended an entry conference with auditor general staff on November 13. Field work began November 14, 2007.

November 15, 2007

- Ethics training must be completed by the end of the year.
- A new 5-Year Plan has been prepared and distributed to the Commissioners.
- The physical inventory project for the 4d(3) exempt position file folders to make sure we had information in each one was completed November 13. Central Management Services provided copies of the missing position descriptions.

XII. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular meeting to be held on December 20, 2007 at 9:00 a.m. in the Commission's Chicago office.

XIII. MOTION TO ADJOURN

IT WAS MOVED BY CHAIRMAN KOLKER, SECONDED BY COMMISSIONER BUKRABA AND THE MOTION ADOPTED 4-0 TO ADJOURN THE MEETING AT 12:00 PM.