

July 20, 2006

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
July 20, 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 JUNE 15, 2006

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD JUNE 15, 2006?

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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	143.....	9
Agriculture	604.....	17
Arts Council.....	18.....	1
Capitol Development Board	32.....	0
Central Management Services	1,656.....	112
Children and Family Services.....	3,308.....	41
Civil Service Commission	4.....	0
Commerce & Econ. Opportunity	446.....	61
Commerce Commission.....	42.....	0
Corrections.....	13,779.....	117
Criminal Justice Authority	75.....	6
Deaf and Hard of Hearing Comm.	6.....	1
Developmental Disabilities Council	11.....	1
Emergency Management Agency	107.....	1
Employment Security.....	1,792.....	26
Environmental Protect. Agency	1,063.....	17
Financial. & Prof. Regulation	813.....	42
Guardianship and Advocacy	113.....	6
Healthcare and Family Services	2,343.....	29
Historic Preservation Agency	334.....	12
Human Rights Commission	11.....	2
Human Rights Department	134.....	8
Human Services	14,930.....	62
Investment Board.....	5.....	2
Labor.....	76.....	7
Labor Relations Board Educational	17.....	2
Labor Relations Board Local	1.....	0
Labor Relations Board State	17.....	2
Law Enforce. Trng. & Standard Bd.	23.....	1
Medical District Comm.....	2.....	0
Military Affairs	142.....	3
Natural Resources	1,744.....	27
Pollution Control Board.....	26.....	3
Prisoner Review Board	22.....	0
Property Tax Appeal Board	20.....	2
Public Health.....	1,129.....	35
Revenue	2,026.....	54
State Fire Marshal	150.....	9
State Police	1,475.....	6
State Police Merit Board.....	5.....	1
State Retirement Systems	83.....	1
Transportation.....	2,831.....	1
Veterans Affairs.....	1,171.....	5
Workers Comp. Commission.....	171.....	10
TOTALS	52,900.....	742

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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C. Illinois Department of Corrections – Proposed Exemption

Position Number	37015-29-00-000-00-01
Position Title	Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Staff Assistant to the Director
Incumbent	None
Supervisor	Director
Location	Sangamon County

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, I recommend 4d(3) exemption.”

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

Position Number	37015-42-00-230-00-01
Position Title	Public Service Administrator
Bureau/Division	Director’s Office/Office of Legislative Affairs
Functional Title	Legislative Liaison
Incumbent	None
Supervisor	Manager of Legislative Affairs (reports to Director)
Location	Sangamon County

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

E. Illinois Department of Revenue – Proposed Exemption

Position Number	37015-25-90-210-10-01
Position Title	Public Service Administrator
Bureau/Division	Lottery-Superintendent’s Office
Functional Title	Communications Manager
Incumbent	None
Supervisor	Lottery Superintendent (reports to Director)
Location	Cook County

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

F1. Illinois Department of Corrections – Proposed Exemption

Position Number	40070-29-40-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Public Safety Shared Services Center
Functional Title	Center Director
Incumbent	None
Supervisor	Governor
Location	Sangamon County

F2. Illinois Department of Corrections – Proposed Exemption

Position Number	40070-29-40-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Public Safety Shared Services Center
Functional Title	Chief of Administration
Incumbent	None
Supervisor	Center Director (reports to the Governor)
Location	Sangamon County

F3. Illinois Department of Corrections – Proposed Exemption

Position Number	40070-29-40-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Public Safety Shared Services Center
Functional Title	Human Resources Director
Incumbent	None
Supervisor	Center Director (reports to the Governor)
Location	Sangamon County

F4. Illinois Department of Corrections – Proposed Exemption

Position Number	40070-29-40-300-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Public Safety Shared Services Center
Functional Title	Chief Fiscal Officer
Incumbent	None
Supervisor	Center Director (reports to the Governor)
Location	Sangamon County

F5. Illinois Department of Corrections – Proposed Exemption

Position Number	40070-29-40-400-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Public Safety Shared Services Center
Functional Title	Projects Director
Incumbent	None
Supervisor	Center Director (reports to the Governor)
Location	Sangamon County

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

G1. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-12-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative & Regulatory Shared Services Center
Functional Title	Center Director
Incumbent	None
Supervisor	Governor
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position to comparable agency administrative heads, I recommend 4d(3) exemption.”

G2. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-12-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative & Regulatory Shared Services Center
Functional Title	Administrative Director
Incumbent	None
Supervisor	Center Director (reports to the Governor)
Location	Sangamon County

G3. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-12-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative & Regulatory Shared Services Center
Functional Title	Human Resources Director
Incumbent	None
Supervisor	Center Director (reports to the Governor)
Location	Sangamon County

G4. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-12-300-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative & Regulatory Shared Services Center
Functional Title	Chief Fiscal Officer
Incumbent	None
Supervisor	Center Director (reports to the Governor)
Location	Sangamon County

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

H. Illinois Department of Corrections – Proposed Rescission

Position Number	40070-29-11-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Finance & Administration
Functional Title	Manager, Fiscal Services Division
Incumbent	None
Supervisor	Deputy Director of Finance (reports to Director)
Location	Sangamon County

Staff Recommendation: The agency requested this rescission due to the transfer of the position’s principal responsibilities to the Public Safety Shared Service Center. Staff recommends rescission.

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE AND RESCISSION FOR THE FOLLOWING POSITIONS?

Staff Assistant to the Director

Legislative Liaison

Communications Manager

Center Director, Public Safety Shared Services Center

Chief of Administration, Public Safety Shared Services Center

Human Resources Director, Public Safety Shared Services Center

Chief Fiscal Officer, Public Safety Shared Services Center

Projects Director, Public Safety Shared Services Center

Center Director, Administrative & Regulatory Shared Services Center

Administration Director, Administrative & Regulatory Shared Services

Human Resources Director, Administrative & Regulatory Shared Services

Chief Fiscal Officer, Administrative & Regulatory Shared Services Center

Manager, Fiscal Services Division (rescission)

V. **CLASS SPECIFICATIONS**

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

A. **Position Title**

Workers Compensation Insurance Compliance Investigator (new)

Classification Analysis

“The Workers Compensation Insurance Compliance Investigator has been developed and is recommended to fulfill a request by the Illinois Workers’ Compensation Commission for the creation of a class to perform duties related to the investigation of workers’ compensation insurance compliance. Positions in this class will be responsible for the investigation and preparation of cases against violators of Workers’ Compensation laws as well as mediation with clients and the public to inform and ensure compliance with federal, state, and municipal statutes regarding an employer’s responsibility to insure workers’ compensation benefits. The positions will work with law enforcement at various levels in support of investigations and case resolution, including arbitration and the prosecution of cases. The positions will also be accountable for coordination of data exchange with other public and private agency databases for the Workers’ Compensation Insurance Compliance Division. There is a high degree of responsibility and independent judgment ascribed to positions in this class. They are professional positions designed for an advanced level of competency. Because the class encompasses both functions that may be accomplished in an office setting and field investigatory work, a high level of education and experience is warranted. The Workers Compensation Insurance Compliance Investigator has the following qualifications:

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1. Education: A bachelor's degree or its equivalent with coursework in political science, criminology, criminal justice, business or public administration, or a related field; and
2. Experience: Five (5) years of investigatory experience as may be exemplified by civil, criminal, insurance or utility complaint investigations or comparable related investigatory experience."

B. Position Titles

Criminal Intelligence Analyst 1 (revise)
Criminal Intelligence Analyst 2 (revise)
Criminal Intelligence Analyst Specialist (revise)

Classification Analysis

"The proposed revisions to the Criminal Intelligence Analyst series are minor, intended to bring class content up to date. The Desirable Requirements portion of the class specification notes the need for an ability to travel in conjunction with the criminal information gathering process."

WILL THE COMMISSION APPROVE THE CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE AUGUST 1, 2006?

Workers Compensation Insurance Compliance Investigator (new)

Criminal Intelligence Analyst 1 (revise)

Criminal Intelligence Analyst 2 (revise)

Criminal Intelligence Analyst Specialist (revise)

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

VI. MOTION TO GO INTO EXECUTIVE SESSION

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4) AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION AND/OR SPECIFIED EMPLOYMENT MATTERS?

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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 Report as of June 30, 2006.

Agency	5/31/06	6/30/06
Agriculture	8	12
Central Management Services	3	3
Children and Family Services	10	8
Commerce and Economic Opportunity	2	2
Financial and Professional Regulation	6	6
Healthcare and Family Services	10	10
Historic Preservation	10	15
Human Rights Department	1	1
Human Services	3	3
Natural Resources	30	30
Property Tax Appeal Board	1	1
Transportation	23	25
Veterans Affairs	1	1
Totals	108	117

IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

• DISCHARGE APPEAL

DA-28-06

Petitioner	Steven R. Donaldson	Appeal Date	12/30/05
Agency	DOT	Decision Date	07/07/06
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Carrying firearms in state truck; misuse of state property and time	Recommended Decision	Charges have been partially proven and warrant discharge.

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

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- **DISCHARGE APPEAL**

DA-35-06

Petitioner	Kelly Meyer	Appeal Date	3/15/06
Agency	DHS	Decision Date	7/07/06
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Abuse of resident (hit patient on back of head with open hand)	Recommended Decision	Charges have not been proven by a preponderance of the evidence.

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

- **SUSPENSION APPEAL**

S-12-06

Petitioner	Lorene Floyd	Appeal Date	8/22/05
Agency	DCFS	Decision Date	7/07/06
Type	Suspension	ALJ	Andrew Barris
Charge(s)	Misrepresentation of information; negligent performance; failure to follow an order	Recommended Decision	Charges have been partially proven and warrant the 29-day suspension.

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

X. **APPEALS TERMINATED WITHOUT DECISION ON THE MERITS**

- **DISMISSAL**

DA-49-06

Petitioner	Tim Strickland	Appeal Date	5/22/06
Agency	DHS	Decision Date	7/10/06
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Unauthorized absences	Recommended Decision	Default (failure to appear at hearing); dismissed subject to Commission approval.

DOES THE COMMISSION APPROVE THE DISMISSAL OF THE ABOVE MATTER?

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- **WITHDRAWN**

DA-50-06

Respondent	Saul Tonielli	Appeal Date	6/01/06
Agency	DOC	Decision Date	6/21/06
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Affirmative attendance (tardy)	Recommended Decision	Withdrawn; dismissed subject to Commission approval.

- **WITHDRAWN**

DA-52-06

Respondent	James D. Wilson	Appeal Date	6/14/06
Agency	DOC	Decision Date	6/22/06
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Non-alert state (lying on couch) with inmate residents sitting around him; safety	Recommended Decision	Withdrawn; dismissed subject to Commission approval.

- **WITHDRAWN**

DA-53-06

Respondent	Troy Whitaker	Appeal Date	6/14/06
Agency	DOC	Decision Date	7/10/06
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Falsified interviews with Correctional Officers	Recommended Decision	Withdrawn; dismissed subject to Commission approval.

DOES THE COMMISSION APPROVE THE DISMISSAL OF THE ABOVE MATTERS?

XI. AMENDMENT TO THE PERSONNEL RULES

Section 302.150 Appointment and Status:

The following types of appointment *and status* may be made by the Director:

...

- j. *Interim Assignment: For a certified non-bargaining unit employee assigned to perform on a full-time interim basis and be accountable for the higher-level duties and responsibilities of a non-bargaining unit position.*

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The position shall have higher-level duties and responsibilities within the same broadband position classification or a position classification with a higher pay grade or range. The interim assignment shall be to a position within the same agency. The agency shall provide written justification of the need for the interim assignment and the interim assignment occurs upon the approval of the Director of Central Management Services. The initial interim assignment of the employee to the position shall not exceed six months but may be extended in six-month increments upon the approval of the Director of Central Management Services. The employee shall be qualified for the position with higher-level duties and responsibilities, and request a leave of absence from the current position to accept the interim assignment.

Staff Analysis: The above section has been added to the Personnel Rules to allow Central Management Services to better track interim assignments. All such assignments will now be tracked utilizing an identifying transaction ode.

XII. STAFF REPORT

XIII. CONSIDERATION OF MAINTAINING 9:00 AM AS THE TIME FOR THE AUGUST, 2006 MEETING

XIV. ANNOUNCEMENT OF NEXT MEETING

Announcement of the next regular meeting to be held on Thursday, August 17, 2006 at 9:00 a.m. in the Commission's Chicago Office.

XV. MOTION TO ADJOURN