

January 20, 2022

REGULAR MEETING MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
JANUARY 20, 2022

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:02 A.M. AT 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, IL

II. ROLL CALL AND CONFIRMATION OF A QUORUM

Timothy D. Sickmeyer (by telephone), Chairman; G.A. Finch (by telephone), David Luechtefeld (by telephone), Teresa C. Smith (by video), and Vivian Robinson (by telephone), Commissioners; Thomas Klein, Executive Director, Andrew Barris (by video), Assistant Executive Director, Sabrina Johnson (by telephone), Exemption Monitor, and Alexandra Myers, Executive Secretary; Chris Nickols (by telephone), Central Management Services; Jayne Bethard (by telephone), Brittany Hendricks (by telephone), and Christopher Patterson (by video), Illinois Department of Human Services; Keshia Wrightsell (by telephone) and Porsha Winters (by telephone), Office of Executive Inspector General; Sherry Campbell (by telephone) and Sheila Tapscott (by telephone), Illinois Department of Information Technology; and Justin DeWitt (by telephone), Nadine O’Leary (by telephone), and Myles Willingham (by telephone); Illinois Department of Public Health.

Executive Director Klein confirmed there was a quorum in light of the Governor’s Emergency Declaration and Chairman Sickmeyer’s determination that it is neither practical nor prudent to have an in-person meeting.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD DECEMBER 16, 2021

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER ROBINSON, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD DECEMBER 16, 2021.

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

In accordance with the Open Meetings Act and the Rules of the Civil Service Commission, Executive Director Thomas Klein offered an opportunity for any person to address members of the Commission.

Hearing no response, the meeting proceeded to the next agenda item.

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

A. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days' notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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B. Requests for 4d(3) Exemption

- Exemption Monitor Sabrina Johnson indicated that Item B was a request for a Firearm Violence Prevention Senior Policy Advisor at the Department of Human Services, a position that reports to the Assistant Secretary of Firearm Violence Prevention, who reports to the Secretary. This position manages and coordinates the study of the Reimagine Public Safety Act and Firearm Violence Prevention policy. This position has authority on policymaking issues impacting DHS, represents the Secretary and Assistant Secretary at interagency violence prevention meetings and serves as a legislative liaison regarding firearm violence prevention bills. Staff recommended this exemption request be granted.
- Item C was a request for a Chief Information Officer for the Department of Juvenile Justice at the Department of Innovation & Technology, a position that reports to the Health & Human Services Group CIO, who reports to the Assistant Secretary, who reports to the Secretary. This position will serve as the Department of Juvenile Justice information system liaison, it serves as a principal policy formulating administrator, it will develop and implement policies and procedures for the long and short-term strategic goals of the Department of Juvenile Justice and is a department spokesperson. Staff recommended this exemption request be granted.
- Exemption Monitor Ms. Johnson indicated that Items D1 and D2 are position at the Department of Public Health (DPH).

Item D1 was a request for a Chief Operating Officer, a position that reports to the Director. This position will provide leadership for the Department's programmatic offices. The eight offices are Health Care Regulation, Health Promotion, Disease Control, Health Protection, Policy, Planning & Statistics, Preparedness & Response, Women's Health & Family Services, and Racial & Cultural Health Equity. This position will assist in implementing state and federal legislation involving public health issues and serve as liaison with local health departments, non-governmental organizations, community-based organizations, external stakeholders and partners and other state agencies regarding Department's public health policies. Staff recommended this exemption request be granted.

Chairman Sickmeyer inquired if this was parallel with the Chief of Staff duties. Justin DeWitt, Chief of Staff, with the DPH indicated DPH is seeking to add another position for all the operating offices that were indicated in Ms. Johnson's presentation to the Chief Operating Officer.

Item D2 was a request for a Deputy Director, Racial and Cultural Health Equity, a position that reports to the Chief Operating Officer, who reports to the Director. This position serves as a policy-making official for the Office of Racial and Cultural Health Equity, acts as a spokesperson for the Director regarding health equity initiatives, and provides leadership for implementing all grants, information and education resources and activities. Staff recommended this exemption request be granted.

Commissioner Luechtefeld inquired if Items C, D1 and D2 are new positions and are vacant. Mr. DeWitt indicated Items D1 and D2 are new positions and are not occupied. Ms. Johnson indicated that Item C is also a new position.

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO GRANT THE 4d(3) EXEMPTION REQUEST FOR THE FOLLOWING POSITIONS:

- B: Firearm Violence Prevention Senior Policy Advisor**
- C: Chief Information Officer, Department of Juvenile Justice**
- D1: Chief Operating Officer**
- D2: Deputy Director, Racial and Cultural Health Equity**

B. Illinois Department of Human Services

Position Number	40070-10-06-020-00-01
Functional Title	Firearm Violence Prevention Senior Policy Advisor
Incumbent	Javon Gregoire
Supervisor	Assistant Secretary of Firearm Violence Prevention, who reports to the Secretary
Location	Sangamon County

C. Illinois Department of Innovation & Technology

Position Number	40070-28-33-000-00-01
Functional Title	Chief Information Officer, Department of Juvenile Justice
Incumbent	Vacant
Supervisor	Health & Human Services Group Chief Information Officer, who reports to the Assistant Secretary, who reports to the Secretary
Location	Sangamon County

D1. Illinois Department of Public Health

Position Number	40070-20-01-090-00-01
Functional Title	Chief Operating Officer
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

D2. Illinois Department of Public Health

Position Number	40070-20-15-000-00-01
Functional Title	Deputy Director, Racial and Cultural Health Equity
Incumbent	Vacant
Supervisor	Chief Operating Officer, who reports to the Director
Location	Sangamon County

Proposed Rescission in accordance with Section 1.142(b) of the Rules of the Civil Service Commission

Section 1.142(b) provides that the Commission may rescind the exemption of positions that no longer meet the requirements for exemption upon the recommendation of the Director of Central Management Services. The determination of rescission of Section 4d(3) exemptions rests with Civil Service Commission. Section 1.142(b) of the Commission Rules provides that rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will ensure responsive and accountable administrative control of the programs of the agency.

- Items E1 – E3 are proposed rescissions at the Department of Public Health (DPH).

Item E1 was a rescission request for the Vital Records Division Chief. This position has been approved 4d(3) exempt since July 2008. DPH has indicated this position does not exercise independent decision or policy making authority. DPH also indicated they have taken a critical look at this position and do not believe the job duties support an ongoing exemption. Staff recommended approval of this rescission request.

Item E2 was a rescission request for the Medical Cannabis Division Chief. This position has been approved 4d(3) exempt since January 2014. DPH has indicated the duties involving policies and programs are within the duties of the Deputy Director of Health Promotion, therefore DPH does not believe this position support an ongoing exemption. Staff recommended approval of this rescission request.

Item E3 was a rescission request for the Men’s Health Section Chief. This position has been approved 4d(3) exempt since September 2008. Based on the last clarification dated 10/2021, this position was a Deputy Director of the Office of Director Men’s Health to Men’s Health Section Chief with the Office of Health Promotion, Division of Community Health & Prevention. DPH determined this position would be better situated as a Section within the Division of Community Health & Prevention. Staff recommended approval of this rescission request.

Commissioner Luechtefeld inquired if Item E3 was a new position or just vacant. Ms. Johnson indicated Item E3 has been 4d(3) exempt since September 2008 and it is currently vacant.

Executive Director Thomas Klein inquired if the position descriptions for the proposed rescissions have been updated to show they no longer have exempt duties. Mr. DeWitt indicated he believes DPH has revised all three positions.

Item	Agency	Position #	Functional Title	Incumbent
E1	DPH	40070-20-27-000-00-01	Vital Records Division Chief	Nadine O’Leary
E2	DPH	40070-20-31-000-00-01	Medical Cannabis Division Chief	Myles Willingham
E3	DPH	40070-20-37-500-00-81	Men’s Health Section Chief	Vacant

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO RESCIND THE 4d(3) EXEMPTION FOR THE FOLLOWING POSITION:

- E1: Vital Records Division Chief**
- E2: Medical Cannabis Division Chief**
- E3: Men's Health Section Chief**

VI. CLASS SPECIFICATIONS

A. Governing Rule – Section 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work; and
- f) The relation of the class specifications to any applicable collective bargaining agreement.

**B. Beautician (abolish)
Cosmetologist (new)**

C. Revenue Auditor Trainee (revise)

**D. Behavioral Analyst Associate (abolish)
Behavioral Analyst 1 (abolish)
Behavioral Analyst 2 (abolish)
Behavior Analyst Associate (new)
Behavior Analyst 1 (new)
Behavior Analyst 2 (new)**

~~E. Transportation Seasonal Office Worker (new)~~

Item E was withdrawn by CMS during the meeting.

- F. Accountant Supervisor (revise)**
 - Actuary 3 (revise)**
 - Cancer Registrar Assistant Manager (revise)**
 - Conservation Grant Administrator 3 (revise)**
 - Environmental Engineer 4 (revise)**
 - Environmental Protection Engineer 4 (revise)**
 - Environmental Protection Specialist 4 (revise)**

- G. Graphic Arts Technician (revise)**
 - Graphic Arts Designer (revise)**
 - Graphic Art Designer Advanced (revise)**
 - Graphic Arts Designer Supervisor (revise)**

- H. Warehouse Examiner (revise)**
 - Warehouse Examiner Specialist (revise)**

Assistant Executive Director Barris reported that Chris Nickols for CMS Technical Services confirmed that all of the proposed class specifications were agreed to through collective bargaining.

Regarding Item F, Barris inquired if the supervisory distinctions might have an effect on a position's inclusion in a collective bargaining agreement. Nickols indicated that all of the positions within the class were already included in a collective bargaining agreement.

Regarding Item E, Barris noted that he had never seen a proposed revision for a non-full time, seasonal position covered by the Personnel Code and inquired how it would work with the application, hiring and probationary process. Commissioner Luechtefeld inquired what kind of job duties and/or when the employee would work in the position if it was only seasonal. Commission Smith questioned the need for a seasonal office worker when DOT already a number of similar office classes. Nickols withdrew Item E from the agenda to investigate the Commissioners' concerns.

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER SMITH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO APPROVE THE CREATIONS, REVISIONS, AND ABOLISHMENTS OF THE FOLLOWING CLASS SPECIFICATIONS TO BE EFFECTIVE FEBRUARY 1, 2022:

- B. Beautician (abolish)**
 - Cosmetologist (new)**
- C. Revenue Auditor Trainee (revise)**
- D. Behavioral Analyst Associate (abolish)**
 - Behavioral Analyst 1 (abolish)**
 - Behavioral Analyst 2 (abolish)**
 - Behavior Analyst Associate (new)**
 - Behavior Analyst 1 (new)**
 - Behavior Analyst 2 (new)**

- F. **Accountant Supervisor (revise)**
 - Actuary 3 (revise)**
 - Cancer Registrar Assistant Manager (revise)**
 - Conservation Grant Administrator 3 (revise)**
 - Environmental Engineer 4 (revise)**
 - Environmental Protection Engineer 4 (revise)**
 - Environmental Protection Specialist 4 (revise)**
- G. **Graphic Arts Technician (revise)**
 - Graphic Arts Designer (revise)**
 - Graphic Art Designer Advanced (revise)**
 - Graphic Arts Designer Supervisor (revise)**
- H. **Warehouse Examiner (revise)**
 - Warehouse Examiner Specialist (revise)**

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.

VII. PERSONNEL RULES

A. Civil Service Commission Governing Rule – Section 1.310 Personnel Rules

The Commission has power to disapprove new rules or amendments to existing rules submitted by the Director of Central Management Services. Such proposed new rules or amendments of existing rules submitted to the Commission shall be accompanied by a report of proceedings attending the prior public hearing required by law with respect to them.

If the Commission does not disapprove new rules or any amendment to existing rules within 30 days following the receipt from the Director of Central Management Services, the new rules or amendments have the force and effect of law after filing by the Director with the Secretary of State.

B. None submitted

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.

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VIII. MOTION TO CLOSE A PORTION OF THE MEETING

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO CLOSE A PORTION OF THE MEETING PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
SMITH	YES		

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IX. APPROVAL OF MINUTES OF THE CLOSED PORTION OF THE REGULAR MEETING HELD DECEMBER 16, 2021

IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER SMITH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO APPROVE THE MINUTES OF THE CLOSED PORTION OF THE REGULAR MEETING HELD DECEMBER 16, 2021.

I. INTERLOCUTORY APPEAL

DA-12-21

Employee	Lashaun Springfield	Appeal Date	01/11/2021
Agency	Dept. of Human Services	Decision Date	12/30/2021
Appeal Type	Discharge	Proposal for Decision	Dismissed.
ALJ	Thomas Klein/Andrew Barris		

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
SMITH	YES		

II. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

DA-13-22

Employee	Keri Coughlin-Glenn	Appeal Date	11/12/2021
Agency	Dept. of Human Services	Decision Date	12/30/2021
Appeal Type	Discharge	Proposal for Decision	Withdrawn.
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

SICKMEYER YES FINCH YES
LUECHTEFELD YES ROBINSON YES
SMITH YES

DA-14-22

Employee	Dwanna Tucker	Appeal Date	12/16/2021
Agency	Dept. of Healthcare and Family Services	Decision Date	01/11/2022
Appeal Type	Discharge	Proposal for Decision	Withdrawn.
ALJ	Thomas Klein		

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

SICKMEYER YES FINCH YES
LUECHTEFELD YES ROBINSON YES
SMITH YES

III. STAFF REPORT

Chairman Sickmeyer asked about training and Barris informed him that the Ethics and Sexual Harassment Prevention Training was due December 31, 2022. Barris also reported that Statements of Economic Interest and Supplemental Statements of Economic Interest were due around May 1, 2022 and the SOIE forms would be mailed by the Secretary of State's office.

IV. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held at 11:00 a.m. on Thursday, February 17, 2022 in the Springfield office of the Commission.

V. MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER ROBINSON, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 11:50 A.M.