

January 21, 2021

REGULAR MEETING MINUTES  
ILLINOIS CIVIL SERVICE COMMISSION  
January 21, 2021

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:03 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 telephone) and Vivian Robinson (by telephone), Commissioners; Thomas Klein, Executive Director, Andrew Barris (by telephone), Assistant Executive Director, Sabrina Johnson (by telephone), Exemption Monitor, and Alexandra Myers (by telephone), Executive Secretary; Sarah Kerley (by telephone), Chris Nickols (by telephone), and Sheila Tapscott (by telephone), Central Management Services; Marina Bergamo (by telephone), Office of Executive Inspector General; Christopher See (by telephone), Melissa See (by telephone), and John Gnutek (by telephone).

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 17, 2020

**IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD DECEMBER 17, 2020.**

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.

Mr. John Gnutek, former Illinois Gaming Board (IGB) employee, addressed the members of the Commission. Mr. Gnutek expressed his concerns about what he believes to be corruption within the IGB during his employment with them and beyond. He mentioned circuit court and federal cases pertaining to the IGB. He referenced previous cases set before the commission pertaining to whistleblowing within the IGB. Both cases reversed the discharge. Mr. Gnutek believes Mr. See was trying to fight corruption and criminal activity in the IGB and asked the Commission to consider the long history he has seen within the IGB regarding corruption.

Hearing no further 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)

\* \* \*

**B. Request for 4d(3) Exemption**

Exemption Monitor Sabrina Johnson indicated that Item B was a request for a Chief, Human Resources at the Illinois State Police (ISP), a position that reports to the Chief of Staff, who reports to the First Deputy Director, who reports to the Director. This position develops and implements statewide policies, procedures and guidelines to maximize ISP human resource programs, is the spokesperson on all human resources matters, prepares and administers the budget for the Bureau of Human Resources and reviews legislative proposals, policy drafts and legal changes concerning human resources services. Staff recommended this exemption request be granted.

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

**B: Chief, Human Resources (ISP)**

**B. Illinois State Police**

Position Number	40070-21-00-800-00-02
Functional Title	Chief, Human Resources
Incumbent	Vacant
Supervisor	Chief of Staff, who reports to the First Deputy Director, who reports to the Director
Location	Sangamon County

**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;

January 21, 2021

- 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. Corrections Medical Technician (abolish)**  
**Licensed Practical Nurse – Corrections (create new)**

**C. Historical Actor (create new)**

**D. Corrections Officer Trainee (revise)**

Assistant Executive Director Andrew Barris reviewed and reported the classification analysis regarding the proposed abolishment, creation and revisions in Items B, C, and D and reported they were agreed to through collective bargaining.

Regarding Item B and the minimal changes to the class, Barris asked Chris Nickols from CMS Technical Services why the class was not revised, as opposed to the abolishment of the present class and the creation of the new class. Nickols reported that it was essentially a revision, but the forms and process required the creation of the new class with a new title.

Regarding Item C, Barris inquired about promotional opportunities in relation to the uniqueness of the class and Nickols stated that there might be in the future once the class is established. Commissioner Smith inquired whether the class involved full-time work. Nickols reported that the position would require full-time availability. Sarah Kerley reported that the position within the class worked a 40-hour week and the proposed class would address the quandary of independent contractor status when the State controls the working conditions and that non-full-time actors could then be used on an intermittent basis as needed.

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER SMITH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO APPROVE THE ABOLISHMENT, CREATIONS, AND REVISIONS OF THE FOLLOWING CLASS SPECIFICATIONS TO BE EFFECTIVE FEBRUARY 1, 2021:**

**C. Corrections Medical Technician (abolish)**  
**Licensed Practical Nurse – Corrections (create new)**

**D. Historical Actor (create new)**

**E. Corrections Officer Trainee (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.**

VIII. MOTION TO CLOSE A PORTION OF THE MEETING

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER SMITH, 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		

January 21, 2021

IX. RECONVENE THE OPEN MEETING

Upon due and proper notice, the regular open meeting of the Illinois Civil Service Commission was reconvened at 607 E. Adams Street, Suite 801, Springfield, IL at 12:20 p.m.

ROLL CALL AND CONFIRMATION OF A QUORUM

Chairman Timothy D. Sickmeyer (by telephone); G.A. Finch (by telephone), David Luechtefeld (by telephone), Vivian Robinson (by telephone), and Teresa C. Smith (by telephone), Commissioners; Thomas Klein, Executive Director, Andrew Barris (by telephone), Assistant Executive Director, Sabrina Johnson (by telephone), Exemption Monitor, and Alexandra Myers (by telephone), Executive Secretary; Christopher See (by telephone), Melissa See (by telephone).

X. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

DA-43-20

Employee	Christopher T. See	Appeal Date	06/26/2020
Agency	Illinois Gaming Board	Decision Date	01/08/2021
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Thomas Klein		

**THERE WAS A MOTION MADE BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER ROBINSON, AND BY ROLL CALL VOTE 5-0 TO ADOPT THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND MODIFY THE RECOMMENDATION THAT DISCHARGE IS THE APPROPRIATE LEVEL OF DISCIPLINE TO A 90-DAY SUSPENSION PLUS DURATION OF SUSPENSION PENDING DISCHARGE FOR THE REASONS SET FORTH IN THE SIGNATURE SHEET.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>YES</b>	<b>ROBINSON</b>	<b>YES</b>
<b>SMITH</b>	<b>YES</b>		

XI. STAFF REPORT

Assistant Executive Director Barris thanked the Commission for completing their 2020 ethics training and informed the Commission that they would be soon be receiving information on the 2021 training due December 31, 2021.

Commissioner Smith inquired about the necessity of completing more than one training if training was required from another position other than at the Civil Service

January 21, 2021

Commission. Barris stated that Smith just needed to submit an acknowledgement form for each position for which she trained.

XII. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held at 11:00 a.m. on Thursday, February 18, 2021 in the Springfield office of the Commission.

XIII. MOTION TO ADJOURN

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 12:28 P.M.**