

October 16, 2015

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
OCTOBER 16, 2015

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD SEPTEMBER 18, 2015

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD SEPTEMBER 18, 2015?**

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

**MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.**

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

**A. Report on Exempt Positions from Central Management Services**

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	147.....	18
Agriculture .....	433.....	20
Arts Council .....	12.....	2
Capitol Development Board.....	45.....	0
Central Management Services.....	1,428.....	120
Children and Family Services .....	2,611.....	46
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	311.....	69
Commerce Commission .....	66.....	0
Corrections.....	11,693.....	98
Criminal Justice Authority .....	54.....	6
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	78.....	6
Employment Security.....	1,207.....	32
Environmental Protection Agency.....	745.....	18
Financial & Professional Regulation.....	449.....	49
Gaming Board .....	173.....	6
Guardianship and Advocacy .....	99.....	8
Healthcare and Family Services .....	2,041.....	26
Historic Preservation Agency.....	158.....	14
Human Rights Commission.....	14.....	2
Human Rights Department.....	131.....	9
Human Services .....	13,438.....	76
Illinois Torture Inquiry Relief Commission .....	1.....	1
Independent Tax Tribunal .....	1.....	0
Insurance .....	255.....	16
Investment Board .....	3.....	2
Juvenile Justice.....	1,053.....	25
Labor.....	91.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	14.....	2
Law Enforcement Training & Standards Bd. ....	18.....	2
Lottery.....	137.....	7
Military Affairs .....	126.....	3
Natural Resources .....	1,366.....	31
Pollution Control Board .....	19.....	2
Prisoner Review Board.....	20.....	0
Property Tax Appeal Board.....	30.....	1
Public Health.....	1,179.....	41
Racing Board.....	2.....	1
Revenue.....	1,657.....	53
State Fire Marshal .....	126.....	12
State Police.....	1,095.....	10
State Police Merit Board .....	6.....	2
State Retirement Systems.....	104.....	3
Transportation .....	2,283.....	0
Veterans' Affairs .....	1,407.....	9
Workers' Compensation Commission.....	119.....	11
<b>TOTALS .....</b>	<b>46,474.....</b>	<b>874</b>

**B. 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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**C. Illinois Criminal Justice Information Authority – proposed exemption (continued from September 18, 2015)**

Position Number	40070-50-05-700-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Targeted Violence Prevention Program
Functional Title	Director-Targeted Violence Prevention program
Incumbent	Vacant
Supervisor	Executive Director
Location	Cook County

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

**WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITION?**

**C: Director-Targeted Violence Prevention Program (Illinois Criminal Justice Information Authority)**

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.

**B. None submitted**

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

VII. MOTION 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, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?**

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. 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 Reports.

<b>Agency</b>	<b>8/31/15</b>	<b>9/30/15</b>	<b>9/30/14</b>
Agriculture	6	<b>6</b>	0
Arts Council	1	<b>1</b>	0
Central Management Services	4	<b>3</b>	0
Children and Family Services	2	<b>1</b>	0
Employment Security	1	<b>1</b>	0
Healthcare and Family Services	5	<b>4</b>	0
Historic Preservation Agency	3	<b>3</b>	1
Human Services	7	<b>12</b>	4
Insurance	1	<b>1</b>	0
Natural Resources	43	<b>40</b>	8
Public Health	1	<b>1</b>	0
Revenue	6	<b>6</b>	0
State Retirement Systems	5	<b>3</b>	0
Transportation	2	<b>2</b>	0
Workers' Compensation Commission	1	<b>2</b>	0
<b>Totals</b>	<b>88</b>	<b>86</b>	<b>13</b>

X. INTERLOCUTORY APPEAL

**DA-9-16**

Employee	Rasand D. Hall	Appeal Date	8/27/15
Agency	Corrections	Decision Date	9/28/15
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Motion to Dismiss for default (failure to appear at scheduled hearing date)	Proposal for Decision	Grant the Motion to Dismiss subject to approval of the Commission; default.

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

**DA-36-15**

Employee	Brandon D. Arnold	Appeal Date	03/05/15
Agency	Employment Security	Decision Date	10/01/15
Appeal Type	Discharge	Proposal for Decision	Uphold discharge.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**GT-2-16**

Employee	Spenser A. Staton	Appeal Date	07/16/15
Agency	Central Mgmt. Services	Decision Date	10/01/15
Appeal Type	Geographical Transfer	Proposal for Decision	No violation.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

XII. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

**DA-13-16**

Employee	Emmie Vega	Appeal Date	9/18/15
Agency	Human Services	Decision Date	9/29/15
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Daniel Stralka		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

XIII. REPORT FROM CHAIRMAN

XIV. REPORT FROM STAFF

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XV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held at 11:00 a.m. on Friday, November 20, 2015 in the Commission's Chicago office.**

XVI. MOTION TO ADJOURN