

October 18, 2018

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
OCTOBER 18, 2018

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 N. LASALLE STREET, SUITE S-901, CHICAGO, IL AND 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, IL BY INTERACTIVE VIDEO CONFERENCE

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD SEPTEMBER 20, 2018

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD SEPTEMBER 20, 2018?

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>
Abraham Lincoln Presidential Library & Museum	91	13
Aging.....	135	19
Agriculture	441	18
Arts Council	13	2
Capitol Development Board	31	0
Central Management Services.....	868	60
Children and Family Services.....	2,682	53
Civil Service Commission.....	3	0
Commerce & Economic Opportunity.....	240	66
Commerce Commission	54	0
Corrections	12,386	110
Criminal Justice Authority.....	47	7
Deaf and Hard of Hearing Comm.....	3	1
Developmental Disabilities Council.....	6	1
Emergency Management Agency.....	65	9
Employment Security	1,096	29
Environmental Protection Agency.....	619	18
Financial & Professional Regulation.....	390	48
Gaming Board	151	7
Guardianship and Advocacy	101	8
Healthcare and Family Services	1,584	26
Human Rights Commission.....	14	2
Human Rights Department.....	120	10
Human Services.....	12,647	79
Illinois Torture Inquiry Relief Commission	3	1
Independent Tax Tribunal	1	0
Innovation and Technology.....	1,281	60
Insurance	207	17
Investment Board	3	2
Juvenile Justice.....	889	28
Labor	73	11
Labor Relations Board Educational.....	11	3
Labor Relations Board State.....	13	2
Law Enforcement Training & Standards Bd.	22	3
Lottery	144	8
Military Affairs.....	134	3
Natural Resources.....	1,319	33
Pollution Control Board	16	2
Prisoner Review Board.....	22	1
Property Tax Appeal Board.....	32	2
Public Health	1,147	40
Racing Board.....	2	1
Revenue.....	1,420	45
State Fire Marshal	124	12
State Police.....	933	10
State Police Merit Board	6	2
State Retirement Systems	100	3
Transportation	2,188	0
Veterans' Affairs	1,257	10
Workers' Compensation Commission.....	113	11
TOTALS.....	45,247	896

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 Department of Central Management Services – proposed exemption

Position Number	40070-37-00-010-00-01
Functional Title	Diversity Enrichment Program Manager
Incumbent	Vacant
Supervisor	Assistant Director who reports to the 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.”

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

C: Diversity Enrichment Program Manager (Central Management Services)

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.

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The following class titles were submitted for revision by the Director of the Illinois Department of Central Management Services:

**B. Dietary Manager I
Dietary Manager II**

Classification Analysis: “In April 2017, the Civil Service Commission approved revisions to the Dietary Manager I (DM 1) and Dietary Manager II (DM 2) class specifications which incorporated the requirement of a Certified Dietary Manager (CDM) certificate for positions located in the Department of Veterans’ Affairs (DVA). The Department of Human Services (DHS) also utilizes DM 1 and DM 2 positions in facilities run by the agency, but these positions are not required to have the CDM. These DHS positions are required by the Food Handling Regulation Enforcement Act (410 ILCS 625/3) to acquire and maintain a food service sanitation credential. The class specifications of the DM 1 and DM 2 as they currently exist do not convey this requirement for the positions in DHS facilities. Recent changes to the Food Handling Regulation Enforcement Act have initiated a transition period in the credentialing process regulated by the Department of Public Health. During this period extending to December 31, 2022, two certificates are recognized as valid and acceptable proof of completion of the food service sanitation training program and a passing grade on the exam. These credentials are the Food Service Sanitation Manager Certificate (FSSMC) and the Certified Food Protection Manager (CFPM).

We propose that the relevant sections of the DM 1 and DM 2 class specifications be modified to include an options format to aid in the identification and classification of the classes due to the differences in the requirements of the agencies. Below is a version of the relevant section depicting the suggested format.

Requires one of the following:

Option 1: For positions within the Department of Veterans’ Affairs, requires possession of a current valid certificate as a Certified Dietary Manager (CDM).

OR

Option 2: For positions within the Department of Human Services, requires possession of a current Food Service Sanitation Manager Certification (FSSMC) issued by the Illinois Department of Public Health, or requires possession of a Certified Food Protection Manager (CFPM) certification from a program accredited by the American National Standards Institute (ANSI) Conference for Food Protection (CFP).

This proposal was developed with the cooperation of the Department of Human Services, the Department of Veterans’ Affairs and the Department of Public Health.”

WILL THE COMMISSION APPROVE THE REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON NOVEMBER 1, 2018?

- B. Dietary Manager I**
- Dietary Manager II**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED 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

WILL THE COMMISSION DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?

VIII. 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?

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IX. RECONVENE THE REGULAR OPEN MEETING

X. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-42-18

Employee	Charles L. Johnson	Appeal Date	04/30/18
Agency	Human Services	Decision Date	10/05/18
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

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

XI. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

D-6-19

Employee	John Williams	Appeal Date	09/07/18
Agency	Corrections	Decision Date	10/02/18
Type	Demotion	Proposal for Decision	Dismissed subject to approval of the Commission; withdrawn.
ALJ	Daniel Stralka		

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

XII. STAFF REPORT

XIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held at 11:00 a.m. on Thursday, November 15, 2018 in the Chicago and Springfield offices of the Commission by interactive video conference.

XIV. MOTION TO ADJOURN