

November 18, 2021

REGULAR MEETING MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
NOVEMBER 18, 2021

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:01 A.M. AT 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, IL

II. ROLL CALL AND CONFIRMATION OF A QUORUM

Timothy D. Sickmeyer, Chairman; G.A. Finch (by video), David Luechtefeld, Vivian Robinson (by telephone), and Teresa C. Smith, Commissioners; Thomas Klein, Executive Director, Andrew Barris, Assistant Executive Director, Sabrina Johnson, Exemption Monitor, and Alexandra Myers, Executive Secretary; Chris Nickols (by telephone), Central Management Services; Jayne Bethard (by telephone), Brittany Hendricks (by telephone), Meredith Kiss (by telephone), and Christopher Patterson (by telephone), Illinois Department of Human Services; Keshia Wrightsell (by telephone), Office of Executive Inspector General; Brandon O'Rourke and Ronald Rascia, Illinois Workers' Compensation Commission.

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO ALLOW COMMISSIONER FINCH AND COMMISSIONER ROBINSON TO JOIN THE MEETING BY OTHER MEANS.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD OCTOBER 28, 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 REGULAR OPEN MEETING HELD OCTOBER 28, 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 Items B1 – B3 are positions at the Department of Human Services (DHS).

- Item B1 was a request for an Assistant Secretary of Firearm Violence Prevention, a position that reports to the Secretary. This position leads, coordinates, and integrates programs and services listed in the Reimagine Public Safety Act. This position acts as a policy making official, formulates and implements policy, interprets new legislation, acts as a spokesperson for the Department and Secretary, and represents the Department on interagency committees, advisory committees, task forces, state and local agencies, and the Federal Government. DHS was seeking 4d(3) exemption through June 30, 2022, because the State Comptroller’s Office did not receive funding for this position in FY’22. The position will be funded in the next fiscal year, FY’23, under the Controller State Officers payroll. Staff recommended this exemption request be granted through June 30, 2022.

Chairman Sickmeyer inquired about the difference between the Assistant Secretary and Firearm Violence Prevention Senior Policy Advisor positions. Ms. Brittany Hendricks, Director of Human Resources with DHS, indicated the Assistant Secretary is over the operations of Firearm Violence Prevention Division and the Firearm Violence Prevention Senior Policy Advisor will focus on policies. Chairman Sickmeyer inquired the number of staff that will ultimately make up the Division. Mr. Christopher Patterson, current incumbent, indicated the division will have 20 to 25 employees in the near future. Commissioner Luechtefeld inquired what type of positions they will be. Mr. Patterson indicated the positions will provide technical support to local law enforcement agencies and hold local law enforcement agencies accountable to the terms of State grants they have received.

- Item B2, Ms. Hendricks indicated DHS received notice from the Department of Central Management Services, that the position was not approved by the OEIG, therefore, DHS withdrew the exemption request from the agenda.
- Item B3 was a request for a Hospital Administrator, a position that reports to the Deputy Director of Hospital Operations, who reports to the Director of Mental Health, who reports to the Assistant Secretary, who reports to the Secretary. This position is a Hospital Administrator at the Joliet Inpatient Treatment Center, Mental Health unit, it formulates and institutes administrative policies, administers and directs the establishment / implementation of policies and procedures, and manages the general, medical, administrative, and fiscal functions. Staff recommended this exemption request be granted.

Commissioner Smith inquired about the five levels of supervision and who has principal policy making authority. Ms. Meredith Kiss, Deputy Director for Hospital Operations with DHS, indicated DHS currently has seven other Hospital Administrators that are 4d(3) exempt and this position will be over Joliet Inpatient Treatment Center, overseeing the site responsibilities regarding matters involved in the operation of a 24/7 facility and will have the authority over the site. Ms. Hendricks indicated this position is consistent with exempt Hospital Administrator positions at other hospitals.

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:

B1: Assistant Secretary of Firearm Violence Prevention (DHS) (through June 30, 2022)

B3: Hospital Administrator (DHS)

B1. Department of Human Services

Position Number	40070-10-06-000-00-01
Functional Title	Assistant Secretary of Firearm Violence Prevention
Incumbent	Christopher Patterson
Supervisor	Secretary
Location	Cook County

B3. Department of Human Services

Position Number	40070-10-85-000-00-01
Functional Title	Hospital Administrator
Incumbent	Vacant
Supervisor	Deputy Director of Hospital Operations, who reports to the Director of Mental Health, who reports to the Assistant Secretary, who reports to the Secretary
Location	Will County

C. Report on Exempt Positions that have been vacant for an extended period.

Ms. Johnson indicated that staff looked at 4d(3) exempt positions that have been vacant for two or more years. Staff gave agencies notice of 59 positions for proposed rescission of principal policy exemption. After discussions with various agency representatives, 41 positions will continue to be monitored by Staff and if not filled by May 2022, will be placed on the May 19, 2022 agenda. Staff was informed that 15 positions were filled and three positions were rescinded after the request for vacant 4d(3) exempt position was generated.

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. None Submitted

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER LUECTEFELD, 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 FINCH, SECONDED BY COMMISSIONER ROBINSON, 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 LUECHTEFELD, SECONDED BY COMMISSIONER ROBINSON, 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. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-27-20

Employee	Michael A. Bays	Appeal Date	02/14/2020
Agency	Dept. of Corrections	Decision Date	11/08/2021
Appeal Type	Discharge	Proposal for Decision	Discharge Upheld
ALJ	Thomas Klein		

IT WAS MOVED BY COMMISSIONER FINCH, 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		

CHAIMAN SICKMEYER ADMINISHED THE DEPARTMENT OF CORRECTIONS REGARDING THE POORLY WRITTEN CHARGES.

X. STAFF REPORT

Assistant Executive Director Andrew Barris stated that the Commissioners could manually complete their Ethics and Prevention of Sexual Harassment and Discrimination training on the hard copies of the trainings he had sent to the Commissioners and thanked those Commissioners who provided the hard copy of their signed acknowledgment of training for both Ethics and Prevention of Sexual Harassment and Discrimination. Barris acknowledged Commissioners Finch and Smith timely provided certifications of their university training but indicated that they might be required to additionally complete the OEIG provided training, if it was not identical to the university training, so as to qualify for the training required for the Civil Service Commission.

XI. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held at 11:00 a.m. on Thursday, December 16, 2021 in the Springfield office of the Commission.

XII. MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER ROBINSON, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 11:40 A.M.