

December 16, 2011

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
December 16, 2011

I. OPENING OF MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET,
SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD NOVEMBER 18, 2011

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR
MEETING HELD NOVEMBER 18, 2011?**



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

A. Report on Exempt Positions from Illinois Dept. of Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	145.....	10
Agriculture.....	365.....	16
Arts Council.....	19.....	2
Capitol Development Board.....	46.....	0
Central Management Services.....	1,641.....	114
Children and Family Services.....	2,919.....	50
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	403.....	67
Commerce Commission.....	79.....	0
Corrections.....	11,778.....	105
Criminal Justice Authority.....	64.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	92.....	7
Employment Security.....	1,853.....	25
Environmental Protection Agency.....	898.....	16
Financial & Professional Regulation.....	470.....	42
Gaming Board.....	117.....	5
Guardianship and Advocacy.....	104.....	7
Healthcare and Family Services.....	2,239.....	27
Historic Preservation Agency.....	193.....	11
Human Rights Commission.....	14.....	2
Human Rights Department.....	148.....	8
Human Services.....	13,315.....	76
Illinois Power Agency.....	1.....	2
Illinois Sentencing Policy Advisory Council.....	2.....	2
Illinois Torture Inquiry Relief Commission.....	2.....	1
Insurance.....	256.....	13
Investment Board.....	2.....	1
Juvenile Justice.....	1,261.....	20
Labor.....	90.....	8
Labor Relations Board Educational.....	11.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd.....	17.....	2
Lottery.....	160.....	7
Medical District Commission.....	2.....	0
Military Affairs.....	122.....	3
Natural Resources.....	1,312.....	29
Pollution Control Board.....	21.....	1
Prisoner Review Board.....	19.....	0
Property Tax Appeal Board.....	24.....	1
Public Health.....	1,102.....	41
Racing Board.....	2.....	0
Revenue.....	1,823.....	55
State Fire Marshal.....	144.....	12
State Police.....	1,246.....	5
State Police Merit Board.....	5.....	1
State Retirement Systems.....	91.....	2
Transportation.....	2,411.....	0
Veterans' Affairs.....	1,299.....	8
Workers' Compensation Commission.....	173.....	8
TOTALS.....	48,537.....	823



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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C1. Illinois Emergency Management Agency – Proposed Continuation of Exemption (expires January 20, 2012)

Position Number	37015-50-17-040-00-03
Position Title	Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Senior Policy Advisor
Incumbent	Phil Anello
Supervisor	Director
Location	Sangamon County

C2. Illinois Emergency Management Agency – Proposed Continuation of Exemption (expires January 20, 2012)

Position Number	37015-50-17-000-10-04
Position Title	Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Community Outreach Officer
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “These positions do meet the reporting criteria of the Commission Rules and considering the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend continuance of 4d(3) exemptions.”

D. Illinois Dept. of Financial and Professional Regulation – Proposed Continuance of Exemption (expires January 1, 2012)

Position Number	40070-13-40-350-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Coordinator of Real Estate Appraisal
Incumbent	Brian K. Weaver
Supervisor	Director who reports to the Secretary
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.”



E. Illinois Historic Preservation Agency – Proposed Exemption

Position Number	40070-48-20-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Historic Sites
Functional Title	Division Manager
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “This position meets 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.”

F. Illinois Dept. of Labor – Proposed Exemption (exemption rescinded January 17, 2008)

Position Number	40070-15-00-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Executive Assistant to the Director
Incumbent	Vacant
Supervisor	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.”

G. Illinois Department of Lottery – Proposed Exemption

Position Number	40070-45-00-050-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Superintendent’s Office
Functional Title	Chief of Staff
Incumbent	Vacant
Supervisor	Superintendent
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.”



H. Illinois Department of Lottery – Proposed Exemption

Position Number	40070-45-04-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Communications
Functional Title	Communications Director
Incumbent	Vacant
Supervisor	Superintendent
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.”

I. Illinois Department of Veterans’ Affairs – Proposed Exemption

Position Number	40070-34-00-000-10-02
Position Title	Senior Public Service Administrator
Bureau/Division	Administration
Functional Title	Senior Program Manager, Women Veterans Program
Incumbent	Vacant
Supervisor	Director
Location	Sangamon 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 POSITIONS?

- C1: Senior Policy Advisor (Emergency Management Agency)**
- C2: Community Outreach Officer (Emergency Management Agency)**
- D: Coordinator of Real Estate Appraisal (Department of Financial and Professional Regulation)**
- E: Division Manager, Historic Sites (Historical Preservation Agency)**
- F: Executive Assistant to the Director (Labor)**
- G: Chief of Staff (Lottery)**
- H: Communications Director (Lottery)**
- I: Senior Program Manager, Women Veterans Program (DVA)**



V. CLASS SPECIFICATIONS

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

- Cancer Registrar 1
- Cancer Registrar 2
- Cancer Registrar 3
- Cancer Registrar Assistant Manager
- Cancer Registrar Manager

Illinois Department of Central Management Services Classification Analysis: “This class study has been developed to more clearly define the work of certified tumor registrars (CTRs) and CTR-eligible supportive positions working in the Department of Public Health’s Illinois State Cancer Registry (ISCR) program. The Center for Disease Control (CDC) requires and promotes developed skills in working with cancer data in order to assure accurate information for scientific study by requiring certified tumor registrars for key positions involved with training and quality assurance.

Public Health receives funding from the CDC which sets out this requirement. This series acknowledges the specialized skills required to perform the work of tumor registrars in a central state registry. Contractual recognition of specialized skills for the new classes is recommended.

The Methods and Procedures Advisor series has been in use for many years to classify positions in the ISCR performing this work, but there have been problems in matching up the needed background and training for these types of positions because of the highly specialized work performed. This new series is designed to provide for an appropriate career progression through the range of work within the registry program, but due to the focused and technical nature of the work of cancer registrars, the program has found that the candidate pool is not sufficiently specific to assure that new employees will complete the needed training leading to certification. This type of work is occupationally related to the larger field of health information services. Hospitals and some clinics also employ certified tumor registrars.

One RC29 position classified as a Vital Records Quality Control Inspector, has been identified for inclusion in the series which is not working with vital records inspections (these include birth, marriage, divorce & death certificates), and appears to more appropriately fit the duties and requirements of the first level of the Tumor Registrar series. In addition, the Vital Records classification distinguishes positions which travel extensively throughout the state, while this one position includes a reference to travel “as necessary” as part of a larger work responsibility for maintaining accurate information in the cancer registry database. Finally, the work is specialized in performing “complex medical coding” as a coder/editor for the Cancer Registry.



The correction of this position would require coordination with a different collective bargaining representative for the Vital Records Inspector work. The range of different classifications that have been used for this program is a further indication of the difficulty in developing and advancing these specialized employees within the program.

There are three working levels in the RC62 bargaining unit and two management levels in RC150 in this proposed series. The first level is provided for recruiting and developing employees who are qualified and eligible to take the CTR examination, but have not done so. The second and most populous class level constitutes the experienced working level in the series for Certified Tumor Registrars, while the third level describes CTR qualified positions serving as a designated lead worker over a program unit within the ISCR. Progression from the first to the second classification level is based on the certification attainment as a CTR.

Three employees have been identified as lacking the CTR certification in this group.

The PSA Option 6 positions in the State Cancer Registry, represented in the RC150 bargaining unit, are accommodated in the two highest classification levels of the series. These new classifications will partially address a negotiated agreement with the AFSCME bargaining representative to accommodate the broad PSA Option 6 Health and Human Services category of jobs in a class study (excluding the 6E group of Laboratory Specialists which have been treated separately).”

WILL THE COMMISSION APPROVE THE CREATION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE JANUARY 1, 2012?

- **Cancer Registrar 1**
- **Cancer Registrar 2**
- **Cancer Registrar 3**
- **Cancer Registrar Assistant Manager**
- **Cancer Registrar Manager**

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

VI. MOTION TO GO INTO EXECUTIVE SESSION

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?



VII. RECONVENE MEETING

VIII. 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 Illinois Department of Central Management Services Consecutive Non-Merit Appointment Reports.

Agency	10/31/11	11/30/11	11/30/10
Aging	0	0	1
Agriculture	3	3	0
Central Management Services	1	2	1
Children and Family Services	1	4	1
Commerce and Economic Opportunity	0	0	2
Employment Security	6	6	1
Healthcare and Family Services	4	6	5
Historic Preservation Agency	4	1	0
Human Services	0	0	1
Natural Resources	16	13	0
Property Tax Appeal Board	3	0	0
Transportation	3	4	2
Totals	41	39	14

IX. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-48-11 (ON REMAND)

Employee	Lamont L. Wallace	Appeal Date	05/02/11
Agency	Human Services	Proposal Date	12/01/11
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Unexcused, unreported absence and tardiness	Proposal for Decision on Remand	Charges are proven and warrant 90-day suspension plus duration of his suspension pending discharge

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



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X. APPEALS DISMISSED WITHOUT DECISION ON THE MERITS

DA-13-12

Employee	Robert A. Mileur	Appeal Date	08/29/11
Agency	Environmental Protection	Proposal Date	11/18/11
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Conduct unbecoming	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn (settled).

DA-30-12

Employee	Rita K. Howland	Appeal Date	11/15/11
Agency	Human Services	Proposal Date	12/05/11
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Recipient abuse	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSALS FOR DECISION IN THE ABOVE MATTERS?

XI. STAFF REPORT

XII. REVIEW OF EXECUTIVE SESSION MINUTES PURSUANT TO OPEN MEETINGS ACT

AFTER REVIEW OF THE EXECUTIVE SESSION MINUTES PURSUANT TO THE OPEN MEETINGS ACT, WILL THE COMMISSION AGREE THAT THE NEED FOR CONFIDENTIALITY STILL EXISTS?

XIII. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Friday, January 20, 2012 at 11:00 a.m. in the Commission's Chicago office.

XIV. MOTION TO ADJOURN

