

December 17, 2020

REGULAR MEETING MINUTES  
ILLINOIS CIVIL SERVICE COMMISSION  
December 17, 2020

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:02 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, Executive Secretary; Sheila Tapscott (by telephone), and Chris Nickols (by telephone), Central Management Services; Viktorija Legge (by telephone), Office of Executive Inspector General; John Keigher (by telephone) and Ellen Petty (by Telephone), Illinois Law Enforcement Training and Standards Board; Jodi Shrage (by telephone), Office of the Illinois State Fire Marshal.

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 NOVEMBER 18, 2020

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD NOVEMBER 18, 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. 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. Request for 4d(3) Exemption**

Exemption Monitor Sabrina Johnson indicated that Item B was a request for a Human Resources and Labor Relations Manager at the Illinois Law Enforcement Training and Standards Board (PTB), a position that reports to the Executive Director. This position formulates and implements policies and procedures for Human Resources and Labor Relations. This position organizes, executes, controls and evaluates all aspects of Human Resources, handles all facets of Labor Relations, is a certified interviewer, manages and administers the position classification, and serves as the FOIA officer and EEO/AA liaison. Staff recommended this exemption request be granted.

John Keigher, Chief Legal Counsel, nor Ellen Petty, Acting Personnel Manager, with PTB had no comments.

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

**B: Human Resources & Labor Relations Manager (PTB)**

**B. Illinois Law Enforcement Training and Standards Board**

Position Number	37015-50-88-000-00-01
Functional Title	Human Resources & Labor Relations Manager
Incumbent	Vacant
Supervisor	Executive 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;
- 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. Child Welfare Administrative Case Reviewer (revise)**

Regarding Item B, Assistant Executive Director Andrew Barris reported that the revisions were proposed to include a requirement of a master's degree in education component while changing the experience requirement from "supervisory" to "professional" as such revisions were necessary to get a sufficiently qualified candidate applicant pool. Commissioners Robinson and Smith expressed concern about the lack of supervisory experience in the class and that merely professional experience was too broad to meet the needs of any field work. Chris Nickols from CMS Technical Services explained that professional experience with a masters' degree was intended to be equivalent of supervisory experience. To address the Commission's concerns, Nickols, on behalf of CMS, withdrew Item B from consideration on this agenda to conduct further analysis at CMS Technical Services.

**C. Clerical Trainee (revise)**

Regarding Item C, Barris reported that the revisions were proposed to fully implement the Disabled Worker Trainee Program pursuant to Public Act 101-0533.

**D. Cement Finisher (abolish)**  
**Plasterer (abolish)**

Regarding Item D, Barris reported that the abolishments were proposed as the classes are no longer utilized.

**E. Highway Maintainer (revise)**

Regarding Item E, Barris reported that the revision was proposed to allow specific requirements for positions within the class such as the possession of an Applicator Spraying License or the requirement for on-call 24 hour availability and the use of the word "may" was needed to achieve that end.

**F. Electrician Foreman (create new)**  
**Plumber Foreman (create new)**

Regarding Item F, Barris reported that the proposed new classes are intended to specifically establish and outline the foreman duties in a class specification so that specific position descriptions can be developed for foreman positions.

**G. Boiler Safety Supervisor (create new)**  
**Boiler Safety Chief Inspector (create new)**

Regarding Item G, Barris reported that according to the Commission minutes from April 2016 Boiler Safety Specialist was revised and the Boiler Safety Audit Specialist class was created. Chris Nickols confirmed that these two other class specifications already existed and explained the relation to the proposed new classes. As to the relation between the four classes, Nickols stated the previously addressed boiler safety classes would report to the proposed new classes. Jodi Schrage from the Office of the State Fire Marshall indicated that she had nothing to add or correct regarding the proposed classes.

All of the proposed classes were agreed to through collective bargaining agreement. Nickols confirmed that this was required for all changes to a class per the AFSCME collective bargaining agreement even though none of the positions within a class might not be covered by said agreement.

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

- C. Clerical Trainee (revise)**
- D. Cement Finisher (abolish)**  
**Plasterer (abolish)**
- E. Highway Maintainer (revise)**
- F. Electrician Foreman (create new)**  
**Plumber Foreman (create new)**
- G. Boiler Safety Supervisor (create new)**  
**Boiler Safety Chief Inspector (create new)**

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

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		

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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 12:26 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, Executive Secretary.

X. INTERLOCUTORY APPEAL

**D-40-20**

Employee	Linda Ortega	Appeal Date	05/12/2020
Agency	Human Services	Decision Date	11/24/20
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; default for failure to provide requested documents and failure to appear.
ALJ	Thomas Klein		

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.**

<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. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

**DA-28-20<sup>1</sup>**

Employee	Derek L. Hundley	Appeal Date	02/18/2020
Agency	Dept. of Corrections	Decision Date	12/4/2020
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus the duration of suspension pending discharge.
ALJ	Andrew Barris		

<sup>1</sup> Two appeals were consolidated with and under DA-28-20, Department of Corrections v. Hundley: (1) DA-29-20, Department of Corrections v. Robert C. Kamp, and (2) DA-30-20, Department of Corrections v. Travis C. Ochs.

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE. BY ROLL CALL VOTE OF 2-3 THE MOTION FAILED.**

<b>SICKMEYER</b>	<b>NO</b>	<b>FINCH</b>	<b>NO</b>
<b>LUECHTEFELD</b>	<b>YES</b>	<b>ROBINSON</b>	<b>YES</b>
<b>SMITH</b>	<b>NO</b>		

**IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE 3-2 TO MODIFY THE PROPOSAL FOR DECISION AND UPHOLD THE DISCHARGE.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>NO</b>	<b>ROBINSON</b>	<b>NO</b>
<b>SMITH</b>	<b>YES</b>		

**DA-29-20**

Employee	Robert C. Kamp	Appeal Date	02/18/2020
Agency	Dept. of Corrections	Decision Date	12/4/2020
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus the duration of suspension pending discharge.

**COMMISSIONER LUECHTEFELD MOVED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE. THIS MOTION FAILED FOR A LACK OF A SECOND.**

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER SMITH, AND BY ROLL CALL VOTE 3-2 TO MODIFY THE PROPOSAL FOR DECISION AND UPHOLD THE DISCHARGE.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>NO</b>	<b>ROBINSON</b>	<b>NO</b>
<b>SMITH</b>	<b>YES</b>		

**DA-30-20**

Employee	Travis. C. Ochs	Appeal Date	02/18/2020
Agency	Dept. of Corrections	Decision Date	12/4/2020
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus the duration of suspension pending discharge.
ALJ	Andrew Barris		

**COMMISSIONER LUECHTEFELD MOVED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE. THIS MOTION FAILED FOR A LACK OF A SECOND.**

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER SMITH, AND BY ROLL CALL VOTE 3-2 TO MODIFY THE PROPOSAL FOR DECISION AND UPHOLD THE DISCHARGE.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>NO</b>	<b>ROBINSON</b>	<b>NO</b>
<b>SMITH</b>	<b>YES</b>		

**DA-32-20**

Employee	Jennifer L. Blaesing	Appeal Date	03/03/2020
Agency	Dept. of Human Services	Decision Date	12/04/2020
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus the duration of suspension pending discharge.
ALJ	Thomas Klein		

**IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER ROBINSON TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE. BY ROLL CALL VOTE OF 2-3 THE MOTION FAILED.**

<b>SICKMEYER</b>	<b>NO</b>	<b>FINCH</b>	<b>NO</b>
<b>LUECHTEFELD</b>	<b>YES</b>	<b>ROBINSON</b>	<b>YES</b>
<b>SMITH</b>	<b>NO</b>		

**IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE 3-2 TO MODIFY THE PROPOSAL FOR DECISION AND UPHOLD THE DISCHARGE.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>NO</b>	<b>ROBINSON</b>	<b>NO</b>
<b>SMITH</b>	<b>YES</b>		

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XII. APPEAL TERMINATED WITHOUT DECISIONS ON THE MERITS

**DA-8-21**

Employee	Michael E. Draege	Appeal Date	11/20/2020
Agency	Corrections	Decision Date	12/04/2020
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Thomas Klein		

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER ROBINSON, 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.**

<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>		

XIII. 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.

XIV. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held at 11:00 a.m. on Thursday, January 21, 2020 in the Springfield office of the Commission.

XV. MOTION TO ADJOURN

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER SMITH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 12:53 P.M.**