

December 18, 2008



MINUTES  
ILLINOIS CIVIL SERVICE COMMISSION  
December 18, 2008

I. OPENING OF MEETING AT 9:20 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

Chris Kolker, Chairman; Raymond W. Ewell, Barbara J. Peterson, Betty A. Bukraba, and Ares G. Dalianis, Commissioners; Daniel Stralka, Executive Director; Andrew Barris, Assistant Executive Director (via telephone); Michelle Jackson and Miller Anderson, Illinois Department of Children and Family Services; and George Klumpner and Bennie Williams, Jr.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD NOVEMBER 20, 2008

**IT WAS MOVED BY COMMISSIONER PETERSON, SECONDED BY COMMISSIONER EWELL, AND THE MOTION ADOPTED 5-0 TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON NOVEMBER 20, 2008.**



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

A. Report on Exempt Positions

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging .....	165.....	9
Agriculture .....	450.....	16
Arts Council .....	21.....	2
Capitol Development Board .....	36.....	0
Central Management Services .....	1,485.....	107
Children and Family Services .....	3,193.....	49
Civil Service Commission .....	4.....	0
Commerce & Economic Opportunity .....	414.....	67
Commerce Commission.....	74.....	0
Corrections.....	11,675.....	115
Criminal Justice Authority .....	57.....	6
Deaf and Hard of Hearing Comm. ....	7.....	1
Developmental Disabilities Council .....	10.....	1
Emergency Management Agency .....	94.....	5
Employment Security.....	1,739.....	25
Environmental Protection Agency .....	984.....	19
Financial & Professional Regulation .....	745.....	50
Guardianship and Advocacy .....	108.....	8
Healthcare and Family Services.....	2,502.....	29
Historic Preservation Agency .....	233.....	12
Human Rights Commission .....	13.....	2
Human Rights Department .....	149.....	10
Human Services .....	14,569.....	76
Investment Board.....	4.....	2
Juvenile Justice .....	1,172.....	20
Labor.....	81.....	7
Labor Relations Board Educational .....	13.....	2
Labor Relations Board State .....	20.....	2
Law Enforcement Training & Standards Bd.....	20.....	1
Medical District Commission .....	2.....	0
Military Affairs .....	127.....	3
Natural Resources .....	1,418.....	24
Pollution Control Board.....	19.....	2
Prisoner Review Board .....	20.....	0
Property Tax Appeal Board .....	20.....	1
Public Health.....	1,139.....	43
Revenue .....	2,124.....	70
State Fire Marshal .....	150.....	12
State Police .....	1,421.....	6
State Police Merit Board.....	6.....	1
State Retirement Systems .....	84.....	2
Transportation.....	2,841.....	0
Veterans' Affairs.....	1,119.....	7
Workers' Compensation Commission .....	176.....	10
TOTALS .....	50,703.....	824



**B. Governing Rule - Jurisdiction B Exemptions**

- a) Before a position shall qualify for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the position shall be directly responsible to:
  - 1. The Governor, or
  - 2. A departmental director or assistant director appointed by the Governor, or
  - 3. A board or commission appointed by the Governor, or
  - 4. The head of an agency created by Executive Order, or the director or assistant director of an agency carrying out statutory powers, whose offices are created by the Governor subject to legislative veto under Article V, Section 11, of the Constitution of 1970, which agency head, director, or assistant director may themselves be subject to exemption under Section 4d(3), or
  - 5. In an agency having a statutory assistant director, a deputy director exercising full line authority under the director for all operating entities of the agency, provided the statutory role of assistant director is vacant or is assigned clearly distinct and separate duties from the deputy director and as a colleague to him, or
  - 6. A line position organizationally located between the director and/or assistant director and a subordinate statutorily exempt position(s), provided the position proposed for exemption has line authority over the statutory exempt position(s), or
  - 7. The elected head of an independent agency in the executive, legislative, or judicial branch of government.
  
- b) If a position meets the above criterion, it must, in addition, be responsible for one or more of the following before it shall be approved as exempt:
  - 1. Directs programs defined by statute and/or departmental, board, or commission policy or possess significant authority when acting in the capacity of a director of programs to bind the agency.
  - 2. Makes decisions in exercising principal responsibility for the determination or execution of policy which fix objectives or state the principles to control action toward operating objectives of one or more divisions, such decisions being subject to review or reversal only by the director, assistant director, board, or commission.
  - 3. Participates in the planning and programming of departmental, board, or commission activities, integrating the plans and projections of related divisions, and the scheduling of projected work programs of those agencies.

\* \* \*



**C. Requests for 4d(3) Exemption**

- As to Item C, Executive Director Daniel Stralka reported that this request is for the Associate Deputy Director of Residential Monitoring for the Department of Children and Family Services, a position that reports to the Deputy Director of Monitoring/Quality Assurance that reports to the Chief of Staff that reports to the Director. Under traditional staff analysis, this position does not meet the reporting requirement of the Commission rules.

Residential Monitoring is an agency program that is responsible for on-site monitoring of all residential and group home facilities that provide treatment to wards of the State. It also collects and interprets data from staffing, on-site observations, and files reviews to assist providers in improving the quality of their services. The agency did not provide any statutory basis for the program. The requested position directly supervises four positions and indirectly supervises a total of 41 positions.

There is no issue with the nature of the program to support 4d(3) exemption. The issue is the lack of principal policy responsibility over the direction of the program. First, its immediate supervisory Deputy Director position – which is 4d(3) exempt – has the level of responsibility for this program that already supports 4d(3) exemption. The Deputy Director’s job description specifically cites to the residential monitoring program among six different programs and states, “Directs the establishment, formulation, interpretation, and implementation of all agency policy, plans, and general programmatic administrative procedures included in this jurisdiction.” That statement makes it pretty clear where the principal policy responsibilities lie with respect to this program. Second, the job description for the requested position itself is devoid of such language, which indicates it lacks the principality to justify exemption. The first section contradicts the quotation above while section two is standard supervisory boilerplate language and the rest indicates that it “prepares reports” and provides “consultation and advice.” Given this along with its placement on the organizational chart, it was the Staff recommendation to deny this request.

Miller Anderson, Deputy Director of Monitoring/Quality Assurance, was present and concurred in the above presentation. However, he maintained that this request qualified for exemption based on the nature of the program. Chairman Kolker inquired as to whether the incumbent’s term had been renewed and Anderson indicated that a renewal had not been approved. At the suggestion of Chairman Kolker and Commissioner Dalianis, the agency agreed to review the reporting structure and consider clarifying the position description so that the request would alleviate the Commission Staff’s concerns set forth in the presentation.



- As to Item D, Executive Director Stralka noted that this request was for the Forensic Network Manager, Division of Mental Health in the Department of Human Services. The agency withdrew this request.
- As to Item E, Executive Director Daniel Stralka reported that this request is for the Chief Information Security Officer for the Bureau of Communications and Computer Services (BCCS). This position reports to the Deputy Director of BCCS who in turn reports to the Director. To meet the reporting requirement, this Deputy Director would have to be considered the equivalent of a statutory assistant director.

It was noted that there were two BCCS positions on last month's agenda, both of which were approved. At that time, there was a brief presentation as to the size and scope of the Bureau's responsibilities (which was not repeated at this time). It was represented to the Commission last month that BCCS would be seeking a total of nine 4d(3) positions under the Deputy Director, and that a request for an information security position would be forthcoming. This is that request. This position has principal programmatic responsibility for providing information technology security statewide. It has significant principal policy responsibility to locate, research, develop, recommend, and implement short-term and long-term strategies and processes that the State of Illinois would commit to in securing its electronic information and applications. Given the technological nature of the position, it is presumed these recommendations would carry great weight. It has independent authority to commit and allocate Bureau resources to this end. For these reasons, Staff recommended approval. It was also noted that if the Commission approves this request, the agency has committed to abolishing a presently exempt position. No additional 4d(3) exemption requests from BCCS were anticipated at this time.

**IT WAS MOVED BY COMMISSIONER DALIANIS, SECONDED BY COMMISSIONER EWELL, AND THE MOTION ADOPTED 5-0 TO GRANT AND CONTINUE THE REQUESTS FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITIONS:**

**The following 4d(3) exemption request was granted on December 18, 2008:**

**E. Illinois Department of Central Management Services**

Position Number	40070-37-16-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Bureau of Computer and Communications Services (BCCS) Security and Compliance Solutions
Functional Title	Chief Information Security Officer
Incumbent	Vacant
Supervisor	Deputy Director of BCCS, who reports to the Director
Location	Cook County



**The following 4d(3) exemption request was continued on December 18, 2008:**

**C. Illinois Department of Children and Family Services**

Position Number	40070-16-13-700-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Residential Monitoring
Functional Title	Associate Deputy Director of Residential Monitoring
Incumbent	Norman Brown
Supervisor	Deputy Director of Monitoring/Quality Assurance, who reports to Chief of Staff, who reports to the Director
Location	Cook County

V. CLASS SPECIFICATIONS

**The following class title was submitted for revision by the Director of Central Management Services:**

Position Title:

A. Aircraft Pilot II-Dual Rating (revise)

Classification analysis: “The Illinois Department of Transportation (IDOT) has reported that the Illinois Department of Transportation (IDOT) has requested revisions to the desirable requirements ratings requirements of the Aircraft Pilot II-Dual Rating class specification. Subject matter experts at IDOT have expressed concerns that the ratings requirements of pilots in this class as currently written are too restrictive.

Recent recruitment efforts by IDOT have resulted in low numbers of qualified candidates. This has been verified both by IDOT and the Department of Central Management Services’ (CMS) Division of Examining. Qualified representatives of IDOT’s Division of Aeronautics have identified a new set of ratings requirements that satisfy the standard of quality called for at this level of aircraft pilot. The proposed revisions to this class are intended to:

- address changes and accommodate trends and competition in the aircraft pilot industry,
- modernize the ratings requirements to align with what IDOT seeks in this category of credentialed pilots, and
- adhere to the Federal Aviation Administration (FAA) guidelines.”



“On the class specification, the proposed ratings requirements are the criteria listed in either Section A or Section B in conjunction with the criteria listed in Numbers 3 through 8. The desirable requirements for education and experience will remain in place, as will the Distinguishing Features of Work and Illustrative Examples of Work. This proposal has been developed with the input and approval of representatives of the IDOT Division of Aeronautics and the CMS Division of Examining.

The proposed new ratings requirements will remove some aircraft-type restrictions from the total amount of flight hours and relieve the limiting forced-concentration of hours a pilot must earn in a Rotorcraft category Helicopter class aircraft to qualify as a dual rated pilot. The new ratings recognize the variety of ways and aircraft in which pilots receive their training and maintain their certificates. The revisions to the ratings are intended to provide practical and attractive incentives for pilots to achieve higher levels of credentials and a larger field of qualified applicants for the Department of Transportation in the process.”

Assistant Executive Director Barris reported that he spoke with John Logsdon about the necessity for the amendment considering the class was just created in 2005. Logsdon stated that the revision was necessary to foster a qualified pool of candidates with experience in both rotary and fixed wing aircraft. Logsdon stated that a qualified pool of candidates had not been achieved since the creation of the class. To achieve this end, the total hours of experience required of a candidate was reduced for rotary aircraft but increased for total hours of flight time as pilot and pilot-in-command. Logsdon stated that the proposed revisions adhered to the standards set forth by the Federal Aviation Administration. Logsdon stated that this was intended to increase the pool of applicants and that he was not aware of the change being made for any one applicant.

Chairman Kolker noted the difference in hours this revision represents. Commission Peterson instructed Assistant Executive Director to ensure that Staff maintains all back-up documentation for this revision.

**IT WAS MOVED BY COMMISSIONER DALIANIS, SECONDED BY COMMISSIONER BUKRABA, AND THE MOTION ADOPTED 5-0 TO APPROVE THE REVISION OF THE FOLLOWING CLASS TITLE TO BE EFFECTIVE JANUARY 1, 2009:**

**A: Aircraft Pilot II-Dual Rating**

**IT WAS MOVED BY COMMISSIONER EWELL, SECONDED BY COMMISSIONER DALIANIS, AND THE MOTION ADOPTED 5-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY.**



VI. MOTION TO GO INTO EXECUTIVE SESSION

**IT WAS MOVED BY COMMISSIONER DALIANIS, SECONDED BY COMMISSIONER EWELL, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO HOLD AN EXECUTIVE SESSION PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT.**

<b>KOLKER</b>	<b>YES</b>	<b>EWELL</b>	<b>YES</b>
<b>PETERSON</b>	<b>YES</b>	<b>DALIANIS</b>	<b>YES</b>
<b>BUKRABA</b>	<b>YES</b>		



## VII. RECONVENE MEETING

Upon due and proper notice the regular meeting of the Illinois Civil Service Commission was reconvened at 160 North LaSalle Street, Suite S-901, Chicago, Illinois at 10:15 a.m.

### PRESENT

Chris Kolker, Chairman; Raymond W. Ewell, Barbara J. Peterson, Betty A. Bukraba, and Ares G. Dalianis, Commissioners; Daniel Stralka, Executive Director; Andrew Barris, Assistant Executive Director (via telephone); and George Klumpner and Bennie Williams, Jr.

## 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 Department of Central Management Services' Consecutive Non-Merit Report.

Agency	10/31/08	<b>11/30/08</b>	11/30/07
Agriculture	2	<b>1</b>	0
Central Management Services	2	<b>2</b>	4
Children and Family Services	2	<b>5</b>	6
Employment Security	1	<b>7</b>	0
Healthcare and Family Services	12	<b>11</b>	4
Historic Preservation	0	<b>0</b>	3
Human Services	2	<b>1</b>	2
Investment Board	1	<b>1</b>	0
Natural Resources	7	<b>13</b>	13
State Police	1	<b>1</b>	0
State Retirement Systems	1	<b>1</b>	0
Transportation	6	<b>6</b>	5
Veteran's Affairs	5	<b>11</b>	0
Workers' Compensation Commission	6	<b>6</b>	0
Totals	48	<b>66</b>	37



IX. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

• DISCHARGE

DA-47-08

Employee	Peter Obazuaye	Appeal Date	05/22/08
Agency	DHS	Decision Date	12/05/08
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Unexcused absences	Recommended Decision	Charges are partially proven and warrant 90-day suspension.

IT WAS MOVED BY COMMISSIONER DALIANIS, SECONDED BY COMMISSIONER EWELL, AND BY ROLL CALL VOTE OF 5-0, THE MOTION ADOPTED TO AFFIRM AND ADOPT THE ADMINISTRATIVE LAW JUDGE'S RECOMMENDED DECISION THAT THE CHARGES HAVE BEEN PARTIALLY PROVEN AND WARRANT A 90-DAY SUSPENSION FOR THE REASONS SET FORTH IN THE RECOMMENDED DECISION.

<b>KOLKER</b>	<b>YES</b>	<b>EWELL</b>	<b>YES</b>
<b>PETERSON</b>	<b>YES</b>	<b>DALIANIS</b>	<b>YES</b>
<b>BUKRABA</b>	<b>YES</b>		

• DISCHARGE

DA-19-08

Employee	Pamela J. Altman	Appeal Date	11/27/07
Agency	DCFS	Decision Date	12/05/08
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Falsification of information; negligent performance of duties	Recommended Decision	Charges are partially proven and warrant discharge.

IT WAS MOVED BY COMMISSIONER PETERSON, SECONDED BY COMMISSIONER DALIANIS, AND BY ROLL CALL VOTE OF 5-0, THE MOTION ADOPTED TO AFFIRM AND ADOPT THE ADMINISTRATIVE LAW JUDGE'S RECOMMENDED DECISION THAT THE CHARGES HAVE BEEN PARTIALLY PROVEN AND WARRANT DISCHARGE FOR THE REASONS SET FORTH IN THE RECOMMENDED DECISION.

<b>KOLKER</b>	<b>YES</b>	<b>EWELL</b>	<b>YES</b>
<b>PETERSON</b>	<b>YES</b>	<b>DALIANIS</b>	<b>YES</b>
<b>BUKRABA</b>	<b>YES</b>		



- **DISCHARGE**

**DA-54-08**

Employee	Bennie Williams, Jr.	Appeal Date	06/16/08
Agency	DOT	Decision Date	12/05/08
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Threat of violence in the workplace; disruptive conduct	Recommended Decision	Charges are partially proven and warrant discharge.

**IT WAS MOVED BY COMMISSIONER DALIANIS, SECONDED BY COMMISSIONER BUKRABA, AND BY ROLL CALL VOTE OF 5-0, THE MOTION ADOPTED TO AFFIRM AND ADOPT THE ADMINISTRATIVE LAW JUDGE’S RECOMMENDED DECISION TO DENY THE MOTION TO DISMISS FOR THE REASONS SET FORTH IN THE RECOMMENDED DECISION AND THAT THE CHARGES HAVE BEEN PARTIALLY PROVEN AND WARRANT DISCHARGE FOR THE REASONS SET FORTH IN THE RECOMMENDED DECISION.**

<b>KOLKER</b>	<b>YES</b>	<b>EWELL</b>	<b>YES</b>
<b>PETERSON</b>	<b>YES</b>	<b>DALIANIS</b>	<b>YES</b>
<b>BUKRABA</b>	<b>YES</b>		

- **DECLARATORY RULING**

**DR-52-08**

Employee	Paul Dillon	Appeal Date	06/09/08
Agency	DHS	Decision Date	12/04/08
Type	Declaratory Ruling	ALJ	Andrew Barris
Ruling Requested	Agency to pay back wages after reinstatement	Proposed Finding for Declaratory Ruling	Dillon is entitled to back wage claim after reinstatement, in accordance with Section 11(b) of the Personnel Code.

**IT WAS MOVED BY COMMISSIONER DALIANIS, SECONDED BY COMMISSIONER EWELL, AND BY ROLL CALL VOTE OF 5-0, THE MOTION ADOPTED TO AFFIRM AND ADOPT THE ADMINISTRATIVE LAW JUDGE’S PROPOSED FINDING FOR DECLARATORY RULING THAT THE PERSONNEL CODE PROVIDES THAT PAUL DILLON WAS ENTITLED TO A BACK WAGE CLAIM WHEN HE WAS REINSTATED AND THAT CENTRAL MANAGEMENT SERVICES IS ENTITLED TO SOLICIT INFORMATION FROM HIM TO CALCULATE THE CORRECT AMOUNT IN ACCORDANCE WITH SECTION 11(b).**



<b>KOLKER</b>	<b>YES</b>	<b>EWELL</b>	<b>YES</b>
<b>PETERSON</b>	<b>YES</b>	<b>DALIANIS</b>	<b>YES</b>
<b>BUKRABA</b>	<b>YES</b>		

X. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

- DISMISSED

DA-5-09

Employee	Terry R. Drew	Appeal Date	07/30/08
Agency	DOT	Decision Date	12/08/08
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Violation of vehicle operation and licensure policy; absent without approved leave	Recommended Decision	Dismissed; settled.

**IT WAS MOVED BY COMMISSIONER DALIANIS, SECONDED BY COMMISSIONER BUKRABA, AND BY ROLL CALL VOTE OF 5-0, THE MOTION ADOPTED TO AFFIRM AND ADOPT THE ADMINISTRATIVE LAW JUDGE’S RECOMMENDED DECISION TO DISMISS THE APPEAL AS A WRITTEN SETTLEMENT AGREEMENT WAS REACHED.**

<b>KOLKER</b>	<b>YES</b>	<b>EWELL</b>	<b>YES</b>
<b>PETERSON</b>	<b>YES</b>	<b>DALIANIS</b>	<b>YES</b>
<b>BUKRABA</b>	<b>YES</b>		

XI. AMENDMENTS TO THE PERSONNEL RULES

Executive Director Daniel Stralka advised the Commission that the Department of Central Management Services advised him that the following proposed amendments to the Personnel Rules were in response to negotiated provisions of collective bargaining agreements. The one exception to that is “Maternity/Paternity and Adoption Leave” which is in response to an adverse ruling by the Human Rights Commission addressing the rights of unmarried parents.

**EXTENSIONS OF JURISDICTION (80 IAC PART 305.260)**

- a) Effective November 30, 2008, the Personnel Code Jurisdictions A, B and C will be extended to the Capital Development Board positions in the non-code classifications of Assistant Personnel Officer, responsible for a range of human resources services; Coordinator of Administrative Services, who supervises and assists with office support activities and advertises, schedules and checks bid openings and documents for the Office of Operations; Executive Assistant I, who provides secretarial and



- administrative support services to program managers at the Board; and Fiscal Executive, responsible for performing advanced accounting, financial reporting and analysis.
- b) Effective November 30, 2008, the Personnel Code Jurisdictions A, B and C will be extended to the Illinois Commerce Commission positions in the non-code classifications of Accounts Processing Analyst, performing account technician work.
  - c) Employees of these divisions serving prior to November 30, 2008 will be required to qualify within six months in the same kind of examination as those required for entrance examinations for comparable positions. All appointments subsequent to November 30, 2008 will be made pursuant to provisions of the Illinois Personnel Code and the Rules of the Department of Central Management Services (80 Ill. Adm. Code 301 through 303). No provision of this Section in any way affects the status of employees already holding certified status under the Personnel Code. All other provisions of the Personnel Code and Rules of the Department of Central Management Services (80 Ill. Adm. Code 301 through 303) will apply to employees of the above-named divisions, effective November 30, 2008.

#### **VETERANS CONTINUOUS SERVICE (80 IAC PART 302.220)**

- a) Leaves of absence shall be granted to all employees, except temporary or emergency employees, who leave their positions and enter military service for 5 years ~~4 years~~ or less (exclusive of any additional service imposed pursuant to law). An employee shall be restored to the same or a similar position on making an application to his/her employing agency within 90 days after separation from active duty or from hospitalization or convalescence continuing after discharge for not more than two years ~~one year~~. The employee must provide evidence of satisfactory completion of training and military service when making application and be qualified to perform the duties of the position.

#### **SICK LEAVE (80 IAC PART 303.90)**

Sick time may be taken in increments of not less than one-quarter hour after a minimum use of one-half hour any time after it is earned.

#### **SICK LEAVE BANK (80 IAC PART 303.112)**

- b) Definitions
  - 4) “Catastrophic illness or injury” means temporary disability or incapacity resulting from a life threatening illness or injury or illness or injury of other catastrophic proportion as determined by the Director. Factors considered by the Director shall include the length of time the employee must be absent from work due to illness or injury. Catastrophic illness or injury may be due to, but not limited to, cancer, heart disease, stroke or another serious illness or injury resulting in an employee missing more than 25 work days.



- 5) “Personal catastrophic illness or injury” means a catastrophic illness or injury to the employee or, if agreed upon by the Agency head and the Director, members of the employee’s immediate family. Factors to be considered in determining if an employee’s immediate family members are covered include the nature and duration of the catastrophic illness or injury and whether such individuals are covered pursuant to collective bargaining negotiations. Immediate family shall mean spouse, child, parent or any person living in the employee’s household for whom the employee has custodial responsibility or where the person is financially and emotionally dependent on the employee and where the presence of the employee is needed.

...

- e) Employees may voluntarily enroll at any time. Employees ~~shall who enroll within 30 calendar days after the establishment of a sick leave bank by an Agency must wait 30 calendar days before utilizing the sick leave bank. Employees who enroll more than 30 days after the establishment of a sick leave bank by an Agency must wait 60 calendar days after enrollment before utilizing the sick leave bank.~~
- f) An employee may use up to 25 work days from the sick leave bank per 12-month period ~~calendar year~~ except that participating employees shall not use sick leave accumulated in the sick leave bank until all of their accrued vacation, personal days, sick leave and compensatory time have been used. The Director may approve limits of other than 25 work days per 12-month period ~~year~~.

#### **VETERANS HOSPITAL LEAVE (80 IAC PART 303.115)**

An employee who is also a veteran shall be permitted 4 ~~2~~ days with pay per year to visit a veterans hospital or clinic for examination of a military service-connected disability. The 4 ~~2~~ days shall not be charged against any sick leave currently available to the employee.

#### **LEAVE FOR PERSONAL BUSINESS (80 IAC PART 303.125)**

- a) ...  
Employees entitled to receive such leave who enter service during the year shall be given credit for such leave at the rate of ½ day for each 2 months service for the calendar year in which hired. Such personal leave may not be used in increments of less than one-half hour ~~2 hours~~ at a time. Except for those emergency situations which preclude the making of prior arrangements, such days off shall be scheduled sufficiently in advance to be consistent with operating needs of the employer. Supervisors may, however, grant employee requests to use personal leave in increments of one-quarter ½ hour, after a minimum use of one-half ½ hour.



**MATERNITY/PATERNITY AND ADOPTION LEAVE (80 IAC PART 303.130)**

- a) All employees who provide proof of their pregnancy or that of their female partner within 30 days of the expected due date ~~All female employees who show proof that they have received prenatal care in the first 20 weeks will be eligible for 4 weeks (20 work days) of paid maternity/paternity leave. Such proof shall be provided to the employer no later than the 24<sup>th</sup> week of pregnancy. All male employees who show proof that their spouses have received prenatal care in the first 20 weeks with notification to the employer with 24 weeks, will be eligible for 3 weeks (15 work days) of paid paternity leave.~~ The State shall require proof of the birth ~~and marriage for a non-covered spouse.~~ Maternity and/or paternity leave shall be limited to 1 leave per family for each pregnancy resulting in birth or multiple births. In addition, non-married male employees may be required to provide proof of paternity such as a birth certificate or other appropriate documentation confirming paternity.
- b) All employees are eligible for ~~4~~ 3 weeks (~~20~~ 15 work days) of paid leave with a new adoption, with the leave to commence when physical custody of the child or children has been granted to the employee member, provided that the employee can show that the formal adoption process is underway. The agency personnel office must be notified and the employee must submit proof that the adoption has been initiated. Adoption leave shall be limited to 1 leave per adoption family per year.

**LEAVE IN THE EVENT OF A STILLBORN CHILD (80 IAC PART 303.131)**

All employees who have provided proof of their pregnancy or that of their female partner within 30 days of the expected due date will be eligible for 4 weeks (20 work days) of paid leave in the event of a full-term stillborn child. The State shall require proof of a stillbirth, such as a fetal death certificate or certificate of stillbirth. This leave shall be limited to 1 leave per family for each stillbirth. In addition, non-married male employees may be required to provide proof of paternity.

**VACATION ELIGIBILITY (80 IAC PART 303.250)**

- a) Employees, except emergency and temporary ~~and those paid pursuant to 80 Ill. Adm. Code 310.230,~~ shall earn vacation time. No employee on leave of absence may earn vacation except when the leave was for the purpose of accepting a temporary working assignment in another class.

...

- c) Vacation time may be taken in increments of not less than one-quarter ~~half~~ hour after a minimum use of one-half hour any time after it is earned. Vacation time shall not be accumulated for more than 24 months after the end of the calendar year in which it is earned.



XII. STAFF REPORT

Executive Director Daniel Stralka reported that:

- Despite a preliminary agreement with the Governor's Office of Management and Budget as to the Commission's fiscal year 2010 budget request, discussions are continuing and no final agreement has been reached.
- The 2009 Ethics Training materials were included in their meeting packets and the signed Acknowledgements of Participation are due by the end of the year.

XIII. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular meeting to be held on Friday, January 16, 2009 at 11:00 a.m. in the Commission's Chicago office.

XIV. MOTION TO ADJOURN

**IT WAS MOVED BY COMMISSIONER PETERSON, SECONDED BY COMMISSIONER DALIANIS, AND THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 10:25 A.M.**