



REGULAR MEETING MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
December 20, 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

Chairman Timothy D. Sickmeyer; G.A. Finch, David Luechtefeld, Jane Ryan, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director, Andrew Barris, Assistant Executive Director, and Sabrina Johnson, Exemption Monitor; John Logsdon and Sherry Campbell, Illinois Department of Central Management Services; and Scott Viniard, Jayne Bethard, CoreyAnne Gulkewicz, Illinois Department of Human Services.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD NOVEMBER 15, 2018

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD NOVEMBER 15, 2018.

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 Daniel Stralka 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. Report on Exempt Positions from Department of Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Abraham Lincoln Presidential Library & Museum	74	13
Aging.....	135	19
Agriculture	351	18
Arts Council	14	2
Capitol Development Board.....	33	0
Central Management Services	869	56
Children and Family Services.....	2,687	53
Civil Service Commission	3	0
Commerce & Economic Opportunity	235	66
Commerce Commission	54	0
Corrections	12,667	110
Criminal Justice Authority.....	46	7
Deaf and Hard of Hearing Comm	3	1
Developmental Disabilities Council	6	1
Emergency Management Agency.....	64	9
Employment Security	1,101	29
Environmental Protection Agency.....	619	17
Financial & Professional Regulation	387	48
Gaming Board	151	7
Guardianship and Advocacy	97	8
Healthcare and Family Services	1,572	26
Human Rights Commission.....	12	2
Human Rights Department	116	10
Human Services.....	12,688	78
Illinois Torture Inquiry Relief Commission	3	1
Independent Tax Tribunal	1	0
Innovation and Technology	1,274	60
Insurance	209	17
Investment Board	3	2
Juvenile Justice.....	862	28
Labor	74	11
Labor Relations Board Educational.....	11	3
Labor Relations Board State.....	12	2
Law Enforcement Training & Standards Bd.	22	3
Lottery	143	8
Military Affairs.....	133	3
Natural Resources.....	1,190	33
Pollution Control Board	17	2
Prisoner Review Board.....	22	1
Property Tax Appeal Board.....	32	2
Public Health	1,144	40
Racing Board.....	3	1
Revenue.....	1,430	45
State Fire Marshal	129	12
State Police.....	937	8
State Police Merit Board	6	2
State Retirement Systems	98	3
Transportation	2,308	0
Veterans' Affairs	1,223	10
Workers' Compensation Commission.....	114	11
TOTALS.....	45,384	888



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)

* * *



C. Requests for 4d(3) Exemption

Exemption Monitor Sabrina Johnson reported the following:

- This request was for a Chief of Staff for the Division of Family & Community Services at the Department of Human Services, a position that reports to the Director of Division of Family & Community Services, who reports to the Assistant Secretary, who reports to the Secretary. This position has responsibilities of formulating policy of operating objectives for statewide health and human services, handles highly sensitive personnel, budgetary and policy information and will serve as the Division Director’s representative for internal and external meeting when the Division Director is unavailable. Staff had additional inquiries regarding the duties within the Assistant Director position and Senior Policy Advisor position. This position is currently filled with a provisional appointment that expires January 15, 2019. For these reasons, Staff recommended approval of this exemption request for one month, expiring January 19, 2019.

Chairman Sickmeyer inquired about the one-month term recommendation. Sabrina Johnson replied that Staff had several concerns which were unable to be addressed in time due to the late submission. Commissioner Ryan asked if every division will try to establish a Chief of Staff position. Sabrina Johnson indicated that Human Services has a couple of Chief of Staff positions pending with the Special Master. Commissioner Urlacher asked CoreyAnne Gulkewicz, Illinois Department of Human Services, if the agency had any objection to the Staff recommendation. CoreyAnne Gulkewicz indicated it did not.

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 5-0 TO GRANT 4d(3) EXEMPTION FOR A TERM ENDING JANUARY 19, 2019 FOR THE FOLLOWING POSITION:

C: Chief of Staff, Family & Community Services (DHS)

The following position was granted 4d(3) exemption on December 20, 2018 for a term ending January 19, 2019:

Illinois Department of Human Services

Position Number	40070-10-90-000-10-02
Functional Title	Chief of Staff, Family & Community Services
Incumbent	Javon Gregoire
Supervisor	Director, Family & Community Services who reports to the Assistant Secretary who reports to the Secretary
Location	Cook 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. None submitted

IT WAS MOVED BY COMMISSIONER RYAN, SECONDED BY COMMISSIONER URLACHER, AND 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 URLACHER, SECONDED BY COMMISSIONER RYAN, AND 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 URLACHER, SECONDED BY COMMISSIONER RYAN, 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	RYAN	YES
URLACHER	YES		



IX. RECONVENE THE OPEN MEETING

Upon due and proper notice, the regular open meeting of the Illinois Civil Service Commission was reconvened at 160 N. LaSalle Street, Suite S-901, Chicago, IL and 607 E. Adams Street, Suite 801, Springfield, IL by interactive video conference at 11:10 a.m.

PRESENT

Chairman Timothy D. Sickmeyer; G.A. Finch, David Luechtefeld, Jane Ryan, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director, Andrew Barris, Assistant Executive Director and Sabrina Johnson, Exemption Monitor.

X. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

RV-43-18

Complainant	Carlos Ocampo-AFSCME Local 2467	Appeal Date	05/01/18
Agency	Gaming Board	Decision Date	12/07/18
Appeal Type	Rule Violation	Proposal for Decision	No violation.
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL OF THE ADMINISTRATIVE LAW JUDGE THAT THE ALLEGATIONS OF VIOLATION OF THE PERSONNEL CODE OR PERSONNEL RULES WERE NOT PROVEN BY A PREPONDERANCE OF THE EVIDENCE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	RYAN	YES
URLACHER	YES		

XI. REVIEW OF CLOSED MEETING MINUTES PURSUANT TO OPEN MEETINGS ACT

Assistant Executive Director Barris reported that after review of the Closed Meeting Minutes, the need for confidentiality still exists as to all those Minutes. He indicated there had been no requests for Closed Session Minutes in the last year.

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER RYAN, AND THE MOTION ADOPTED 5-0 THAT AFTER REVIEW OF CLOSED MEETING MINUTES PURSUANT TO THE OPEN MEETINGS ACT, THE NEED FOR CONFIDENTIALITY STILL EXISTS AS TO ALL THOSE MINUTES.



XII. APPROVAL OF THE DESTRUCTION OF THE AUDIO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO JULY 2016 IN ACCORDANCE WITH THE OPEN MEETINGS ACT

Executive Director Stralka indicated it had been the Commission’s practice to retain recordings for 24 months, more than the requirements of the Open Meetings Act.

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 5-0 THAT THE DESTRUCTION OF THE AUDIO AND VIDEO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO JULY 1, 2016 IS APPROVED IN ACCORDANCE WITH THE OPEN MEETINGS ACT.

XIII. STAFF REPORT

Sabrina Johnson reported that a revised employee Personnel Policy was issued last month with minor changes. Some of the revisions came from when Commissioner Ryan was the Human Resources Manager. Eligibility requirements for FMLA (employment for 12 months and 1,250 hours worked) were added to the policy.

Executive Director Stralka reviewed a meeting he had the previous day with CMS Assistant Director Sarah Kerley. She indicated that CMS was continuing to work on refining the “at will” list with the Shakman Special Monitor. It is anticipated that a comprehensive employment plan will be presented to the District Court on January 7, 2019.

Executive Director Stralka reported that the Commission’s caseload has decreased so far this fiscal year, reduced by almost half. A general discussion followed in which all the Commissioners participated about possible causes for the decrease and steps the Commission can take to ensure all employees are aware of the ways the Commission can assist in protecting their employment rights.

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 17, 2019 in the Chicago and Springfield offices of the Commission by interactive video conference.

XV. MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 11:25 A.M.