

February 17, 2022

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
FEBRUARY 17, 2022

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, IL

II. ROLL CALL AND CONFIRMATION OF A QUORUM

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD JANUARY 20, 2022

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD JANUARY 20, 2022?

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.

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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B1. Illinois Department of Central Management Services / Commission on Equity and Inclusion

Position Number	40070-50-58-000-10-01
Functional Title	General Counsel
Incumbent	Vacant
Supervisor	Chairperson
Location	Sangamon County

B2. Illinois Department of Central Management Services / Commission on Equity and Inclusion

Position Number	40070-50-58-000-20-01
Functional Title	Chief Fiscal and Human Resources Officer
Incumbent	Vacant
Supervisor	Chairperson
Location	Cook County

B3. Illinois Department of Central Management Services / Commission on Equity and Inclusion

Position Number	40070-50-58-000-30-01
Functional Title	Chief of Staff
Incumbent	Vacant
Supervisor	Chairperson
Location	Cook County

C1. Illinois Criminal Justice Information Authority

Position Number	37015-50-05-000-40-01
Functional Title	Communications Media Administrator
Incumbent	Vacant
Supervisor	Chief of Staff, who reports to the Executive Director
Location	Cook County

C2. Illinois Criminal Justice Information Authority

Position Number	40070-50-05-000-50-01
Functional Title	Assistant Deputy Director
Incumbent	Vacant
Supervisor	Chief of Staff, who reports to the Executive Director
Location	Cook County

C3. Illinois Criminal Justice Information Authority

Position Number	40070-50-05-000-60-01
Functional Title	Program Analyst Director
Incumbent	Vacant
Supervisor	Deputy Chief of Staff, who reports to the Chief of Staff, who reports to the Executive Director
Location	Cook County

D. Illinois Environmental Protection Agency

Position Number	40070-46-00-000-04-01
Functional Title	Electric Vehicle Coordinator
Incumbent	Vacant
Supervisor	Director
Location	Cook County

E1. Illinois Department of Healthcare and Family Services

Position Number	40070-33-15-020-00-61
Functional Title	Chief of Staff
Incumbent	Vacant
Supervisor	Inspector General, who reports to the Director
Location	Sangamon County

E2. Illinois Department of Healthcare and Family Services

Position Number	40070-33-15-030-00-61
Functional Title	Chief Operations Officer
Incumbent	Vacant
Supervisor	Inspector General, who reports to the Director
Location	Sangamon County

F1. Illinois Department of Juvenile Justice

Position Number	40070-27-00-000-10-01
Functional Title	Deputy Ombudsman
Incumbent	Vacant
Supervisor	Ombudsman, who reports to the Governor's Office
Location	Cook County

F2. Illinois Department of Juvenile Justice

Position Number	40070-27-00-000-15-01
Functional Title	Restorative Justice and Community Outreach Manager
Incumbent	Vacant
Supervisor	Deputy Ombudsman, who reports to the Ombudsman, who reports to the Governor's Office
Location	Cook County

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- B1: General Counsel (CMS)**
- B2: Chief Fiscal and Human Resources Officer (CMS)**
- B3: Chief of Staff (CMS)**
- C1: Communications Media Administrator (CJIA)**
- C2: Assistant Deputy Director (CJIA)**
- C3: Program Analyst Director (CJIA)**
- D: Electric Vehicle Coordinator (EPA)**
- E1: Chief of Staff (HFS)**
- E2: Chief Operations Officer (HFS)**
- F1: Illinois Department of Juvenile Justice (DJJ)**
- F2: Restorative Justice and Community Outreach Manager (DJJ)**

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;

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- 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. Transportation Seasonal Office Worker

CMS CLASSIFICATION ANALYSIS: Most positions in State government are established under and subject to the provisions of the Personnel Code (20 ILCS 415). Positions subject to the Personnel Code's merit and fitness conditions or other provisions of job protection may not be hired based upon political affiliation. "The technical and engineering staffs of the Department of Transportation ... "are exempt from the Personnel Code (20 ILCS 415/4c(12). These technical positions are often referred to as "non-Code" positions. Most technical positions are not positions for which political affiliation is an appropriate consideration in hiring, firing, or other employment actions. Only positions on the State's Exempt List may be hired based upon political affiliation.

In recent years, the Director of Central Management Services, her designees and external partners including OEIG's Hiring and Employment Monitoring Division and the Shakman Special Master, conducted a review of positions for which political affiliation is an appropriate criterion, as well as positions that are not subject to the Personnel Code's merit and fitness provisions. In particular, the Shakman parties reviewed non-Code positions at the Department of Transportation to determine if the non-Code positions meet the criteria of "technical and engineering" staff as stated in Section 4c (12) of the Personnel Code. As a result of the review, it was determined that some of IDOT's positions that are now non-Code do not meet the criteria of being either technical or engineering in nature and thus should not be exempt from the protections of the Personnel Code. The Director, with the consensus of her external partners, concluded that the positions should instead be moved under the purview of the Personnel Code.

All the non-Code Department of Transportation positions in question are represented by the Teamsters' NR-916 (Pro-Tech) unit; no current Code classes performing similar work and represented by NR-916 exist. Therefore, new classes have been created to reflect the functions performed by extant non-Code positions represented by NR-916. The non-Code classes in Transportation are broad in nature, while the recommended Code classes are more narrowly defined. Therefore, position work from several different non-Code classifications may be accurately depicted in one or more Code classes.

The new class of Transportation Seasonal Office Worker in this CMS-112 performs seasonal work in the Department of Transportation involving a variety of clerical and office support duties.

WILL THE COMMISSION APPROVE THE REVISION AND CREATION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON MARCH 1, 2022?

B. Transportation Seasonal Office Worker

**C. Veterans Employment Representative 1 (revise)
Veterans Employment Representative 2 (revise)
Veterans Employment Representative 3 (new)**

CMS CLASSIFICATION ANALYSIS: The Illinois Department of Employment Security (IDES) requested creation of a new class for inclusion in the Veterans Employment Representative (VER) series. Currently, the VER 1 serves as a Disabled Veterans Outreach Program (DVOP) Specialist and the VER 2 serves as a Local Veterans Employment Representative (LVER). The duties of both positions are illustrated in the respective class specifications attached and outlined at 38 U.S.C. § 4103A and 38 U.S.C. § 4104, respectively.

The proposed Veterans Employment Representative III (VER 3) class consolidates the salient features of both the VER 1 and VER 2 classes, creating a position of consolidated functions and responsibilities that provides improved efficiency in administration and delivery of services to veterans in underserved areas of the state, where assignment of only full-time VER 1's and/or VER 2's is impractical. The selected candidates for the positions will be required to successfully complete the LVER and DVOP training to provide service to veterans.

If the proposed new classification is approved by the Illinois Civil Service Commission, the IDES is required to submit a proposal to the U.S. Secretary of Labor presenting the evidence necessary for consideration and approval by the federal agency for implementation of the plan.

WILL THE COMMISSION APPROVE THE REVISION AND CREATION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON MARCH 1, 2022?

- C. Veterans Employment Representative 1 (revise)
Veterans Employment Representative 2 (revise)
Veterans Employment Representative 3 (new)**

D. Clinical Psychologist (revise)

CMS CLASSIFICATION ANALYSIS: The Department of Central Management Services, Technical Services is updating the Desirable Requirements section of the Clinical Psychologist class specification in order to comply with the requirements pursuant to the Clinical Psychologist Licensing Act [225 ILCS 15]. An individual applying for licensure must meet requirements of one of three sections outlined in the Act, all of which require an individual be a graduate of a doctoral program in (a) *clinical, school or counseling psychology accredited by the American Psychological Association or approved by the National Register of Health Service Psychologists; or, (b) a doctoral program equivalent to a clinical, school or counseling psychology program; or (c) a doctoral program psychological in nature.* Each of these program pathways has outlined specific experiences, internships, core content areas, semester hours in core subjects, residencies, etc., that an individual must have accomplished to attain licensure by the Illinois Department of Financial and Professional Regulation.

The current educational requirements in the Clinical Psychologist class specification are: “Requires a doctoral degree in psychology from a recognized college or university supplemented by two years of supervised experience in health services, of which at least one year is post doctoral and one year is in an organized health service program; or a master's degree in psychology from a recognized college or university supplemented by at least six years of experience as a psychologist with at least two years of supervised experience in health services.

Requires licensure as a Clinical Psychologist by the Illinois Department of Financial and Professional Regulation.”

The masters degree requirement is not a pathway to receive licensure, as one must possess a doctoral degree from a program as outlined in the Act. The master’s degree option is being stricken from the class specification.

It is not pertinent that an applicant demonstrate to Central Management Services (CMS), Department of Human Services (DHS) or the Department of Corrections (DOC) the pathway in attaining their Clinical Psychology license. When the individual receives their license from the Illinois Department of Financial and Professional Regulation (IDFPR), this licensure confirms the person has successfully met all education and experience requirements as outlined in the Clinical Psychologist Licensing Act [225 ILCS 15], which includes completion of the post doctoral experience. Other titles requiring licensure or certification similar to the Clinical Psychologist are the Clinical Pharmacist, Educator, Dentist 1 and Drug Compliance Officer. The specifications for those titles currently read as follows:

Clinical Pharmacist:

Requires current license as a registered pharmacist in the State of Illinois. Requires one year of professional experience as a practicing registered pharmacist.

Educator:

Requires possession of a current and valid ISBE-issued Professional Educator License with endorsement appropriate to the content area, grade-level, and instructional area in which the individual is approved to work.

Dentist I:

Requires graduation from an accredited college of dentistry. Requires a valid license to practice dentistry and oral surgery in Illinois.

Drug Compliance Investigator:

Requires current license as a registered pharmacist in the State of Illinois.

WILL THE COMMISSION APPROVE THE REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON MARCH 1, 2022?

C. Clinical Psychologist (revise)

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED 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

WILL THE COMMISSION DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?

VIII. MOTION 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, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

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IX. RECONVENE THE REGULAR OPEN MEETING

X. APPROVAL OF MINUTES OF THE CLOSED PORTION OF THE REGULAR MEETING HELD JANUARY 20, 2022

WILL THE COMMISSION APPROVE THE MINUTES OF THE CLOSED PORTION OF THE REGULAR MEETING HELD JANUARY 20, 2022?

I. INTERLOCUTORY APPEAL

DA-11-22

Employee	Felicia Kirk	Appeal Date	11/05/2021
Agency	Dept. of Veterans' Affairs	Decision Date	02/04/2022
Appeal Type	Discharge	Proposal for Decision	Dismissed.
ALJ	Thomas Klein		

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

DA-5-22

Employee	Preeti Padmanabhan	Appeal Date	09/15/2021
Agency	Dept. of Veterans' Affairs	Decision Date	02/04/2022
Appeal Type	Discharge	Proposal for Decision	Motion to Dismiss Denied.
ALJ	Thomas Klein		

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

II. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

RV-19-21

Employee	Thomas J. Wendt	Appeal Date	04/02/2021
Agency	Office of State Fire Marshal	Decision Date	02/04/2022
Appeal Type	Rules Violation	Proposal for Decision	No violation.
ALJ	Andrew Barris		

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

DA-3-22

Employee	Kendrick Williamson	Appeal Date	07/22/2021
Agency	Dept. of Human Services	Decision Date	02/04/2022
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus suspension pending discharge
ALJ	Thomas Klein		

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

III. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

DA-17-22

Employee	Darryl Ellis	Appeal Date	01/20/2022
Agency	Dept. of Human Services	Decision Date	02/04/2022
Appeal Type	Discharge	Proposal for Decision	Withdrawn.
ALJ	Thomas Klein		

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

IV. STAFF REPORT

V. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held at 11:00 a.m. on Thursday, March 17, 2022, in the Springfield office of the Commission.

VI. MOTION TO ADJOURN