

STATE OF ILLINOIS CIVIL SERVICE COMMISSION

REPORT FOR FISCAL YEAR 2007



Chris Kolker, Chairman
Raymond W. Ewell, Commissioner
Barbara J. Peterson, Commissioner
Betty A. Bukraba, Commissioner
Ares G. Dalianis, Commissioner

Daniel Stralka
Executive Director



Daniel Stralka
EXECUTIVE DIRECTOR

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CIVIL SERVICE COMMISSION
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Chris Kolker
CHAIRMAN

COMMISSIONERS
Raymond W. Ewell
Barbara J. Peterson
Betty A. Bukraba
Ares G. Dalianis

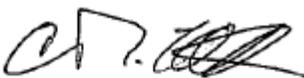
Governor Rod R. Blagojevich
State of Illinois
Springfield, Illinois 62706

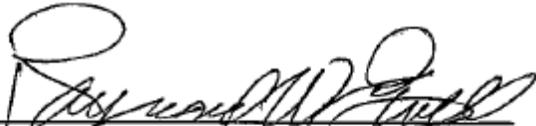
Dear Governor Blagojevich:

We submit this report to you, to the members of the General Assembly, and to the citizens of Illinois. It is the Commission's 95th Annual Report and covers the period of July 1, 2006 through June 30, 2007. In this report we have set forth both our responsibilities and accomplishments.

We appreciate the support and encouragement you have given us as we endeavor to carry out the requirements of the Illinois Personnel Code with the goal of providing the citizens of Illinois with a system of personnel administration based on merit principles and scientific method.

Respectfully submitted,


Chris Kolker, Chairman


Raymond W. Ewell, Commissioner


Barbara J. Peterson, Commissioner


Ares G. Dalianis, Commissioner


Betty A. Bukraba, Commissioner

TABLE OF CONTENTS

	<u>Page Number</u>
Members of the Commission	4-5
Overview	6
Duties of the Commission	7
Review of Personnel Rules and Legislation	8
Class Specifications	8
Exemptions of Principal Policy Positions	9
Report on Exempt Positions as of June 30, 2007	10
Exemption Requests Submitted	11-12
Rule Violation and Compliance Activity	13
Appeals of Discharge, Suspension and Demotion	14-15
Appeals of Geographical Transfer and Allocation	15
Appeals of Layoff	15
Declaratory Rulings	15
Grievance Committee	16
Training	16
Other Duties	16
Court Review/Litigation	16-17
Implementation of State Hispanic and Bilingual Employment Plans	17
Technical Actions by the Commission	18
Charges for Discharge and Suspension	19
Decisions of the Commission in Appeals	20
Commission Workload and Appeals Filed by Type	21
Average Processing Time	22

MEMBERS OF THE COMMISSION

The members of the Civil Service Commission are appointed for a period of six years.

<u>Name</u>	<u>Term Expires</u>
Chris Kolker, Chairman	March 1, 2011
Raymond W. Ewell, Commissioner	March 1, 2011
Barbara J. Peterson, Commissioner	March 1, 2011
Betty A. Bukraba, Commissioner	March 1, 2009
Ares G. Dalianis, Commissioner	March 1, 2013

Chris Kolker

Chris Kolker, appointed as Chairman in March of 2004, graduated from Arizona State University in 1989 with a B.A. in political science. From 1990 to 1995 he worked as a legislative and political aide for Illinois House Speaker Michael J. Madigan. During those years, he also worked with legislators, as well as state and local officials, on a wide variety of governmental issues. In 1995 Chris entered law school at Southern Illinois University and graduated magna cum laude in 1998. He has worked in labor and personnel law since law school for both employers and employees. Originally from East St. Louis, Chris currently resides in the Belleville area.

Raymond W. Ewell

Raymond W. Ewell was born on December 29, 1928 in Chicago, Illinois. He earned a Bachelor of Arts degree at the University of Illinois (1949), a Master's degree from the University of Illinois (1951), and a Juris Doctor degree from the University of Chicago (1954). He was a State Representative in the Illinois General Assembly for eight terms from 1967 to 1983, where he served as chairman of the Higher Education Committee, the Illinois Legislative Black Caucus, and the National Society of State Legislators (1969). He served in the United States Army from 1954 to 1955.

In addition to being an attorney at law for 50 years, Mr. Ewell has been a teacher in the Chicago public schools, a gas station operator, a partner in a brokerage firm, bond counsel for the Cook County Board of Commissioners (1992), and a lobbyist for the City of Chicago, the Chicago Teacher's Pension Fund, the Illinois Trial Lawyers Association, and Cook County. While in the legislature he served as minority spokesman on the Elections, Agriculture, Conservation, Registration and Regulation, and Executive Committees. He also served on the committees for County and Township, Higher Education, Primary and Secondary Education, Judiciary, Public Utilities, Human Resources, and Motor Vehicles.

Mr. Ewell served as senior advisor to United States Senator Carol Moseley Braun and to John H. Stroger, President of the Cook County Board. He is a member of the Fourth Ward Young Democrats, an independent precinct captain for the Seventeenth Ward, a Seventeenth Ward Regular Democratic organization supervisor and instructor, and campaign manager for State Representative Charles Morrow, III. He is president of the Perry Avenue Block Club, a member of the N.A.A.C.P., the Cook County Bar Association, the Southtown Y.M.C.A., the

Urban League, P.U.S.H., Southtown Y.M.C.A. Businessmen's Association, and Director of St. Carthage Grooming School for Boys.

Barbara J. Peterson

Barbara J. "Bobbie" Peterson was first appointed as a Commissioner on the Illinois Civil Service Commission on August 1, 2000. She previously sat on the Governor's State University Board of Trustees. There she chaired the Personnel Committee, which oversees collective bargaining contracts, faculty and civil service salaries and employee benefits. She also represented GSU on the State University Civil Service System and was the University's founding member trustee for the Monsignor Ignatius D. McDermott Endowed Scholarship. She is currently on the Governor's State University Foundation Board of Directors. Commissioner Peterson serves as a member of the Will/Kankakee Regional Development Authority. She also serves as secretary of the Will County Planning and Zoning Commission.

Bobbie Peterson is a long-time resident of Will County. With her husband, Charles, Bobbie spent 35 years as owner of a union plumbing and heating corporation and is still engaged in agriculture. Born and educated in Chicago, she is a graduate of Gregg Business College. The Petersons have four sons and nine grandchildren.

Betty A. Bukraba

Betty Bukraba was appointed a Commissioner effective October 6, 2003. She retired from the office of the Clerk of the Circuit Court of Cook County, having served as the Director of Personnel Services for 14 years. As Director, she had responsibilities for all aspects of employee relations in the 2,300 employee agency from applicant testing to retirement planning. While serving in this capacity, she was a recipient of the Cook County Distinguished Public Service award in 1999. She is the widow of a Chicago firefighter and raised their two children while operating a small business. Betty remains active in numerous neighborhood and civic organizations and causes.

Ares G. Dalianis

Ares G. Dalianis is a partner at the law firm of Franczek Sullivan P.C. in Chicago where he practices in the areas of education law, real property taxation and assessment appeals, employment and personnel law, real estate, and general corporate representation for school districts and other units of local government. Ares is AV Peer Review Rated, Martindale-Hubbell's highest peer recognition for ethical standards and legal ability.

Ares has previously served as the Deputy Supervisor of the Cook County State's Attorney's Office Real Estate Tax Section and as an Assistant State's Attorney in Lake County, Illinois. He is a former member of his local Board of Education and serves on the Parish Council at his church. He earned both his undergraduate and law degrees from the University of Illinois at Urbana-Champaign. Ares was appointed to the Commission in March of 2007.

OVERVIEW

The Civil Service Commission began the year with an approved budget of \$381,100. This represented a 2.9% increase from the previous year's appropriation, but a 15.8% decrease from the Commission's all-time high appropriation of \$452,400 in fiscal year 2002. The Commission continues to meet its statutory responsibilities while operating with an historic low of four full-time employees. Due to the need to hire an outside Administrative Law Judge to preside over two high profile discharge appeals, the Commission had to secure an additional \$22,000 supplemental appropriation in June 2007.

Effective March 15, 2007 Commissioner George Richards concluded over eleven years of commendable service to the Civil Service Commission. He was Chairman of the Commission from November 7, 1995 through March 15, 2004. At its March 15, 2007 meeting the Commission passed a resolution of appreciation for his years of service to the Commission.

Governor Rod R. Blagojevich appointed Ares G. Dalianis as a member of the Civil Service Commission effective March 16, 2007. His term expires on March 1, 2013.

Commission staff spent much of the last half of the fiscal year finalizing its lease on new office space for its Springfield office. The new lease was signed in May and relocation preparations began in earnest for the move from the second-floor office space that had housed the Commission's main office for approximately 30 years.

With the help of the Department of Central Management Services, six new personal computers were installed at the Commission's office to replace computers that were up to seven years old. This allowed the Commission to participate in the statewide Microsoft Enterprise agreement, which will allow the Commission long-term enhanced productivity.

During the fall 2006 State and University Employees Combined Appeal (SECA) charitable campaign, the Civil Service Commission was proud to receive recognition for exceptional participation as well as being awarded the Governor's Cup for the highest percentage of participation for smaller agencies. Beckie Daniken, SECA coordinator, attended an awards luncheon held at the Governor's mansion to accept the award.

DUTIES OF THE COMMISSION

Guided by merit philosophy, the members of the Commission and its staff carry out the following statutory responsibilities:

1. To approve or disapprove personnel rules or their amendments promulgated and submitted by the Director of Central Management Services.
2. To approve the classification plan submitted by the Director of Central Management Services, and approve proposals for new or amended class specifications and for the abolition of existing classes under the classification plan.
3. Upon recommendation of the Director of Central Management Services, the Commission approves the exemption from Jurisdiction B of those positions which in its judgment bear principal administrative responsibility for the determination or implementation of policy.
4. Upon identification of instances of noncompliance, the Commission is responsible for ensuring the enforcement of the Personnel Code and Rules through the issuance of directives for compliance.
5. For certified employees who are discharged, suspended for more than 30 days in a twelve-month period, or demoted, the Commission hears and determines the written charges and renders decisions which are binding upon the employing agency.
6. The Commission hears appeals by certified employees who are involuntarily transferred from one geographical area to another, or who question the allocation of their position under the classification plan.
7. The Commission hears or conducts an investigation of layoff appeals by certified employees where the basis of the appeal is that provisions of the Personnel Code or Rules have been violated.

During fiscal year 2007 the Commission was active in these areas as the following detailed report indicates.

(1) REVIEW OF PERSONNEL RULES AND LEGISLATION

The drafters of the Personnel Code envisioned broad enabling statutes giving the Director of Central Management Services extensive discretion to implement the provisions of the Code through the promulgation of rules. As a check and balance to this power, the Director is to submit proposed rules and/or amendments to the Commission, and the Commission has the authority to disapprove them. During fiscal year 2007, the Director of Central Management Services submitted two proposed amendments to the Personnel Rules as follows:

- Section 302.150 Appointment and Status (Interim Assignment)
- Section 302.300 Probationary Status (Probationary Period)

After consideration, the Commission concurred with these amendments.

To ensure the Personnel Rules promulgated by the Department of Central Management Services accurately implement the authority outlined in the Personnel Code, and to assure the Code continues to adhere to the principles of merit employment, the Civil Service Commission monitors legislative action for changes to the Personnel Code or Rules.

(2) CLASS SPECIFICATIONS

A sound system of position classification is essential to carry out the objectives of a merit personnel system. The classification plan establishes the basis for ensuring that employees performing work of the same nature, level of difficulty and complexity are paid within the same salary range, dependent on length of service and excellence of performance. The specifications further set forth the legal requirements for selection of those who desire to enter state service and the promotion of present employees who seek advancement within the career system. So that personnel decisions can be based upon the factual basis of existing assignments, the position classification system identifies the duties performed and responsibilities assigned by individual employees. The Commission has the responsibility of approving all amendments to the classification plan including class specifications.

During fiscal year 2007 the Commission reviewed and acted on 15 amendments to the classification plan. Because of their cooperative working relationship, the staffs of the Commission and the Department of Central Management Services resolved all problems identified in the amendments submitted. Consequently, all issues which could have resulted in a recommendation for the Commission's disapproval were resolved.

<u>New Classes</u>	<u>Revised Classes</u>	<u>Abolished Classes</u>	<u>Submitted Classes</u>
<u>Approved</u>	<u>Approved</u>	<u>Approved</u>	<u>Denied</u>
2	8	5	0

(3) EXEMPTIONS OF POSITIONS BEARING PRINCIPAL ADMINISTRATIVE RESPONSIBILITY FOR POLICY

A long-standing significant issue in merit systems is the determination of those positions which should be subject to appointment and dismissal at the discretion of the administration. In the Personnel Code, the legislature specifically provided for most major exemptions, such as those for all positions in the legislative and judicial branches, of directors and assistant directors of executive agencies, and of members of boards and commissions. In positions below the director, assistant director, board or commission level, the legislature chose to grant the Director of Central Management Services and the Civil Service Commission joint authority to exempt positions from Jurisdiction B of the Personnel Code. Under this provision, agencies request and the Director of Central Management Services issues a recommendation as to whether positions that bear principal administrative responsibility for the determination of policy or principal responsibility for the implementation of policy should be exempted. This recommendation is then submitted to the Civil Service Commission for approval. The impact upon the merit system of decisions made with respect to the exemption of positions from these provisions of the Personnel Code is obvious.

In carrying out this function, the Commission not only acts to approve exemptions recommended by the Director, but also monitors all positions that have been approved for exemption to ensure that they are used as presented at the time of approval. Amendments to these positions are evaluated to ensure that only positions that continue to qualify for exemption remain exempt. The Commission received a total of 69 exemption requests in fiscal year 2007. Of those, 44 were granted, six were denied, and six have been continued to the next fiscal year. Twelve were submitted and later withdrawn. In addition, the Commission received one request to rescind a previously granted exemption, which was approved. Set forth on the following page is a listing of the number of exemptions for each agency. A breakdown of the Commission's actions for fiscal year 2007 follows on the succeeding pages.

**REPORT ON EXEMPT POSITIONS
As of June 30, 2007**

Agency	<u>Total Employees</u>	<u>No. of Exempt Positions</u>
Aging	152	9
Agriculture.....	544	17
Arts Council	22	2
Capitol Development Board.....	32	0
Central Management Services	1,619	111
Children and Family Services.....	3,288	41
Civil Service Commission	4	0
Commerce & Econ. Opportunity	423	64
Commerce Commission	51	0
Corrections	12,252	102
Criminal Justice Authority	57	6
Deaf and Hard of Hearing Comm.....	5	1
Developmental Disabilities Council.....	11	1
Emergency Management Agency.....	107	1
Employment Security	1,673	25
Environmental Protect. Agency.....	1,051	19
Financial & Professional Regulation.....	788	45
Guardianship and Advocacy	112	7
Healthcare and Family Services	2,392	29
Historic Preservation Agency.....	401	12
Human Rights Commission.....	8	2
Human Rights Department.....	161	8
Human Services.....	14,595	67
Investment Board	4	2
Juvenile Justice.....	1,275	18
Labor	73	8
Labor Relations Board Educational.....	14	2
Labor Relations Board Local.....	1	0
Labor Relations Board State.....	19	2
Law Enforcement Training & Standards Board	20	1
Medical District Comm.	2	0
Military Affairs.....	140	3
Natural Resources.....	1,718	27
Pollution Control Board	25	3
Prisoner Review Board.....	22	0
Property Tax Appeal Board.....	24	2
Public Health	1,098	35
Revenue.....	2,058	62
State Fire Marshal	156	11
State Police.....	1,474	6
State Police Merit Board	5	1
State Retirement Systems	81	1
Transportation	2,677	1
Veterans' Affairs	1,152	5
Workers' Compensation Commission.....	171	11
TOTALS.....	51,957	770

EXEMPTION REQUESTS SUBMITTED

Arts Council	1 SPSA exemption granted
Central Management Services	1 SPSA exemption withdrawn
Children and Family Services	1 SPSA exemption granted 1 PSA exemption granted
Commerce and Economic Opportunity	1 SPSA exemption denied 3 SPSA exemptions granted 2 PSA exemptions granted 1 SPSA exemption withdrawn
Corrections	3 SPSA exemptions continued 1 SPSA exemption denied 8 SPSA exemptions granted 1 SPSA exemption rescinded 1 SPSA exemption withdrawn
Environmental Protection Agency	2 SPSA exemptions granted
Financial and Professional Regulation	1 SPSA exemption continued 4 SPSA exemptions granted 1 PSA exemption withdrawn 1 SPSA exemption withdrawn
Guardianship & Advocacy Commission	1 SPSA exemption granted
Healthcare and Family Services	1 SPSA exemption denied
Historic Preservation	1 SPSA exemption granted
Human Services	1 SPSA exemption denied 5 SPSA exemptions granted 1 SPSA exemption withdrawn
Juvenile Justice	1 PSA exemption denied
Labor	1 SPSA exemption granted
Revenue	2 SPSA exemptions continued 1 PSA exemption denied 9 SPSA exemptions granted 1 PSA exemption granted 6 SPSA exemptions withdrawn

State Fire Marshal

3 SPSA exemptions granted

Workers' Compensation Commission

1 SPSA exemption granted

(4) RULE VIOLATION AND COMPLIANCE ACTIVITY

A merit system can only be as effective as the people who administer it will permit. Recognizing that pressures exist to circumvent the merit system and to provide a bulwark against the erosion of merit system standards, the legislature placed in the Civil Service Commission the responsibility for ensuring that personnel activities are carried out in compliance with the Personnel Code and Personnel Rules along with the authority to direct compliance where it finds violations. In carrying out this mandate, the Commission has historically utilized two basic approaches.

First, it investigates all allegations of noncompliance furnished to the Commission or brought to the attention of its staff to determine whether there was a violation of the statutes and/or its implementing rules. There were six decisions rendered on appeals of Personnel Code and/or Rule violation allegations in fiscal year 2007. Three appeals resulted in a finding of no violation; one appeal was dismissed because of failure to provide requested information; one appeal was dismissed as the Commission had no jurisdiction; and one appeal resulted in a finding that a violation had occurred and the agency was ordered to comply with the Personnel Code and Rules.

Second, the Commission staff conducts reviews and audits of personnel activities as carried out by the Department of Central Management Services and the operating agencies. It has been the practice of the Commission to audit compliance activities with the resources remaining after it completes its other statutory responsibilities, including hearing employee allocation and discharge appeals, investigating layoff appeals, and reviewing proposals made by the Director of Central Management Services for amendments in the Classification Plan or for exemption of policy-making positions. The Commission did not conduct any audits in fiscal year 2007.

The Personnel Code also provides for appointments to state service in accordance with the principal of merit and fitness which is determined by the use of examination methods in areas of education, experience, cultural knowledge, capacity, knowledge, manual skill, linguistic ability, character, physical fitness and psychological fitness. There are occasions, however, where examinations are not feasible and in order to provide flexibility, the Code provides for three types of appointments, which can be made without formal competitive examination. These are emergency, temporary, and provisional appointments, all of which are limited by the Personnel Code.

Emergency appointments shall not exceed 60 days, shall not be renewed and may be made without regard to an eligible list. Notices of selections and terminations shall be reported immediately to the Director of Central Management Services. Temporary appointments may be utilized by persons in positions to perform temporary or seasonal work. No position shall be filled by temporary appointment for more than six months out of any twelve-month period. Provisional appointments may be utilized by persons in positions when there is no appropriate eligible list available. No positions shall be filled by provisional appointment for more than six months out of any twelve month period.

The following are the numbers of consecutive non-merit appointments reported by the Commission in the monthly agendas. The agendas provide the number by agency.

July	145	January	111
August	158	February	124
September	156	March	83
October	79	April	63
November	47	May	102
December	94	June	137

The incumbents have been appointed to temporary appointments for more than six months in a twelve-month period or have received a number of non-merit appointments. Although these appointments are not in violation of the Personnel Code or Rules, they are reported for the information of the members of the Commission for purposes of monitoring.

(5) APPEALS FROM DISCHARGE, SUSPENSION OVER 30 DAYS IN A TWELVE-MONTH PERIOD, AND DEMOTION

The Civil Service Commission is responsible for conducting hearings on appeals of discharge and suspensions totaling more than 30 days in any twelve-month period, and demotion. The Commission has the power to administer oaths, subpoena witnesses, and compel the production of books and papers in accordance therewith.

When an employee receives a written notice of discharge, they may appeal the action to the Commission. The appeal must be filed within 15 days after service of the written notice of discharge. The Commission then schedules a hearing within 30 days. At the hearing, the employee has a right to counsel and may question the witnesses who testify against him under oath. The burden of proof is upon the agency to prove that cause for discharge of the employee exists, and that discharge is the appropriate discipline.

In fiscal year 2007 the Commission rendered decisions in 33 discharge appeals. The Commission upheld ten discharges. In two appeals the Commission imposed a suspension instead of discharge, and in two appeals the employee was returned to work with no penalty. Four appeals were dismissed for default when the employee did not appear at the scheduled hearing; seven appeals were dismissed because they were settled; two appeals were dismissed as the Commission had no jurisdiction; and six appeals were withdrawn.

There were five decisions in appeals of suspension over thirty days in a twelve-month period during fiscal year 2007. Two were withdrawn; one was dismissed because the Commission had no jurisdiction; one was partially upheld, but the duration of suspension was reduced; and one was upheld.

The Commission is also responsible for hearing appeals of employees who have been demoted in their positions. Although this is not an active area it is important that employees have a right to appeal if they believe they have been unjustly demoted in their position. The Commission received two demotion appeals during fiscal year 2007 and both were withdrawn.

(6) APPEALS OF GEOGRAPHICAL TRANSFER AND ALLOCATION

Employees who are involuntarily transferred from one geographic area of the state to another may appeal such transfers to the Commission. The Commission received one geographic transfer appeal during fiscal year 2007 and no violation of the Personnel Code or Rules was proven.

The Commission is also responsible for hearing employees' appeals from decisions of the Director of the Department of Central Management Services where an employee believes that their position is misclassified. In allocation appeals the burden is on the employee to prove the Director of Central Management Services has not properly classified their position. The Commission received two allocation appeals during fiscal year 2007. One appeal is currently under investigation and the employee did not prove the classification was improperly allocated in the other appeal.

(7) APPEALS OF LAYOFF

The Personnel Rules allow the layoff of certified employees due to lack of funds, material change in duties or organization, lack of work, and the abolition of a position or for any of these reasons. Employees who feel that they have been laid off in violation of the Personnel Code or Rules may, within 15 days following the effective date of layoff, file a written appeal to the Civil Service Commission.

The Civil Service Commission is authorized to investigate the allegations made by the employee in the layoff appeal and may conduct a hearing if it is determined that substantial issues of fact or law remain unresolved. When the investigation is complete, a proposed finding is issued by staff and submitted to the employee and agency. If adopted by the Commission, the decision becomes a final administrative decision. There was one layoff appeal filed during fiscal year 2007. That appeal was withdrawn.

DECLARATORY RULING

The Rules of the Civil Service Commission allow for Declaratory Rulings as to material questions involving the interpretation of the Personnel Code, Personnel Rules or final orders of the Commission upon petition by interested or effected parties. Declaratory Rulings are only advisory. This is an infrequent action and the Commission did not receive any such requests in fiscal year 2007.

GRIEVANCE COMMITTEE

The Director of Central Management Services is required to appoint a grievance committee to hear step 4 grievances comprising two employees of Central Management Services and one Commission employee with experience and knowledge in personnel administration and employee relations. The Director is allowed to substitute another agency employee in the absence of a Commission employee. Commission staff participated in one grievance committee meeting in fiscal year 2007.

TRAINING

In order to properly administer the State's merit system, agency administrators must have knowledge and expertise in all areas of personnel. Often the most intimidating and frustrating aspect of personnel lies in the area of dealing with problem employees. It is the Commission's belief that while regrettable, discipline up to and including discharge is a necessary component of a good personnel system. The Commission, in an effort to make administrators aware of the requirements of successfully dealing with the disciplinary process, has offered agencies instruction in the disciplinary process. Numerous informal discussions on related issues occurred throughout the year between Commission staff and Agency administrators. The Commission staff is available to employees and agency administrators to respond to a variety of procedural inquiries regarding the operation of the Commission.

OTHER DUTIES – CHAIRMAN'S EX OFFICIO POSITION

The Chairman of the Commission is an *ex officio* member of the Interagency Committee on Employees with Disabilities (ICED) that operates with no budget and no paid staff, and relies on the technical and financial support of its members and their respective agencies. The Chairman, through a representative of the Commission, participates in monthly meetings and many disability awareness events throughout the year to address the diverse issues and concerns of the 2,596 persons with disabilities employed by executive agencies of the State of Illinois.

COURT REVIEW/LITIGATION

Final decisions of the Commission are subject to judicial review upon the timely filing of an action pursuant to the Administrative Review Act by either party. In fiscal year 2007, nine decisions were appealed to the Circuit Court in this manner. As of June 30, 2007 one had been dismissed by the Court; one had been remanded to the Commission for detailed findings of fact and conclusions of law; and the remaining seven were still pending. Also in fiscal year 2007, there was a Petition for Writ of Prohibition and Mandamus filed in two consolidated appeals before the Commission which was still pending as of June 30, 2007, and a Complaint for Declaratory Judgment filed which was dismissed shortly thereafter.

In addition to the dismissals referenced above, the Circuit Court rendered decisions in four pending Administrative Review actions in fiscal year 2007. In three cases the Commission was upheld and in one the Commission's decision was reversed. One of the affirmations was

appealed by the agency to the Appellate Court and is presently pending. Another pending Administrative Review action was dismissed in fiscal year 2007 as the parties agreed on a settlement. There was also a Petition for Post-Judgment Relief which had been previously filed against the Commission that was resolved in fiscal year 2007 when the Circuit Court granted the Commission's Motion to Dismiss. The employee appealed this decision to the Appellate Court where it was still pending as of June 30, 2007.

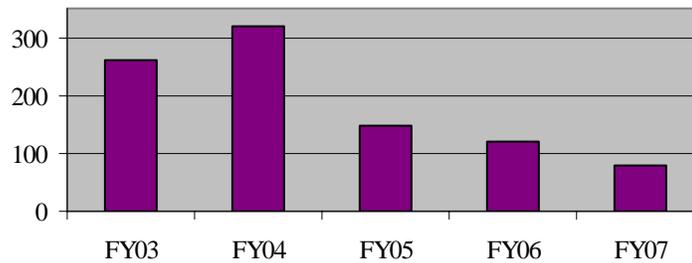
IMPLEMENTATION OF STATE HISPANIC AND BILINGUAL EMPLOYMENT PLANS

The Civil Service Commission does not discriminate on the basis of religion, race, national origin, sex, age, handicap or any other non-merit factor in providing employment opportunities. Due to the small size of the Commission, there is no formal Hispanic or Bilingual Employment Plan.

TECHNICAL ACTIONS BY THE COMMISSION

	<u>FY03</u>	<u>FY04</u>	<u>FY05</u>	<u>FY06</u>	<u>FY07</u>
<u>Class Specifications</u>					
Requests Denied	0	0	0	0	0
New Classes Approved	12	5	15	8	2
Revised Classes Approved	127	42	15	32	8
Abolished Classes Approved	13	7	18	3	5
TOTALS	<u>152</u>	<u>54</u>	<u>48</u>	<u>43</u>	<u>15</u>
<u>4d(3) Exemptions</u>					
Exemptions Granted	95	199	87	56	44
Exemptions Denied	0	30	3	2	6
Exemptions Rescinded	13	0	1	9	1
Exemption Requests Withdrawn	0	35	8	9	12
TOTALS	<u>108</u>	<u>264</u>	<u>99</u>	<u>76</u>	<u>63</u>
TOTAL TECHNICAL ACTIONS	<u>260</u>	<u>318</u>	<u>147</u>	<u>119</u>	<u>78</u>

TECHNICAL ACTIONS



CHARGES FOR DISCHARGE AND SUSPENSION¹

Abuse of patient or service recipient	2
Conduct unbecoming a State employee.....	12
Conducting an unauthorized investigation.....	1
Disorderly or disruptive conduct	1
Exempt/probationary employee discharge.....	2
Failure to follow procedures, regulations, rules or supervisory directives.....	5
Failure to return from Leave of Absence	2
Falsification of documents, records or other Information	3
Inappropriate behavior	1
Insubordination	3
Negligent performance of duties/incompetence	2
Personal use of State computer or telephone	3
Results of random drug test	2
Sexual harassment.....	1
Suspension pending discharge	1
Unauthorized absences/tardiness	15
Workplace violence	<u>1</u>
TOTAL CHARGES.....	57

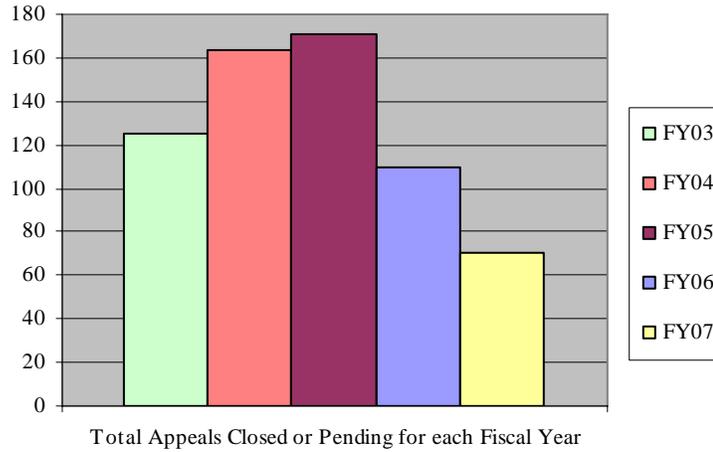
¹ The total exceeds the number of employees discharged and suspended because multiple charges were made against some employees.

DECISIONS OF THE COMMISSION IN APPEALS

A. <u>Substantive Actions by the Commission</u>	<u>FY03</u>	<u>FY04</u>	<u>FY05</u>	<u>FY06</u>	<u>FY07</u>
Appeals granted:					
Employees reinstated with suspension	6	8	7	9	2
Employees reinstated without suspension	3	34	2	2	2
Layoff appeal granted	0	0	2	2	0
Suspension invalidated in part	0	0	1	1	1
Rule Violation appeal granted	0	1	1	0	1
<u>Total</u>	<u>9</u>	<u>43</u>	<u>13</u>	<u>14</u>	<u>6</u>
Appeals denied:					
Discharge appeal denied	5	11	14	4	10
Position Allocation denied	0	1	0	1	1
Layoff appeal denied	4	5	50	27	0
Geographical Transfer appeal denied	0	1	0	0	1
Suspension appeal denied	0	0	1	1	1
Rule Violation appeal denied	5	1	1	2	3
Declaratory Ruling	0	0	1	0	0
<u>Total</u>	<u>14</u>	<u>19</u>	<u>67</u>	<u>35</u>	<u>16</u>
Total Substantive Actions by the Commission	23	62	80	49	22
B. <u>Appeals Dismissed Without Decision</u> ²					
Discharges	33	23	28	19	19
Demotions	0	0	0	0	2
Position allocations	0	0	1	0	0
Layoff appeals	0	0	6	5	1
Geographical Transfers	1	2	0	0	0
Suspensions	0	0	1	5	3
Rule Violations	0	0	0	6	2
<u>Total</u>	<u>34</u>	<u>25</u>	<u>36</u>	<u>35</u>	<u>27</u>
C. <u>Appeals Pending at end of Fiscal Year</u>	68	77	55	26	21
D. <u>Total Appeals Closed or Pending at end of Fiscal Year</u>	125	164	171	110	70

² Includes appeals dismissed due to settlement, withdrawal, default (failure to appear or failure to respond to Commission inquiry), and lack of jurisdiction.

COMMISSION WORKLOAD

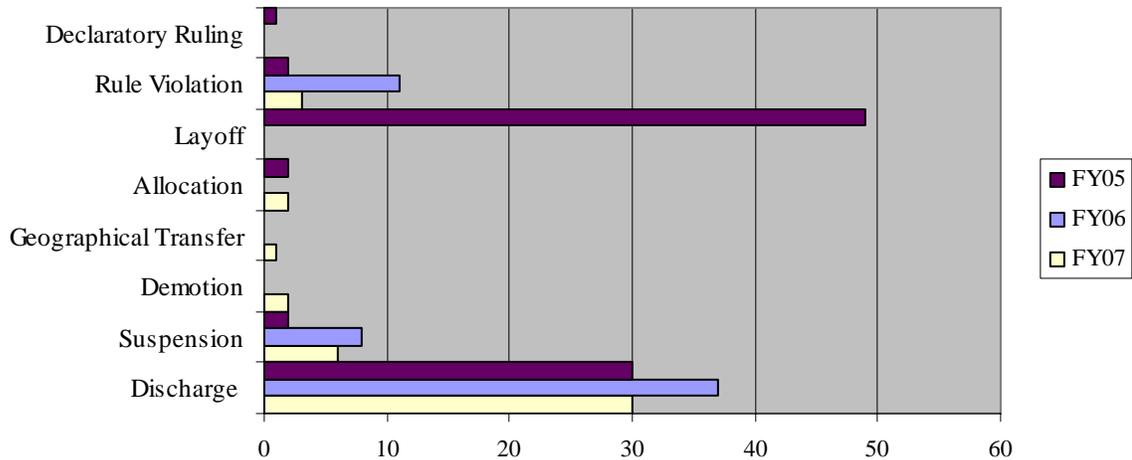


APPEALS FILED BY TYPE

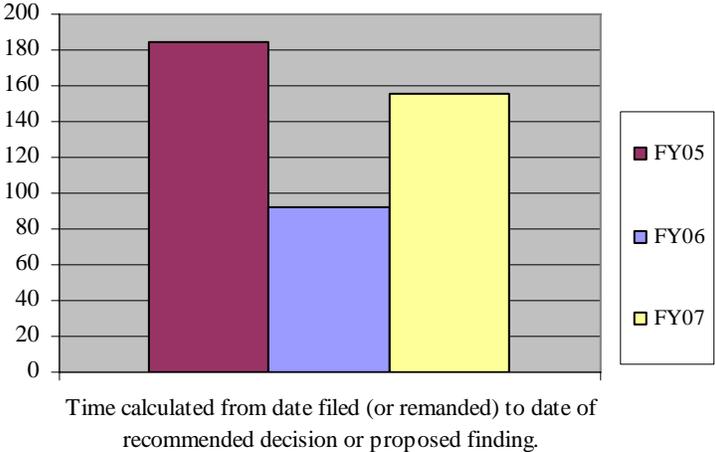
The following is a summary of appeals filed with the Commission by type during fiscal year 2007, along with a comparison chart for the past two fiscal years:

Discharge	30
Suspension	6
Demotion	2
Geographical Transfer	1
Allocation	2
Layoff	0
Rule Violation	3
Declaratory Ruling	0

APPEALS FILED BY TYPE: CHART



AVERAGE PROCESSING TIME



This data reflects the processing time for appeals that were concluded during fiscal year 2007. As of June 30, 2007 there were only three fiscal year 2006 appeals pending.

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