

# ILLINOIS CIVIL SERVICE COMMISSION

ANNUAL REPORT FOR

FISCAL YEAR 2008



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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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 96<sup>th</sup> Annual Report and covers the period of July 1, 2007 through June 30, 2008. 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,

Handwritten signature of Chris Kolker in black ink.

Chris Kolker, Chairman

Handwritten signature of Raymond W. Ewell in black ink.  
Raymond W. Ewell, CommissionerHandwritten signature of Barbara J. Peterson in black ink.  
Barbara J. Peterson, CommissionerHandwritten signature of Ares G. Dalianis in black ink.  
Ares G. Dalianis, CommissionerHandwritten signature of Betty A. Bukraba in black ink.  
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 .....	8
Class Specifications .....	8
Exemptions of Principal Policy Positions.....	9
Report on Exempt Positions as of June 30, 2008.....	10
Exemption Activity by Agency .....	11-12
Rule Violation and Compliance Activity.....	13-14
Appeals of Discharge, Suspension and Demotion.....	14
Appeals of Geographical Transfer and Allocation .....	15
Appeals of Layoff .....	15
Declaratory Ruling.....	15
Grievance Committee .....	15
Training.....	16
Other Duties .....	16
State Hispanic and Bilingual Employment Plans .....	16
Report on Green Governments Illinois Act .....	16
Technical Actions by the Commission .....	17
Charges for Discharge and Suspension.....	18
Decisions of the Commission in Appeals .....	19
Commission Workload and Appeals Filed by Type .....	20
Appeals filed by Type: Chart and Average Processing Time.....	21

## 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 U.S. 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 elementary school 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 \$456,200. This represented a 13% increase from the previous year's appropriation largely due to an increase in the retirement percentage. Even with this mandated increase, the Commission's appropriation was only 1% higher than fiscal year 2002 due to four consecutive years of decreases averaging 5%. The Commission continues to meet its statutory responsibilities while operating with an historic low of four full-time employees.

Commission staff started the year by completing the move to its new office in Springfield. Taking advantage of the move, the Commission reorganized its appeal filing system to make for a more systematic approach to appeal file and administrative record retention and archiving. As part of this process, the Commission received approval to revise its Authority to Dispose of State Records with the State Records Commission at the Illinois State Archives and ultimately delivered over 40 boxes of accumulated appeal files and administrative records to the State Archives.

Commission staff also took this opportunity to reorganize and audit its file system for 4d(3) exempt positions. Working with the Technical Services Division of Central Management Services, Commission staff was able to recreate missing or incomplete files to restore the integrity of the file system. With this accomplishment, Commission staff subsequently created a database of exempt positions organized by agency and functional title which greatly enhanced staff's ability to promptly and comprehensively research agency requests.

In the midst of the move, The Illinois Auditor General conducted its bi-annual compliance audit for fiscal years 2006 and 2007. The Commission was pleased to report that there were no findings – material or otherwise – as a result of their extensive review.

The Commission received an inquiry as to the extent of the general exemption provided under Section 4c(6) of the Personnel Code for “All employees of the Governor at the executive mansion and on his immediate personal staff.” Staff researched the issue and provided a report to the Commission on May 16, 2008 which the Commission accepted.

During the fall 2007 State and University Employees Combined Appeal (SECA) charitable campaign, the Civil Service Commission was proud to receive recognition for exceptional participation. Beckie Daniken, SECA coordinator, attended an awards luncheon held at the Governor's mansion to accept the award. For the second year in a row, there was 100% participation by both the Commission staff and Commissioners.

## **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 2008, the Commission was active in these areas as the following detailed report indicates.

## (1) REVIEW OF PERSONNEL RULES

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 2008, the Director of Central Management Services submitted one proposed amendment to the Personnel Rules as follows:

- Section 302.300 Probationary Status (Probationary Period)

After consideration, the Commission concurred with this amendment, as the changes were very minor and consisted of housekeeping issues.

## (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 2008, the Commission reviewed and acted on 42 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.

New Classes <u>Approved</u>	Revised Classes <u>Approved</u>	Abolished Classes <u>Approved</u>	Submitted Classes <u>Denied</u>
24	12	6	0

### **3) EXEMPTIONS OF PRINCIPAL POLICY POSITIONS**

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. Clarifications of these positions are evaluated to ensure that only positions that continue to qualify for exemption remain exempt. The Commission received a total of 79 exemption requests in fiscal year 2008. Of those, 65 were granted, eight were denied, and one was continued to the next fiscal year. Five were submitted and later withdrawn.

In addition, the Commission proactively addressed the issue of vacant exempt positions. Every month approximately 200 exempt positions remain unfilled for a variety of reasons. During the year, Commission staff reviewed with various agencies the need for the continued exemption of 102 of those positions that had been vacant the longest. While there were a number of different reasons offered, the overwhelming reason for the extended vacancies related to financial pressures on the agencies. Upon completion of the review and consideration by the Commission, 22 of these positions had their exempt status rescinded.

Set forth on the following page is the exemption activity for each agency. A breakdown of the Commission's actions for fiscal year 2008 follows on the succeeding pages.

**REPORT ON EXEMPT POSITIONS  
AS OF JUNE 30, 2008**

Agency	<u>Total Employees</u>	<u>No. of Exempt Positions</u>
Aging .....	165	9
Agriculture .....	517	16
Arts Council .....	21	2
Capitol Development Board.....	36	0
Central Management Services .....	1,506	106
Children and Family Services .....	3,177	48
Civil Service Commission .....	4	0
Commerce & Economic Opportunity .....	425	67
Commerce Commission.....	70	0
Corrections.....	11,652	113
Criminal Justice Authority .....	55	6
Deaf and Hard of Hearing Comm. ....	6	1
Developmental Disabilities Council .....	9	1
Emergency Management Agency .....	95	2
Employment Security.....	1,652	24
Environmental Protection Agency .....	1,012	19
Financial & Professional Regulation .....	742	49
Guardianship and Advocacy .....	109	7
Healthcare and Family Services.....	2,436	29
Historic Preservation Agency .....	253	12
Human Rights Commission .....	12	2
Human Rights Department.....	150	9
Human Services .....	14,697	68
Investment Board.....	3	2
Juvenile Justice .....	1,182	19
Labor.....	81	7
Labor Relations Board Educational .....	12	2
Labor Relations Board State .....	20	2
Law Enforcement Training & Standards Bd.....	20	1
Medical District Commission .....	2	0
Military Affairs .....	125	3
Natural Resources .....	1,631	22
Pollution Control Board.....	19	2
Prisoner Review Board .....	21	0
Property Tax Appeal Board .....	26	1
Public Health.....	1,136	38
Revenue .....	2,125	66
State Fire Marshal .....	155	12
State Police .....	1,433	6
State Police Merit Board.....	5	1
State Retirement Systems.....	81	1
Transportation .....	2,474	0
Veterans' Affairs.....	1,125	7
Workers' Compensation Commission .....	172	10
<b>TOTALS .....</b>	<b>50,649</b>	<b>792</b>

## EXEMPTION ACTIVITY BY AGENCY

Aging	1 Admin Assistant II exemption rescission denied 1 SPSA exemption rescission denied
Agriculture	1 SPSA exemption granted 1 SPSA exemption rescission denied 2 SPSA exemption rescissions granted
Central Management Services	2 SPSA exemptions granted 3 SPSA exemptions withdrawn 2 Admin Assistant II exemption rescissions denied 2 SPSA exemption rescissions granted
Children and Family Services	2 SPSA exemptions denied 2 PSA exemptions denied 5 SPSA exemptions granted 2 Admin Assistant II exemption rescissions denied 1 Medical Administrator exemption granted
Commerce and Economic Opportunity	2 SPSA exemptions granted 4 SPSA exemption rescissions denied
Corrections	1 SPSA exemption denied 9 SPSA exemptions granted 1 PSA exemption granted 1 Medical Administrator exemption granted 1 Admin Assistant II exemption withdrawn 2 SPSA exemption rescissions denied 1 SPSA exemption rescission granted
Emergency Management Agency	2 SPSA exemptions granted
Employment Security	1 SPSA exemption denied 1 SPSA exemption granted 2 SPSA exemption rescissions granted
Financial and Professional Regulation	7 SPSA exemptions granted 1 Medical Administrator exemption granted
Gaming Board	1 SPSA exemption rescission denied
Guardianship & Advocacy Commission	1 SPSA exemption granted 1 PSA exemption rescission granted

Healthcare and Family Services	1 SPSA exemption granted 1 SPSA exemption rescission granted
Human Rights	1 SPSA exemption denied 2 SPSA exemptions granted
Human Services	9 SPSA exemptions granted 1 SPSA exemption continued 1 SPSA exemption rescission granted
Investment Board	1 SPSA exemption rescission granted
Labor	2 SPSA exemption rescissions denied 1 SPSA exemption rescission granted
Juvenile Justice	1 SPSA exemption granted
Natural Resources	1 SPSA exemption granted 4 SPSA exemption rescissions granted 1 PSA exemption rescission granted
Pollution Control Board	1 SPSA exemption rescission granted
Property Tax Assessment Board	1 SPSA exemption rescission granted
Public Health	6 SPSA exemptions granted 2 SPSA exemption rescissions denied 1 Medical Administrator exemption rescission denied 1 Admin Assistant II exemption rescission denied
Revenue	1 SPSA exemption denied 7 SPSA exemptions granted 1 SPSA exemption withdrawn 2 SPSA exemption rescissions denied 1 Admin Assistant II exemption rescission denied 1 SPSA exemption rescission granted
State Fire Marshal	1 PSA exemption granted
State Retirement System	1 SPSA exemption granted
Transportation	1 SPSA exemption rescission granted
Veterans' Affairs	2 SPSA exemptions granted
Workers' Compensation Commission	1 SPSA exemption rescission denied 1 SPSA exemption rescission 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 2008. Two appeals resulted in a finding of no violation; one appeal was dismissed because of failure to appear at the hearing; one appeal was dismissed as the employee withdrew it; one appeal was dismissed due to 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.

The Commission has the authority to conduct reviews and audits of personnel activities as carried out by the Department of Central Management Services and other operating agencies and has done so in the past. It has been the practice of the Commission to conduct such audits sporadically and only with the resources remaining after it completes its other statutorily mandated responsibilities. These include hearing employee allocation and discharge appeals, investigating layoff appeals, and reviewing proposals made by the Director of Central Management Services for amendments to the Classification Plan or for exemption of principal policy positions. Given the Commission's existing resources, level of informal communication with Central Management Services, and the capacity for duplication that audits oftentimes accomplished, continuation of the agency audit program has not been a priority of the Commission over the past several years. With that in mind, the Commission did not conduct any audits in fiscal year 2008.

The Personnel Code also provides for appointments to state service in accordance with the principle 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 minutes. The minutes provide the number by agency.

July	172	January	88
August	162	February	104
September	118	March	87
October	46	April	45
November	37	May	80
December	88	June	80

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 OF 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 2008, the Commission rendered decisions in 32 discharge appeals. The Commission upheld nine discharges and imposed a suspension instead of discharge in five appeals. In two appeals, the Commission lost jurisdiction pursuant to a court ruling; two appeals were dismissed when the employee failed to appear at the scheduled hearing; four appeals were dismissed because they were settled; four appeals were dismissed due to 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 2008. Three were withdrawn; one was dismissed when the employee failed to appear at the scheduled hearing; 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 2008; one is under investigation and the other was dismissed as the employee withdrew it.

## **(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 did not receive a geographic transfer appeal during fiscal year 2008.

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 improperly allocated. 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 five allocation appeals during fiscal year 2008. Four appeals are currently under investigation and one was dismissed as it was not timely filed.

## **(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. No layoff appeals were filed during fiscal year 2008.

## **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 received one such request in fiscal year 2008. That request for a ruling is currently pending.

## **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 did not participate in any grievance committee meetings during fiscal year 2008.

## **TRAINING**

In order to properly administer the State's merit system, agency administrators must have knowledge and expertise in all areas of personnel. Dealing with problem employees is often the most intimidating and frustrating aspect of personnel administration. 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 2,483 persons with disabilities employed by executive agencies of the State of Illinois.

On April 29 and 30, 2008, the Interagency Committee on Employees with Disabilities sponsored a Legislative Reception and Annual Conference to address the issues that confront employees with disabilities.

## **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.

## **REPORT ON GREEN GOVERNMENTS ILLINOIS ACT**

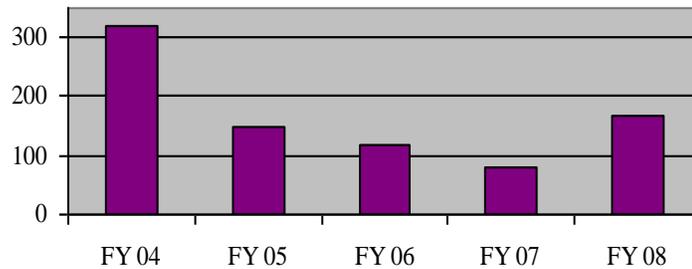
In recognition of the State's environmental and resource consumption impacts, and its potential to be a role model for private and public institutions, the Illinois General Assembly enacted the Green Governments Illinois Act (Public Act 95-0657, effective October 10, 2007). The Act builds on past efforts to improve the environmental and resource efficiency of government operations, starting with the creation of the Green Governments Coordinating Council.

During fiscal year 2008, the Civil Service Commission set sustainability goals and made a sustainability progress report for purchasing and office operations. The Commission was successful in reaching the goals which included reducing paper usage and solid waste, purchasing recycled paper and recycled toner cartridges, and raising employee awareness of sustainability concepts and goals. Strategies used in reaching these goals included a new policy of printing and copying on both sides of paper, and utilizing scanned documents whenever possible.

## TECHNICAL ACTIONS BY THE COMMISSION

	<u>FY 04</u>	<u>FY 05</u>	<u>FY 06</u>	<u>FY 07</u>	<u>FY 08</u>
<u>Class Specifications</u>					
Revisions Denied	0	0	0	0	0
New Classes Approved	5	15	8	2	24
Revised Classes Approved	42	15	32	8	12
Abolished Classes Approved	7	18	3	5	6
<b>TOTALS</b>	<b><u>54</u></b>	<b><u>48</u></b>	<b><u>43</u></b>	<b><u>15</u></b>	<b><u>42</u></b>
<u>4d(3) Exemptions</u>					
Exemptions Granted	199	87	56	44	65
Exemptions Denied	30	3	2	6	8
Exemptions Rescinded	0	1	9	1	22
Exemption Rescissions Denied	0	0	0	0	24
Exemption Requests Withdrawn	35	8	9	12	5
<b>TOTALS</b>	<b><u>264</u></b>	<b><u>99</u></b>	<b><u>76</u></b>	<b><u>63</u></b>	<b><u>124</u></b>
<b>TOTAL TECHNICAL ACTIONS</b>	<b><u>318</u></b>	<b><u>147</u></b>	<b><u>119</u></b>	<b><u>78</u></b>	<b><u>166</u></b>

### TECHNICAL ACTIONS



## **CHARGES FOR DISCHARGE AND SUSPENSION<sup>1</sup>**

Conduct unbecoming a State employee .....	17
Conducting an unauthorized investigation .....	1
Exempt/probationary employee discharge .....	5
Failure to follow procedures, regulations, rules or supervisory directives.....	7
Falsification of documents, records or other information .....	10
Insubordination.....	1
Negligent performance of duties/incompetence .....	3
Misuse of e-mail, state computer or other state property .....	7
Preferential treatment of employee .....	1
Refusal to cooperate with an investigation.....	1
Sleeping on the job .....	1
Suspension pending discharge.....	1
Unauthorized absences/tardiness .....	7
Workplace violence or threats of violence .....	<u>3</u>
TOTAL CHARGES .....	65

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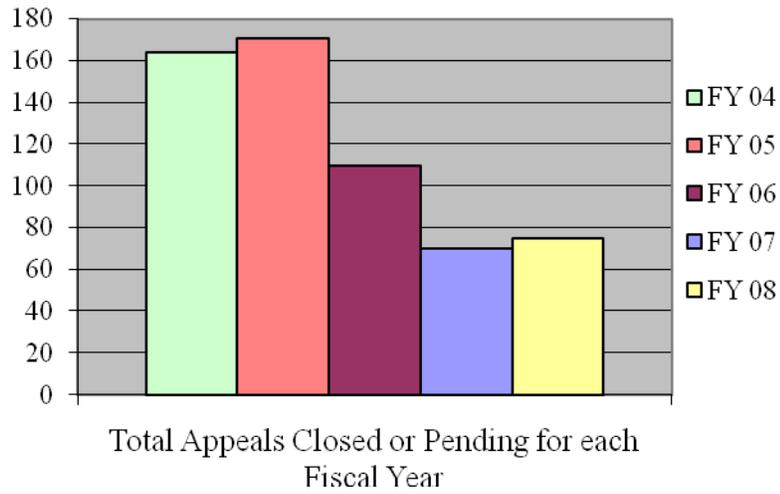
<sup>1</sup> The total exceeds the number of employees discharged and suspended because multiple charges were made against some employees.

## DECISIONS OF THE COMMISSION IN APPEALS

A. <u>Substantive Actions by the Commission</u>	<u>FY04</u>	<u>FY05</u>	<u>FY06</u>	<u>FY07</u>	<u>FY08</u>
Appeals granted:					
Employees reinstated with suspension	8	7	9	2	5
Employees reinstated without suspension	34	2	2	2	0
Layoff appeal granted	0	2	2	0	0
Suspension invalidated in part	0	1	1	1	0
Rule Violation appeal granted	1	1	0	1	1
<b><u>Total</u></b>	<b><u>43</u></b>	<b><u>13</u></b>	<b><u>14</u></b>	<b><u>6</u></b>	<b><u>6</u></b>
Appeals denied:					
Discharge appeal denied	11	14	4	10	9
Position Allocation denied	1	0	1	1	1
Layoff appeal denied	5	50	27	0	0
Geographical Transfer appeal denied	1	0	0	1	0
Suspension appeal denied	0	1	1	1	1
Rule Violation appeal denied	1	1	2	3	2
Declaratory Ruling	0	1	0	0	0
<b><u>Total</u></b>	<b><u>19</u></b>	<b><u>67</u></b>	<b><u>35</u></b>	<b><u>16</u></b>	<b><u>13</u></b>
<b>Total Substantive Actions by the Commission</b>	<b>62</b>	<b>80</b>	<b>49</b>	<b>22</b>	<b>19</b>
B. <u>Appeals Dismissed Without Decision</u> <sup>2</sup>					
Discharges	23	28	19	19	18
Demotions	0	0	0	2	1
Position allocations	0	1	0	0	1
Layoff appeals	0	6	5	1	0
Geographical Transfers	2	0	0	0	0
Suspensions	0	1	5	3	4
Rule Violations	0	0	6	2	3
<b><u>Total</u></b>	<b><u>25</u></b>	<b><u>36</u></b>	<b><u>35</u></b>	<b><u>27</u></b>	<b><u>27</u></b>
C. <u>Appeals Pending at end of Fiscal Year</u>	77	55	26	21	29
D. <u>Total Appeals Closed or Pending at end of Fiscal Year</u>	164	171	110	70	75

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

## COMMISSION WORKLOAD

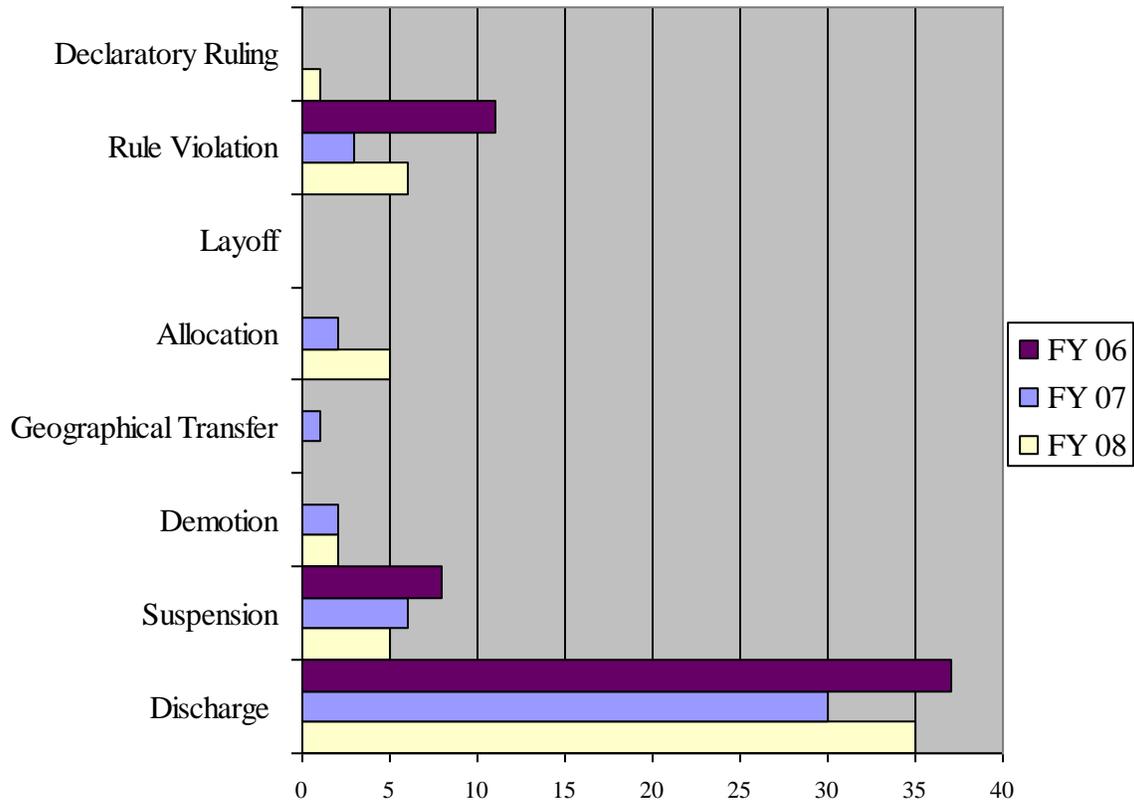


## APPEALS FILED BY TYPE

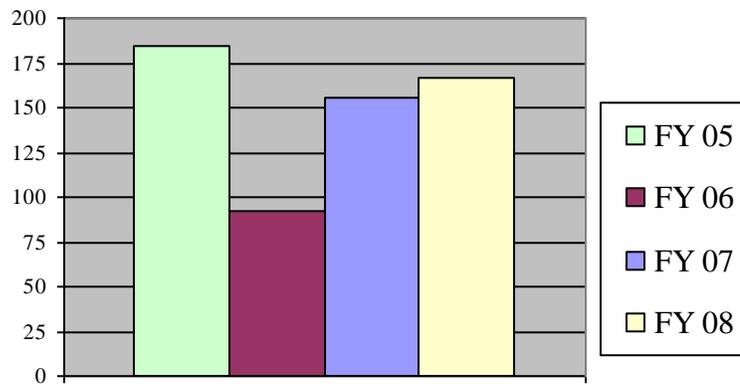
The following is a summary of appeals filed with the Commission by type during fiscal year 2008, along with a comparison chart for the past two fiscal years:

Discharge	35
Suspension	5
Demotion	2
Geographical Transfer	0
Allocation	5
Layoff	0
Rule Violation	6
Declaratory Ruling	1

### APPEALS FILED BY TYPE: CHART



### AVERAGE PROCESSING TIME



Time calculated from date filed (or remanded) to date of recommended decision or proposed finding.

This data reflects the processing time for appeals that were concluded during fiscal year 2008. As of June 30, 2008 there were no appeals pending from previous years.

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