

ILLINOIS CIVIL SERVICE COMMISSION

ANNUAL REPORT FOR

FISCAL YEAR 2011



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 Patrick J. Quinn
State of Illinois
Springfield, Illinois 62706

Dear Governor Quinn:

We submit this report to you, to the members of the General Assembly, and to the citizens of Illinois. It is the Commission's 99th Annual Report and covers the period of July 1, 2010 through June 30, 2011. 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, Commissioner

Handwritten signature of Barbara J. Peterson in black ink.

Barbara J. Peterson, Commissioner

Handwritten signature of Betty A. Bukraba in black ink.

Betty A. Bukraba, Commissioner

Handwritten signature of Ares G. Dalianis in black ink.

Ares G. Dalianis, Commissioner

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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, being a long-time resident of Will County, has worked on many local and county civic projects. With her husband Charles, she 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, nine grandchildren, and two great-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 Radelet 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 was a member of his local Board of Education. He earned both his undergraduate and law degrees from the University of Illinois at Urbana-Champaign and has completed the Chicago Management Institute at the University of Chicago Booth School of Business. Ares was appointed to the Commission in March of 2007.

OVERVIEW

The Civil Service Commission began the year with an approved budget of \$369,200. This represented a 5% decrease from the previous year's appropriation. The Commission has continued its practice over the years of prudent fiscal stewardship. In seven of the last ten years, the Commission has reduced its appropriation. The end result is that the Commission's appropriation for 2011 represents an overall 18% decrease over this period of time.

The most impactful event in 2011 was the expansion of the furlough program. As all of the Commission's four employees are merit comp positions, each was now obligated to take 24 unpaid furlough days (or substitute earned vacation days) in 2011. The effect of the program was mostly felt in an ongoing struggle to ensure that the Commission's office was staffed during normal working hours, and in the time it took to close out appeals. Average processing time jumped from 172 days in 2010 to 218 days in 2011. Though there were operational hardships at times, the Commission continued to meet its statutory responsibilities. The net financial benefit to the State from the furlough program was \$20,561.

On May 11, 2011, the Legislative Audit Commission accepted without any further formal proceedings the Auditor General's Management audit of Exemptions Granted by the Civil Service Commission. This report had found that the Commission's granting of 50 test exemptions was consistent with State law.

After operating without a fiscal officer for six weeks, Brian Collins joined the Commission in this capacity on August 16, 2010. Brian's previous fiscal experience with the Department of Healthcare and Family Services proved beneficial in his transition.

Lastly, the Commission again received an award for Exceptional Giving from SECA in recognition of the charitable contributions of the Commissioners and employees in 2010. Executive Secretary Beckie Daniken coordinates these efforts for the Commission.

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 2011, 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 2011, the Director of Central Management Services submitted proposed amendments to four sections of the Personnel Rules as follows:

- Section 303.120 Furlough Program
- Section 303.125 Leave for Personal Business
- Section 303.250 Vacation Eligibility
- Section 302.270 Vacation Schedule & Loss of Earned Vacation

After consideration, the Commission concurred with these amendments.

(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 2011, the Commission reviewed and acted on 14 amendments to the classification plan. There was one revision to a class specification that the Commission did not approve: Sewage Plant Operator.

New Classes Approved:	5
Revised Classes Approved:	8
Revised Class not approved:	1

(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.

The Commission acts by approving or denying exemption requests recommended by the Director. 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 60 exemption requests in fiscal year 2011. Of those, 52 were granted exemption (14 of those were granted for periods ranging from six months to two years) and 8 were denied.

There were a total of 48 4d(3) exempt positions that were considered for rescission of exemption for various reasons, including extended vacancies, and agency responses to the Auditor General's survey (circulated as part of its Management Audit) that indicated exempt positions were either no longer needed or no longer met the requirements for exemption. Of those 48 positions, 18 had their exemptions rescinded and 30 of the proposed rescissions were denied (not rescinded).

REPORT ON EXEMPT POSITIONS AS OF JUNE 30, 2011¹

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging	144.....	10
Agriculture.....	421.....	17
Arts Council.....	19.....	2
Capitol Development Board	46.....	0
Central Management Services	1,381.....	112
Children and Family Services	2,899.....	49
Civil Service Commission	4.....	0
Commerce & Economic Opportunity	419.....	66
Commerce Commission.....	79.....	0
Corrections.....	11,879.....	103
Criminal Justice Authority	62.....	5
Deaf and Hard of Hearing Comm.	8.....	1
Developmental Disabilities Council	9.....	1
Emergency Management Agency	88.....	7
Employment Security.....	1,884.....	29
Environmental Protection Agency	882.....	16
Financial & Professional Regulation	468.....	41
Gaming Board.....	108.....	5
Guardianship and Advocacy	104.....	7
Healthcare and Family Services.....	2,256.....	25
Historic Preservation Agency	183.....	9
Human Rights Commission	14.....	2
Human Rights Department	146.....	8
Human Services	13,640.....	77
Illinois Torture Inquiry Relief Commission.....	2.....	1
Insurance.....	252.....	12
Investment Board.....	3.....	1
Juvenile Justice	1,274.....	20
Labor.....	79.....	7
Labor Relations Board Educational	12.....	2
Labor Relations Board State	16.....	2
Law Enforcement Training & Standards Bd.....	18.....	2
Medical District Commission	2.....	0
Military Affairs	121.....	3
Natural Resources	1,214.....	26
Pollution Control Board.....	21.....	1
Prisoner Review Board	19.....	0
Property Tax Appeal Board	28.....	1
Public Health.....	1,083.....	40
Racing Board	2.....	0
Revenue	2,041.....	57
State Fire Marshal	137.....	12
State Police	1,268.....	4
State Police Merit Board.....	5.....	1
State Retirement Systems	85.....	2
Transportation.....	2,356.....	0
Veterans' Affairs.....	1,282.....	8
Workers' Compensation Commission	173.....	8
TOTALS	48,636.....	802

¹ This report is generated by the Illinois Department of Central Management Services.

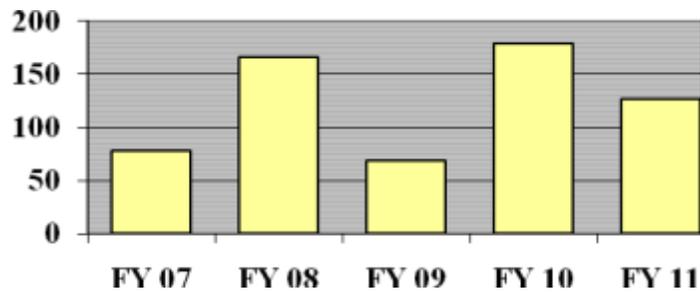
EXEMPTION ACTIVITY BY AGENCY

Aging	1 exemption rescinded
Agriculture	1 exemption denied 1 exemption granted 1 exemption rescinded 1 exemption rescission denied
Central Management Services	1 exempt position abolished 3 exemptions denied 4 exemptions granted 6 exemptions granted for 24 months 1 exemption rescission denied
Children and Family Services	3 exemptions denied 1 exemption granted
Commerce and Economic Opportunity	3 exemptions granted 2 exemptions rescinded 2 exemption rescissions denied
Corrections	1 exempt position abolished 1 exemption granted 5 exemption rescissions denied
Emergency Management Agency	2 exemptions granted for 6 months 2 exemptions granted for 12 months
Environmental Protection Agency	1 exemption rescinded
Financial and Professional Regulation	1 exemption granted to January 1, 2012 2 exemption rescissions denied
Healthcare and Family Services	2 exemptions granted
Human Services	1 exempt position abolished 6 exemptions granted 4 exemptions rescinded 2 exemption rescissions denied
Illinois Power Agency	2 exemptions granted
Insurance	1 exemption granted for 24 months
Juvenile Justice	2 exemptions granted 1 exemption rescinded 5 exemption rescissions denied

Natural Resources	1 exempt position abolished 5 exemptions granted 1 exemption rescinded
Public Health	2 exemptions granted 4 exemptions rescinded 2 exemption rescissions denied
Revenue	1 exempt position abolished 1 exemption denied 5 exemptions granted 1 exemption rescinded 3 exemption rescissions denied
Sentencing Policy Advisory Counsel	2 exemptions granted to December 31, 2012
State Fire Marshal	7 exemption rescissions denied
State Police	1 exemption granted 1 exemption rescinded
Torture Inquiry & Relief Commission	1 exemption granted
Veterans' Affairs	1 exemption granted
Workers' Compensation Commission	1 exemption granted 1 exemption rescinded

TECHNICAL ACTIONS BY THE COMMISSION

	<u>FY 07</u>	<u>FY 08</u>	<u>FY 09</u>	<u>FY 10</u>	<u>FY 11</u>
<u>Class Specifications</u>					
Revisions Not Approved	0	0	0	0	1
New Classes Approved	2	24	9	12	5
Revised Classes Approved	8	12	15	27	8
Abolished Classes Approved	5	6	6	0	0
TOTALS	<u>15</u>	<u>42</u>	<u>30</u>	<u>39</u>	<u>14</u>
 <u>4d(3) Exemptions</u>					
Exemption Requests Granted	44	65	30	30	52
Exemption Requests Denied	6	8	1	0	8
Exemption Requests Withdrawn	12	5	8	4	0
Exemptions Rescinded	1	22	0	46	18
Exemption Rescissions Denied	0	24	0	41	30
Exempt Positions Abolished ²				19	5
TOTALS	<u>63</u>	<u>124</u>	<u>39</u>	<u>140</u>	<u>113</u>
TOTAL TECHNICAL ACTIONS	<u>78</u>	<u>166</u>	<u>69</u>	<u>179</u>	<u>127</u>



² This statistic was added to the annual report as recommended in the Auditor General's Management Audit of Exemptions Granted by the Civil Service Commission.

(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 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 statute and/or its implementing rules. There were nine decisions rendered on appeals of Personnel Code and/or Rule violation allegations in fiscal year 2011. Two appeals resulted in findings of violations of Section 303.20 and Section 303.30 of the Personnel Rules when employees were denied the opportunity to grieve at the Step 4 level; three appeals resulted in a finding of no violation; four appeals were dismissed for no jurisdiction, untimely filing, or failure to provide information requested by the Commission. As of June 30, 2011 there were eight rule violation appeals pending.

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. These numbers clearly reflect a nexus between the State's declining fiscal condition and a corresponding reduction in non-merit appointments. The Commission's monthly Minutes provide the number by agency.

July	12	January	48
August	11	February	33
September	9	March	26
October	21	April	26
November	14	May	33
December	18	June	56

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 the employee committed the alleged infractions and that discharge is the appropriate discipline.

In fiscal year 2011, the Commission rendered decisions in 48 discharge appeals. The Commission imposed a suspension instead of discharge in nine appeals, reinstated two employees without suspension, and denied twenty appeals (upheld the discharge). One appeal was dismissed when the employee failed to appear at a scheduled hearing, one appeal was dismissed due to no jurisdiction, and fifteen appeals were withdrawn or settled. There were fourteen pending discharge appeals at June 30, 2011.

There were four decisions in appeals of suspension over thirty days in a twelve-month period during fiscal year 2011. Three appeals were dismissed because they were withdrawn or settled. One appeal was dismissed due to no jurisdiction. At June 30, 2011 there was one pending suspension appeal.

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. There was one decision for dismissal made on a demotion appeal where the employee failed to appear at the scheduled hearing.

CHARGES FOR DISCHARGE AND SUSPENSION³

Brought contraband into penal institution.....	6
Conduct unbecoming a State employee.....	12
Exempt/probationary employee discharge.....	3
Failure to follow procedures, regulations, rules or supervisory directives.....	16
Falsification of documents or providing false information.....	11
Misuse of e-mail, state computer or other state property.....	4
Sleeping on duty	3
Unauthorized absences, failure to return from leave, tardiness	16
Workplace violence, threats of violence, or physical/mental abuse	4
TOTAL CHARGES	75

(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. There were two decisions made during fiscal year 2011. Both were dismissed; one because it was withdrawn and one for lack of jurisdiction. As of June 30, 2011 there were no Geographical Transfer appeals pending.

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. There were no pending or filed allocation appeals, so the Commission made no decisions on allocation appeals in fiscal year 2011.

(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 proposal for decision is issued by staff and submitted to the employee and agency. If adopted by the Commission, the decision becomes a final administrative decision. The Commission made three decisions during fiscal year 2011; two were dismissed when the employees did not appear at a scheduled in-person status conference and one had a decision of no violation found. There were no pending layoff appeals as of June 30, 2011.

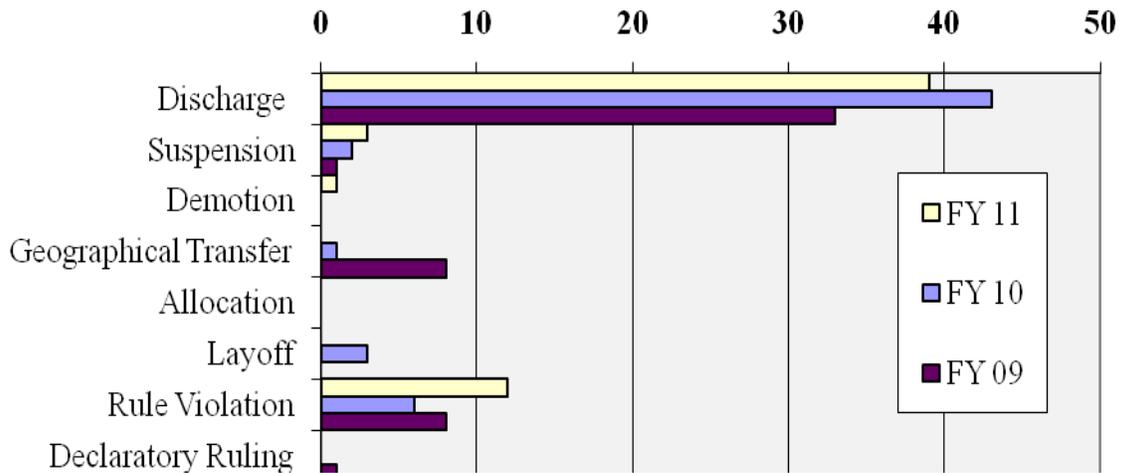
³ The total exceeds the number of employees discharged and suspended because multiple charges were made against some employees.

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. No requests for Declaratory Ruling were received in fiscal year 2011.

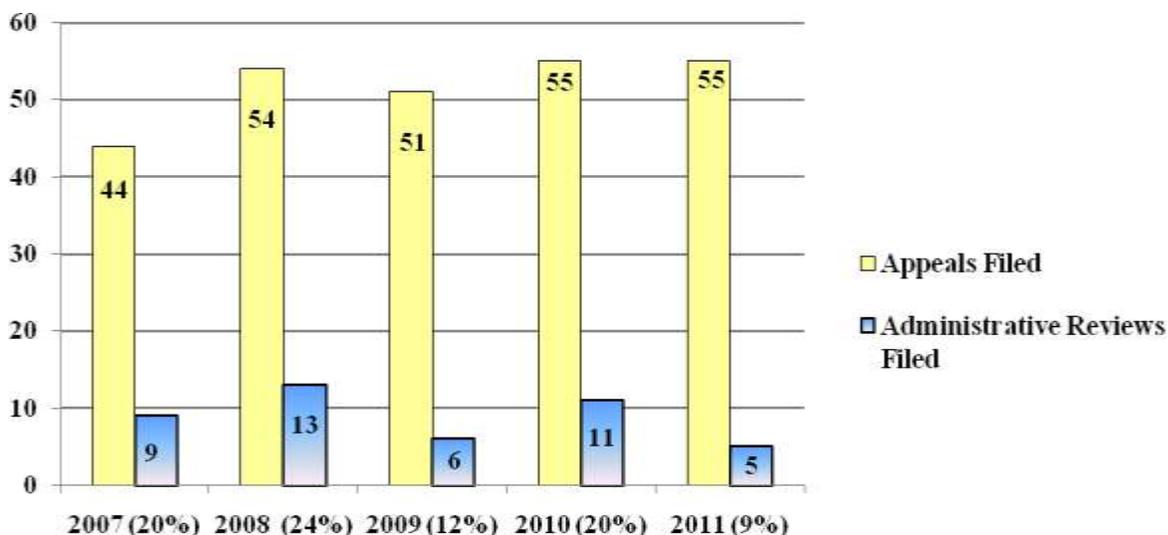
APPEALS FILED BY TYPE FOR THREE YEARS ENDED JUNE 30, 2011

	2009	2010	2011
Discharge	33	43	39
Suspension	1	2	3
Demotion	0	0	1
Geographical Transfer	8	1	0
Allocation	0	0	0
Layoff	0	3	0
Rule Violation	8	6	12
Declaratory Ruling	1	0	0
Totals	51	55	55



ADMINISTRATIVE REVIEWS

Parties that wish to appeal decisions of the Commission may do so in accordance with the provisions of the Administrative Review Law (735 ILCS 5/Art. III). The following chart shows the number of appeals filed for each fiscal year as well as the number of Administrative Reviews filed for each fiscal year. For example, if an appeal was filed during fiscal year 2007 and one of the parties filed for Administrative Review during fiscal year 2011, the statistic will be counted for fiscal year 2007.



The following table shows the results and current status of Administrative Reviews that were filed for fiscal years 2007 through 2011. This table shows Administrative Reviews by the year the appeal was filed, not by the year a court decision is ultimately rendered.

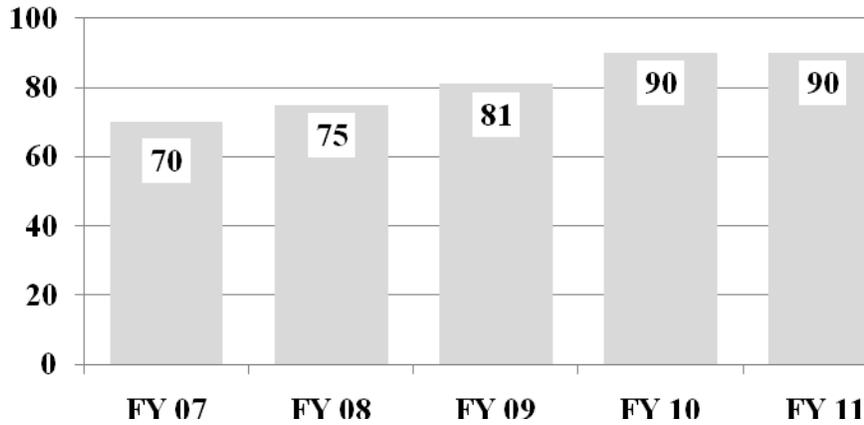
	2007	2008	2009	2010	2011
Commission upheld in Circuit Court	6	9	5	4	0
Commission reversed in Circuit Court	1	1	0	1	0
Commission upheld in Appellate Court	2	0	2	0	0
Commission reversed in Appellate Court	1	1	0	0	0
Remanded to Civil Service Commission	0	2	0	0	0
Pending as of June 30, 2011	2	2	1	6	5

DECISIONS OF THE COMMISSION IN APPEALS

A. <u>Substantive Actions by the Commission</u>	<u>FY 07</u>	<u>FY 08</u>	<u>FY 09</u>	<u>FY 10</u>	<u>FY 11</u>
Appeals granted:					
Employees reinstated with suspension	2	5	9	10	9
Employees reinstated with no suspension	2	0	3	1	2
Layoff appeal granted	0	0	0	0	0
Suspension invalidated in part	1	0	0	0	0
Rule Violation appeal granted	1	1	1	2	2
Declaratory Ruling granted	0	0	1	0	0
<u>Total</u>	<u>6</u>	<u>6</u>	<u>14</u>	<u>13</u>	<u>13</u>
Appeals denied:					
Discharge appeal denied	10	9	7	8	20
Position Allocation denied	1	1	4	0	0
Layoff appeal denied	0	0	0	0	1
Geographical Transfer appeal denied	1	0	0	0	0
Suspension appeal denied	1	1	1	1	0
Rule Violation appeal denied	3	2	0	4	3
Declaratory Ruling	0	0	0	1	0
<u>Total</u>	<u>16</u>	<u>13</u>	<u>12</u>	<u>14</u>	<u>24</u>
Total Substantive Actions by the Commission	22	19	26	27	37
B. <u>Appeals dismissed with no decision on the merits</u> ⁴					
Discharges	19	18	17	16	17
Demotions	2	1	1	0	1
Position allocations	0	1	0	0	0
Layoff appeals	1	0	0	0	2
Geographical Transfers	0	0	1	6	2
Suspensions	3	4	0	1	4
Rule Violations	2	3	1	4	4
<u>Total</u>	<u>27</u>	<u>27</u>	<u>20</u>	<u>27</u>	<u>30</u>
C. <u>Appeals Pending at end of Fiscal Year</u>	21	29	35	36	23
D. <u>Total Appeals Closed or Pending at end of Fiscal Year</u>	70	75	81	90	90

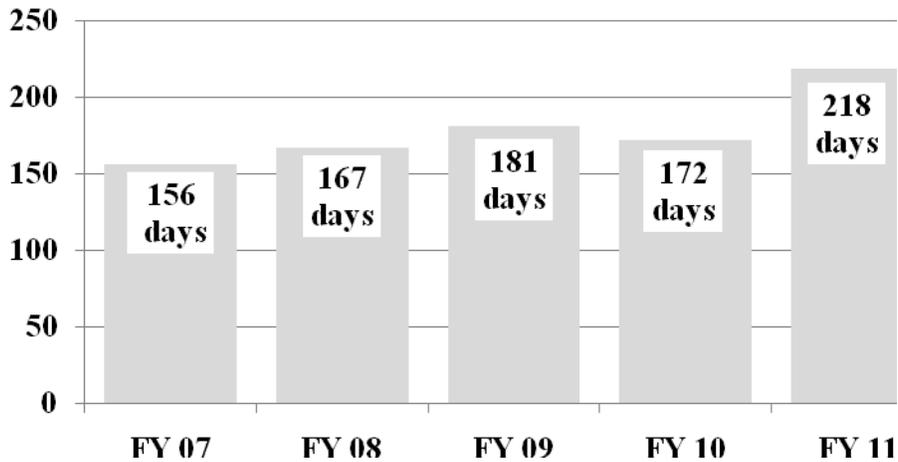
⁴ Includes appeals dismissed due to granting Motions to Dismiss, settlement, withdrawal, default (failure to appear or failure to respond to Commission inquiry) or lack of jurisdiction.

COMMISSION WORKLOAD
Total Appeals Closed or Pending for each Fiscal Year



The chart below reflects the processing time for appeals that were concluded during fiscal year 2011. As of June 30, 2011, there were a total of twenty three appeals pending, with three of those from previous years. The average processing time for the fiscal years 2007 through 2009 is calculated from the date the appeal was filed to the date the recommended decision or proposed finding was filed. Beginning in fiscal year 2010 the time is calculated from the date the appeal was filed to the date the final decision of the Commission was rendered. The calculation was changed so that the processing time reported in the annual report would be consistent with the time reported on the Public Accountability Report issued by the Office of the Comptroller.

AVERAGE PROCESSING TIME



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. The Director of Central Management Services did not schedule grievance committee meetings during fiscal year 2011.

TRAINING

In order to 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.

INTERAGENCY COMMITTEE ON EMPLOYEES WITH DISABILITIES

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 disability awareness events throughout the year to address the diverse issues and concerns of the persons with disabilities employed by executive agencies of the State of Illinois. On April 27, 2011, the Interagency Committee on Employees with Disabilities sponsored a reception 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.

REPORT ON GREEN GOVERNMENTS ILLINOIS ACT

The Civil Service Commission continues to be successful in reducing paper usage and solid waste by printing on both sides of paper, recycling used paper, and utilizing e-mail and scanned documents wherever possible. We purchase paper with recycled content and use recycled toner cartridges. In response to the Green IT Challenge, we have reduced the total number of imaging devices in operation by 12.5 per cent this year.

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