

ILLINOIS CIVIL SERVICE COMMISSION

ANNUAL REPORT FOR

FISCAL YEAR 2012



Chris Kolker, Chairman
Anita M. Cummings, Commissioner
Ares G. Dalianis, Commissioner
Garrett P. FitzGerald, Commissioner
Susan Moylan Krey, Commissioner

Daniel Stralka
Executive Director



Daniel Stralka
EXECUTIVE DIRECTOR

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Chris Kolker
CHAIRMAN

COMMISSIONERS
Anita M. Cummings
Ares G. Dalianis
Garrett P. FitzGerald
Susan Moylan Krey

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 100th Annual Report and covers the period of July 1, 2011 through June 30, 2012. 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 Anita M. Cummings in black ink.
Anita M. Cummings, CommissionerHandwritten signature of Ares G. Dalianis in black ink.
Ares G. Dalianis, CommissionerHandwritten signature of Garrett P. FitzGerald in black ink.
Garrett P. FitzGerald, CommissionerHandwritten signature of Susan Moylan Krey in black ink.
Susan Moylan Krey, 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, 2017
Anita M. Cummings, Commissioner	March 1, 2017
Ares G. Dalianis, Commissioner	March 1, 2013
Garrett P. FitzGerald, Commissioner	March 1, 2015
Susan Moylan Krey, Commissioner	March 1, 2017

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.

Anita M. Cummings

Anita Cummings is the owner of A M Consulting, Inc. an independent consulting practice specializing in professional management assistance since 1984. While her present work concentrates on economic development projects, her career began in the area of human resources. In that capacity, she coordinated and implemented the recruiting, testing, and staffing of Midway Airlines' first 350 employees, as well as the start-up of several other Airlines based at the growing Midway Airport, continuously focusing on personnel issues.

Ms. Cummings was a Commissioner of the Chicago Park District for almost ten years, serving as the Chair of its Personnel Committee. Other prior significant Board appointments include: Metropolitan Pier and Exposition Authority, Interim Board; Southwest Home Equity Assurance Program, Chairman of the Board and Personnel Committee Chair; Midway Airport Terminal Development Program (Community Hiring Initiative Board); Neighborspace, Board of Directors.

Ms. Cummings has held numerous leadership positions in the Southwest community. As a founder of the United Business Association of Midway, she has promoted economic growth and job development in the Midway Airport area since 1979. She is presently the Executive Director of both the United Business Association of Midway and the Chicago/Midway-Clearing Main Street project. Ms. Cummings is a graduate of DePaul University, a former Chicago Public school teacher, and a long time resident of the southwest side of Chicago.

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.

Garrett P. FitzGerald

Garrett P. FitzGerald is the Executive Director of the Northcenter Chamber of Commerce and the Chief Executive Officer of the Northwest Community Corporation. Both are non-profit corporations developing business districts and communities in Illinois.

Garrett currently serves as a Board Member and was the past Treasurer at Neumann Family Services. He also was the 4th Congressional District Representative on the Citizens Utility Board. Garrett previously served as an elected member of A.G. Bell Elementary School's Local School Council and on St. Benedict High School's Board. Prior to entering the non-profit field Garrett FitzGerald worked for the Chicago City Council and the Cook County Board of Commissioners. His diverse background has exposed him to many issues in the field of public employment. Garrett and his family reside on the Northwest side of Chicago.

Susan Moylan Krey

Susan was born in Chicago and attended Northeastern Illinois University. Attending Oakton Community College to obtain her real estate license, she has been a Realtor/Broker since 1989. She was elected Maine Township Collector in 2005, appointed Maine Township Trustee in 2007, and elected Township Trustee in 2009. Also since 2009, she has served on the Des Plaines Library Board of Trustees as Vice-President. While in these positions, Susan has participated in numerous personnel matters impacting public employees.

Active in the community, Susan has been the Coordinator for her Township's National Night Out Against Crime and a liaison to the Township's Neighborhood Watch. She helped establish the Sgt. Karan Ladar Memorial Good Citizen Award in 2010. Along with her husband, Kevin, she now resides in Des Plaines. They have five children and twelve grandchildren, all of whom live in the State of Illinois.

OVERVIEW

The Civil Service Commission began the year with an approved budget of \$302,789. This represented an 18% decrease from the Commission's request which was slightly less than the previous year's appropriation. Due to this drastic reduction, the Commission was forced to proceed with a layoff plan for one of its four employees. Fortunately, a reallocation was passed on December 19, 2011 which increased the appropriation to \$354,789, allowing the layoff plan to be rescinded.

Even with the reallocation, this represented a 4% decrease from the previous year's appropriation. As a result, expenditures were closely monitored throughout the year. Any purchase that could be deferred, was. Thanks to a series of appropriation transfers late in the fiscal year, the Commission was able to meet its fiscal obligations and lapsed \$301.50 back to the State (compared to \$28,783.28 the previous fiscal year, \$20,561 of which was attributable to the mandatory furlough day program).

The Commission has prudently managed its appropriation. It has reduced its requested appropriation in seven of the last ten years. Overall, it has reduced its appropriation almost 22% over the last ten years. The Commission has continued to meet its statutory responsibilities and service a caseload that has remained constant throughout this period of time.

The passage of HB2972 on August 26, 2011 led to a number of personnel changes on the Commission.

Commissioners Barbara J. Peterson, Raymond W. Ewell and Betty A. Bukraba concluded a combined 30 years of commendable service to the Civil Service Commission. At its December 16, 2011 meeting the Commission passed a resolution of appreciation for their service to the Commission.

Governor Pat Quinn made the following new appointments to the Civil Service Commission during the fiscal year:

Garrett P. FitzGerald on October 28, 2011 for a term that expires on March 1, 2015
Susan Moylan Krey on October 28, 2011 for a term that expires on March 1, 2017
Anita M. Cummings on March 12, 2012 for a term that expires on March 1, 2017

The Commission's internal Personnel Policy was updated and reissued effective May 16, 2012.

The Auditor General conducted its bi-annual compliance audit for fiscal years 2010 and 2011. The Commission is again pleased to report that there were no findings as a result of their extensive review.

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 2012, 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 2012, the Director of Central Management Services submitted proposed amendments to four sections of the Personnel Rules as follows:

- Section 2650.10, SECA Advisory Board
- Section 302.30, Veterans' Preference
- Section 303.165 et seq., Family Military Leave Act, Civil Air Patrol Leave, and Disaster Service Leave with Pay
- Section 305.290, Extensions of Jurisdiction

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 2012, the Commission reviewed and acted on 19 amendments to the classification plan

New Classes Approved:	10
Revised Classes Approved:	7
Classifications Abolished:	2

(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 46 exemption requests in fiscal year 2012. Of those, 40 were granted exemption (six of those were granted for periods ranging from six months to two years) two were denied and four were withdrawn.

There were a total of 51 4d(3) exempt positions that were considered for rescission of exemption for various reasons, including extended vacancies, Lottery privatization, and Public Act 96-795 pertaining to Purchasing. Of those 51 positions, 12 had their exemptions rescinded and 39 of the proposed rescissions were denied (not rescinded).

REPORT ON EXEMPT POSITIONS AT JUNE 30, 2012¹

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	132.....	11
Agriculture	343.....	16
Arts Council	18.....	2
Capitol Development Board.....	43.....	0
Central Management Services.....	1,556.....	113
Children and Family Services	2,842.....	50
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	393.....	68
Commerce Commission	73.....	0
Corrections.....	11,164.....	105
Criminal Justice Authority	60.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	7.....	1
Emergency Management Agency.....	89.....	6
Employment Security	1,796.....	27
Environmental Protection Agency.....	839.....	16
Financial & Professional Regulation.....	456.....	42
Gaming Board	129.....	5
Guardianship and Advocacy	101.....	7
Healthcare and Family Services	2,050.....	25
Historic Preservation Agency.....	169.....	11
Human Rights Commission.....	14.....	2
Human Rights Department.....	140.....	8
Human Services	12,437.....	76
Illinois Sentencing Policy Advisory Council.....	2.....	2
Illinois Torture Inquiry Relief Commission	2.....	1
Insurance	247.....	13
Investment Board	2.....	1
Juvenile Justice.....	1,219.....	21
Labor	92.....	9
Labor Relations Board Educational.....	11.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd.	17.....	2
Lottery.....	151.....	7
Military Affairs	122.....	3
Natural Resources	1,095.....	28
Pollution Control Board	21.....	1
Prisoner Review Board.....	20.....	0
Property Tax Appeal Board.....	28.....	1
Public Health.....	1,061.....	41
Racing Board.....	2.....	1
Revenue.....	1,627.....	51
State Fire Marshal	128.....	12
State Police.....	1,173.....	6
State Police Merit Board	5.....	1
State Retirement Systems.....	95.....	2
Transportation	2,260.....	0
Veterans' Affairs.....	1,254.....	9
Workers' Compensation Commission.....	133.....	8
TOTALS	45,646.....	821

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

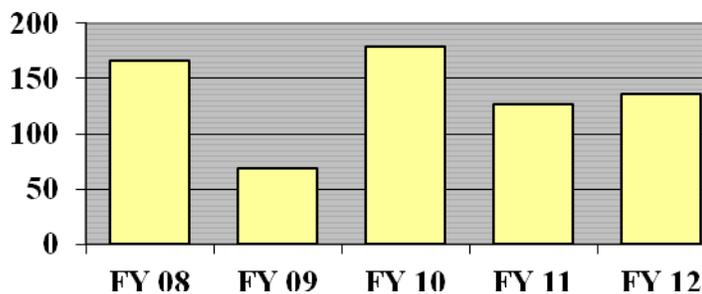
EXEMPTION ACTIVITY BY AGENCY

Aging	1 exemption granted
Agriculture	1 exemption granted
Capital Development Board	1 exemption request withdrawn
Central Management Services	2 exempt positions abolished 2 exemptions granted 1 exemption rescinded 17 exemption rescissions denied 1 exemption request withdrawn
Children and Family Services	2 exemptions denied 2 exemptions granted 1 exemption rescinded
Commerce and Economic Opportunity	2 exempt positions abolished 1 exemption granted 1 exemption granted for 12 months 5 exemption rescissions denied 1 exemption request withdrawn
Corrections	2 exempt positions abolished 2 exemptions granted 7 exemption rescissions denied
Emergency Management Agency	2 exemptions granted for 6 months 1 exemption request withdrawn
Employment Security	4 exempt positions abolished 2 exemptions granted
Financial and Professional Regulation	1 exemption granted
Healthcare and Family Services	2 exemptions rescinded
Historic Preservation Agency	1 exempt position abolished 4 exemptions granted 1 exemption rescinded
Human Services	2 exemptions granted 2 exemptions rescinded 2 exemption rescissions denied
Insurance	1 exemption granted 1 exemption granted for 2 years

Juvenile Justice	1 exemption granted 5 exemption rescissions denied
Labor	4 exemptions granted
Lottery	4 exempt positions abolished 4 exemptions granted
Natural Resources	1 exemption granted 1 exemption rescinded
Power Agency	2 exempt positions abolished
Public Health	1 exempt position abolished
Racing Board	1 exemption granted
Revenue	1 exempt position abolished 1 exemption granted 2 exemptions granted for 2 years 3 exemptions rescinded 1 exemption rescission denied
State Police	1 exempt position abolished 2 exemptions granted 1 exemption rescinded
Veterans' Affairs	1 exemption granted
Workers' Compensation Commission	2 exemption rescissions denied

TECHNICAL ACTIONS BY THE COMMISSION

	<u>FY 08</u>	<u>FY 09</u>	<u>FY 10</u>	<u>FY 11</u>	<u>FY 12</u>
<u>Class Specifications</u>					
Revisions Not Approved	0	0	0	1	0
New Classes Approved	24	9	12	5	10
Revised Classes Approved	12	15	27	8	7
Abolished Classes Approved	<u>6</u>	<u>6</u>	<u>0</u>	<u>0</u>	<u>2</u>
TOTALS	<u>42</u>	<u>30</u>	<u>39</u>	<u>14</u>	<u>19</u>
<u>4d(3) Exemptions</u>					
Exemption Requests Granted	65	30	30	52	40
Exemption Requests Denied	8	1	0	8	2
Exemption Requests Withdrawn	5	8	4	0	4
Exemptions Rescinded	22	0	46	18	12
Exemption Rescissions Denied	<u>24</u>	<u>0</u>	41	30	39
Exempt Positions Abolished ²			<u>19</u>	<u>5</u>	<u>20</u>
TOTALS	<u>124</u>	<u>39</u>	<u>140</u>	<u>113</u>	<u>117</u>
TOTAL TECHNICAL ACTIONS	<u>166</u>	<u>69</u>	<u>179</u>	<u>127</u>	<u>136</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 2012. One appeal resulted in a finding of violations of Section 301.170 of the Personnel Rules and Sections 310.20 and 310.90(e) of the Pay Plan; five appeals resulted in a finding of no violation; three appeals were dismissed for no jurisdiction because of untimely filing or the doctrine of res judicata. There were three rule violation appeals pending at June 30, 2012.

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	103	January	28
August	70	February	29
September	76	March	29
October	41	April	15
November	39	May	14
December	28	June	18

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 2012, the Commission rendered decisions in 43 discharge appeals. The Commission imposed a suspension instead of discharge in ten appeals, reinstated one employee without suspension, and denied eleven appeals (upheld the discharge). One appeal was dismissed when the employee failed to appear at a scheduled hearing, five appeals were dismissed due to no jurisdiction, and fifteen appeals were withdrawn or settled. There were ten pending discharge appeals at June 30, 2012.

There were five decisions in appeals of suspension over thirty days in a twelve-month period during fiscal year 2012. Two appeals were dismissed because they were withdrawn and two appeals were dismissed when the employee failed to appear at a scheduled hearing. One appeal was denied (the suspension was upheld). At June 30, 2012, there were three pending suspension appeals.

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 when the employee withdrew the demotion appeal. There was one pending demotion appeal at June 30, 2012.

CHARGES FOR DISCHARGE AND SUSPENSION³

Conduct unbecoming a State employee	15
Exempt/probationary employee discharge.....	3
Failure to follow procedures, regulations, rules or supervisory directives	33
Falsification of documents or providing false information.....	14
Misuse of e-mail, state computer or other state property.....	2
Sleeping on duty	1
Unauthorized absences, failure to return from leave, tardiness	13
Physical or mental abuse.....	8
Workplace violence or threat of violence	3
Total Charges	92

(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 no decisions made during fiscal year 2012. At June 30, 2012 there was one Geographical Transfer appeal 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 decisions made on allocation appeals during fiscal year 2012 with two pending allocation appeals.

(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 no decisions during fiscal year 2012 on layoff appeals. There was one pending layoff appeal at June 30, 2012.

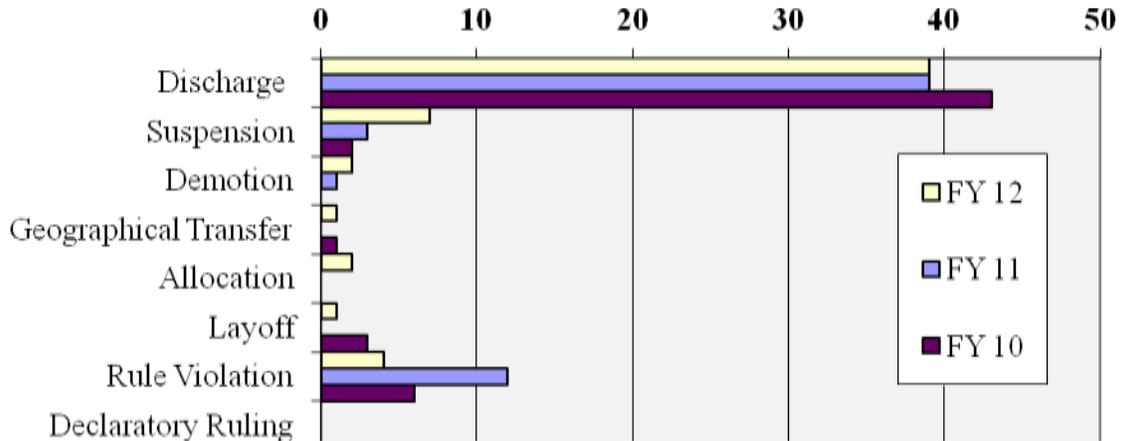
³ The total exceeds the number of employees discharged and suspended because multiple charges were made against some employees.

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 2012.

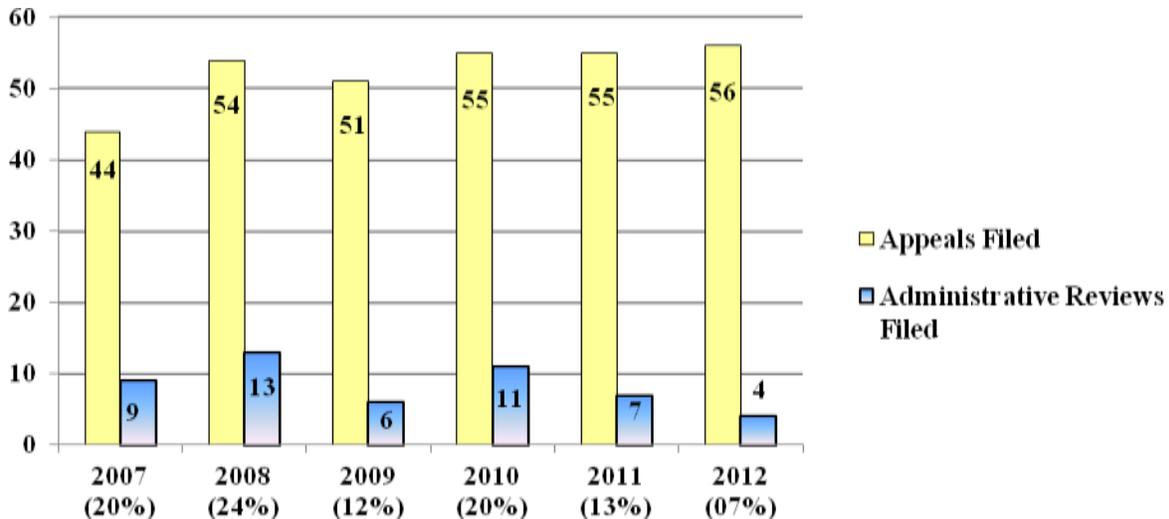
APPEALS FILED BY TYPE FOR THE THREE-YEAR PERIOD ENDED JUNE 30, 2012

	2010	2011	2012
Discharge	43	39	39
Suspension	2	3	7
Demotion	0	1	2
Geographical Transfer	1	0	1
Allocation	0	0	2
Layoff	3	0	1
Rule Violation	6	12	4
Declaratory Ruling	0	0	0
Totals	55	55	56



ADMINISTRATIVE REVIEW

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/Article 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 2012. This table shows Administrative Reviews by the year the appeal was filed, not by the year a court decision is ultimately rendered. The total of number of Administrative Review decisions can exceed the total number filed for the same year because decisions by both the Circuit Court and Appellate Court (if the Circuit Court decision was appealed) are counted separately.

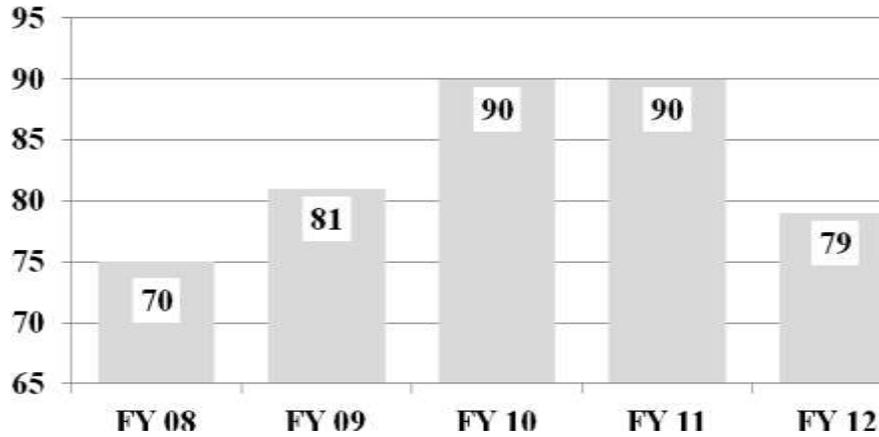
	2007	2008	2009	2010	2011	2012
Commission upheld in Circuit Court	6	9	5	4	1	1
Commission reversed in Circuit Court	1	1	0	2	0	0
Commission upheld in Appellate Court	2	1	2	0	0	0
Commission reversed in Appellate Court	1	1	0	1	0	0
Remanded to Civil Service Commission	0	2	0	1	0	0
Pending at June 30, 2012	2	2	1	5	6	3

DECISIONS OF THE COMMISSION

A. <u>Substantive Actions by the Commission</u>	<u>FY 08</u>	<u>FY 09</u>	<u>FY 10</u>	<u>FY 11</u>	<u>FY 12</u>
Appeals granted:					
Employees reinstated with suspension	5	9	10	9	10
Employees reinstated with no suspension	0	3	1	2	1
Layoff appeal granted	0	0	0	0	0
Rule Violation appeal granted	1	1	2	2	1
Declaratory Ruling granted	0	1	0	0	0
<u>Total</u>	<u>6</u>	<u>14</u>	<u>13</u>	<u>13</u>	<u>12</u>
Appeals denied:					
Discharge appeal denied	9	7	8	20	11
Position Allocation denied	1	4	0	0	0
Layoff appeal denied	0	0	0	1	0
Geographical Transfer appeal denied	0	0	0	0	0
Suspension appeal denied	1	1	1	0	1
Rule Violation appeal denied	2	0	4	3	5
Declaratory Ruling	0	0	1	0	0
<u>Total</u>	<u>13</u>	<u>12</u>	<u>14</u>	<u>24</u>	<u>17</u>
Total Substantive Actions by the Commission	19	26	27	37	29
B. <u>Appeals dismissed with no decision on the merits</u> ⁴					
Discharges	18	17	16	17	21
Demotions	1	1	0	1	1
Position allocations	1	0	0	0	0
Layoff appeals	0	0	0	2	0
Geographical Transfers	0	1	6	2	0
Suspensions	4	0	1	4	4
Rule Violations	3	1	4	4	3
<u>Total</u>	<u>27</u>	<u>20</u>	<u>27</u>	<u>30</u>	<u>29</u>
C. <u>Appeals Pending at end of Fiscal Year</u>	29	35	36	23	21
D. <u>Total Appeals Closed or Pending at end of Fiscal Year</u>	75	81	90	90	79

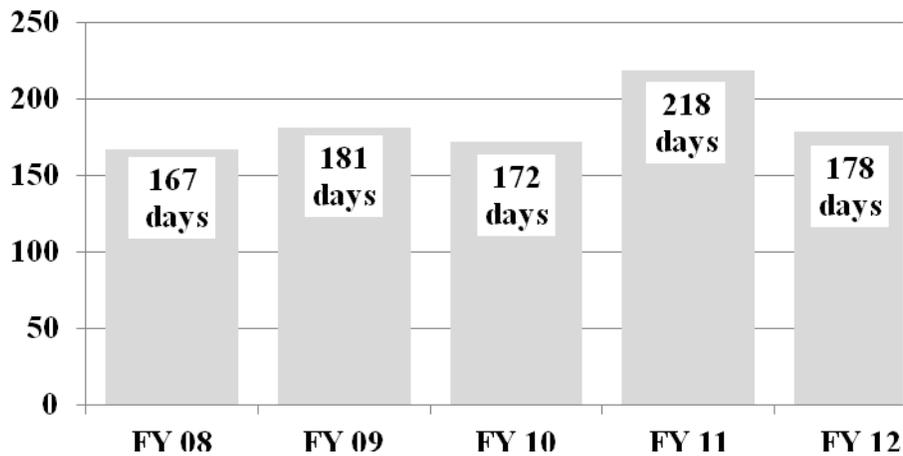
⁴ Includes appeals dismissed due to granting Motions to Dismiss, settlement, withdrawal, default (failure to appear or failure to respond to Commission inquiry) or lack of jurisdiction.

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 2012. At June 30, 2012, there were a total of twenty appeals pending, with two of those from previous years (2008 and 2010). 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. There were four scheduled meetings and two of those were cancelled during fiscal year 2012.

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.

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

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