

ILLINOIS CIVIL SERVICE COMMISSION

ANNUAL REPORT FOR

FISCAL YEAR 2013



Garrett P. FitzGerald, Chairman
James B. Anderson, Commissioner
Anita M. Cummings, Commissioner
Susan Moylan Krey, Commissioner

Daniel Stralka
Executive Director



Daniel Stralka
EXECUTIVE DIRECTOR

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Garrett P. FitzGerald
CHAIRMAN

COMMISSIONERS
James B. Anderson
Anita M. Cummings
Susan Moylan Krey

September 20, 2013

Governor Patrick J. Quinn
State of Illinois
Springfield, Illinois 62706

Dear Governor Quinn:

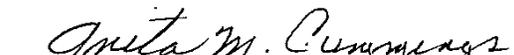
We submit this report to you, to the members of the General Assembly, and to the citizens of Illinois. It is the Commission's 101st Annual Report and covers the period of July 1, 2012 through June 30, 2013. In this report, we have set forth both our responsibilities and accomplishments.

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,


Garrett P. FitzGerald, Chairman


James B. Anderson, Commissioner


Anita M. Cummings, Commissioner


Susan Moylan Krey, 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 at June 30, 2013	10
Exemption Activity by Agency	11-12
Technical Actions by the Commission	13
Rule Violation and Compliance Activity	14
Appeals of Discharge, Suspension, and Demotion	15
Charges for Discharge and Suspension	16
Appeals of Geographical Transfer and Allocation	16
Appeals of Layoff	16
Declaratory Ruling	17
Appeals Filed by Type	17
Decisions of the Commission	18
Commission Workload and Average Processing Time	19
Administrative Review	20
Grievance Committee	21
Training	21
Interagency Committee on Employees with Disabilities	21
State Hispanic and Bilingual Employment Plans	21
Report on Green Governments Illinois Act	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>
Garrett P. FitzGerald, Chairman	March 1, 2015
James B. Anderson, Commissioner	March 1, 2019
Anita M. Cummings, Commissioner	March 1, 2017
Susan Moylan Krey, Commissioner	March 1, 2017

Garrett P. FitzGerald

Garrett P. FitzGerald served as Commissioner starting October 28, 2011 and was designated as Chairman on May 10, 2013. Garrett 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 and Chairman 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.

James B. Anderson

James B. Anderson is Senior Counsel at Aon Hewitt, a Fortune 500 company focused on human resources consulting and outsourcing, in Lincolnshire, Illinois. Prior to joining Aon Hewitt, James was an associate for over six years at the law firm of Katten Muchin Rosenman LLP in Chicago, Illinois, practicing in the corporate group and advising clients in diverse areas including mergers and acquisitions, public company securities offerings and other complex business transactions.

James earned his undergraduate degree in economics from Northwestern University in Evanston, Illinois and his law degree from Northwestern University School of Law in Chicago, Illinois. While in law school, James served as a judicial extern for the Hon. Judge James B. Zagel in the U.S. District Court for the Northern District of Illinois, as a legal intern for the U.S. Department of Justice in Washington, D.C., and as a legal intern for the U.S. Attorney's Office for the Northern District of Illinois. James also serves on the executive committee of The Moody Church in Chicago, through which he volunteers with By the Hand Club for Kids in the Cabrini-Green neighborhood and with an underperforming Chicago Public School. Originally from Rockford, Illinois, James and his family currently reside in Chicago.

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 longtime resident of the southwest 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 \$289,700 which represented an 18% decrease from the prior year's adjusted appropriation. Fortunately, a supplemental appropriation was passed increasing the Commission's budget to \$378,500 which was sufficient to meet its needs for the year. Similar to the previous year, expenditures were closely monitored – even with many one-time purchases related to the relocation of the Commission's Springfield office – so that only \$2,184 was lapsed back to the State.

The Commission underwent a leadership change when Chris Kolker resigned as Chairman on March 7, 2013 to accept a judicial appointment. Chris had served as Chairman since his appointment on March 16, 2004. The Governor then appointed Garrett FitzGerald to serve as Chairman effective May 10, 2013. In addition, the six-year term of Commissioner Ares G. Dalianis expired on April 1, 2013. The Commission unanimously passed resolutions of appreciation for both men's service to the Commission.

As indicated, the Commission relocated its Springfield office at the end of the fiscal year to 607 East Adams, Suite 801 after six years at its prior location. Working with the Department of Central Management Services, the Commission signed a five-year lease for 2,929 square feet. The resulting lower lease payment should help the Commission meet its budget targets for the coming years. The Commission also secured new computers and printers at the time of the move. The existing computers had become functionally obsolete due to hardware limitations, and the old printers were not compatible with the new operating systems.

The Rules of the Illinois Civil Service Commission were amended effective March 15, 2013. The amendments were made to reflect changes in the Open Meetings Act and address recent court rulings regarding information the Commission can consider in determining the appropriate level of discipline in a discharge appeal. The new changes give the Commissioners more freedom to impose a suspension as opposed to discharge where the evidence warrants a lesser form of discipline.

In April, 2013 the Auditor General released its LAC141 Audit Report on Management Positions in the Executive Branch. The Civil Service Commission participated in this audit by virtue of its role in approving Section 4d(3) principal policy exemption requests. The Commission included a response that pointed out how agencies can receive principal policy exemptions for positions that have principal policy responsibility for the determination of policy without any management responsibilities as defined by the Auditor General. In addition, SB1556 became law in April. This bill allows the State to exclude designated positions from collective bargaining. The inclusion of principal policy exempt positions in bargaining units has been a growing problem for the Commission over the past several years. The enactment of this law promises a final resolution without further action by the Commission.

Finally, under the stewardship of coordinator Beckie Daniken, the Commission received two awards in fiscal year 2013. One was a Division award given for the highest increase in number of donors; the second award was for Exceptional Giving for agencies whose donations increased from the previous year.

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 2013, 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 2013, the Director of Central Management Services submitted proposed amendments to four sections of the Personnel Rules as follows:

- Section 303.112, Sick Leave Bank
- Section 303.131, Leave in the Event of Stillborn Child
- Section 303.148, Family Responsibility Leave
- Section 303.250, Vacation Eligibility
- Section 305.300, Extension of Jurisdictions A, B, & C

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 2013, the Commission reviewed and acted on 28 amendments to the classification plan.

New Classes Approved:	8
Revised Classes Approved:	16
Classifications Abolished:	4

(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 75 exemption requests in fiscal year 2013. Of those, 55 were granted exemption (six of those were granted for periods ranging from six months to two years) seven were denied and thirteen were withdrawn.

There were a total of 54 4d(3) exempt positions that were considered for rescission of exemption for various reasons, including extended vacancies. Of those 54 positions, 19 had their exemptions rescinded and 35 of the proposed rescissions were denied (not rescinded).

REPORT ON EXEMPT POSITIONS AT JUNE 30, 2013¹

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	141.....	16
Agriculture.....	331.....	16
Arts Council.....	17.....	2
Capitol Development Board.....	46.....	0
Central Management Services.....	1,475.....	114
Children and Family Services.....	2,713.....	51
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	370.....	69
Commerce Commission.....	75.....	0
Corrections.....	11,129.....	103
Criminal Justice Authority.....	56.....	5
Deaf and Hard of Hearing Comm.....	6.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	85.....	5
Employment Security.....	1,469.....	31
Environmental Protection Agency.....	805.....	16
Financial & Professional Regulation.....	429.....	43
Gaming Board.....	143.....	6
Guardianship and Advocacy.....	101.....	7
Healthcare and Family Services.....	2,120.....	25
Historic Preservation Agency.....	158.....	14
Human Rights Commission.....	13.....	2
Human Rights Department.....	140.....	9
Human Services.....	11,341.....	75
Illinois Sentencing Policy Advisory Council.....	2.....	2
Illinois Torture Inquiry Relief Commission.....	2.....	1
Insurance.....	227.....	15
Investment Board.....	2.....	2
Juvenile Justice.....	982.....	21
Labor.....	85.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd.....	16.....	2
Lottery.....	142.....	7
Military Affairs.....	121.....	3
Natural Resources.....	1,084.....	30
Pollution Control Board.....	20.....	2
Prisoner Review Board.....	16.....	0
Property Tax Appeal Board.....	29.....	1
Public Health.....	1,075.....	40
Racing Board.....	3.....	1
Revenue.....	1,748.....	51
State Fire Marshal.....	133.....	12
State Police.....	1,097.....	7
State Police Merit Board.....	5.....	1
State Retirement Systems.....	103.....	2
Transportation.....	2,229.....	0
Veterans' Affairs.....	1,302.....	9
Workers' Compensation Commission.....	130.....	8
TOTALS.....	43,754.....	843

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

EXEMPTION ACTIVITY BY AGENCY

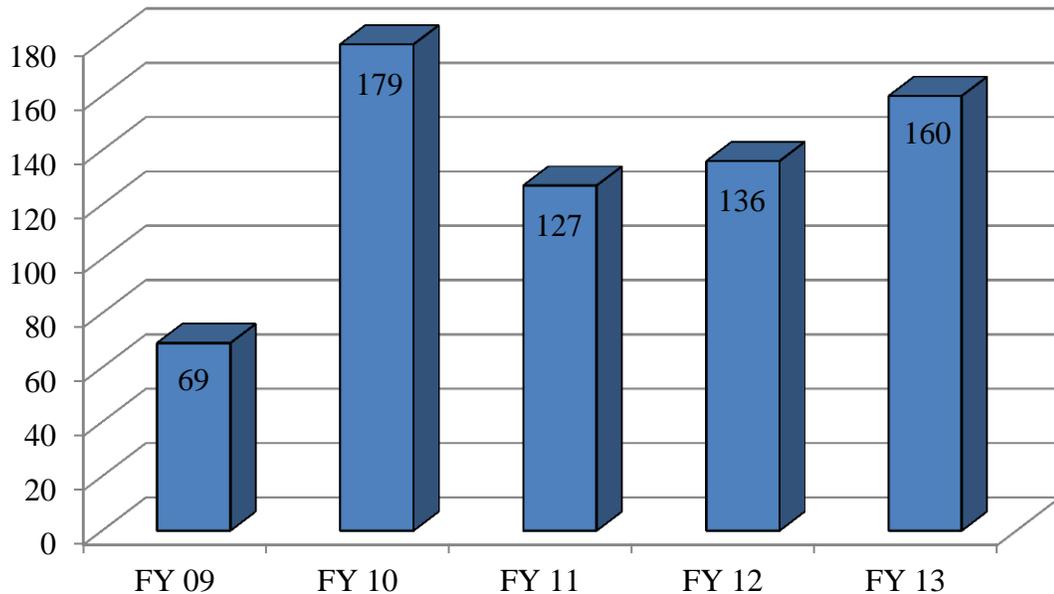
Aging	3 exemptions granted
Central Management Services	1 exempt position abolished 1 exemption denied 8 exemptions granted 2 exemption requests withdrawn 8 exemptions rescinded 2 exemption rescissions denied
Children and Family Services	3 exemptions denied 3 exemptions granted 1 exemption rescinded 1 exemption rescission denied
Commerce and Economic Opportunity	2 exemptions granted 5 exemption rescissions denied
Corrections	1 exemption request withdrawn 2 exemption rescissions denied
Emergency Management Agency	1 exemption denied
Employment Security	1 exemption denied 4 exemptions granted
Environmental Protection Agency	2 exemptions granted 1 exemption rescinded
Financial and Professional Regulation	2 exemptions granted 4 exemption rescissions denied
Gaming Board	1 exemption granted 1 exemption rescission denied
Healthcare and Family Services	1 exemption rescission denied
Historic Preservation Agency	4 exemptions granted 1 exemption rescinded 2 exemption rescissions denied
Human Rights	1 exemption granted
Human Services	1 exempt position abolished 2 exemptions granted 5 exemption requests withdrawn 3 exemptions rescinded 3 exemption rescissions denied

EXEMPTION ACTIVITY BY AGENCY

Insurance	5 exemptions granted 2 exemption requests withdrawn
Juvenile Justice	5 exemptions granted 3 exemptions rescinded 4 exemption rescissions denied
Labor	1 exemption rescission denied
Natural Resources	3 exemptions granted 1 exemption request withdrawn 1 exemption rescinded 2 exemption rescissions denied
Pollution Control Board	1 exemption granted
Public Health	1 exemption granted 1 exemption rescinded 1 exemption rescission denied
Revenue	2 exemptions granted 1 exemption request withdrawn 3 exemption rescissions denied
Sentencing Policy Advisory Council	2 exemptions granted 1 exemption request denied
State Board of Investment	1 exemption granted
State Fire Marshal	2 exemption rescissions denied
State Police	2 exemptions granted
Torture and Relief Commission	1 exempt position abolished 1 exemption granted
Veterans' Affairs	1 exemption rescission denied
Workers' Compensation Commission	1 exemption request withdrawn

TECHNICAL ACTIONS BY THE COMMISSION

	<u>FY 09</u>	<u>FY 10</u>	<u>FY 11</u>	<u>FY 12</u>	<u>FY13</u>
<u>Class Specifications</u>					
Revisions Not Approved	0	0	1	0	0
New Classes Approved	9	12	5	10	8
Revised Classes Approved	15	27	8	7	16
Abolished Classes Approved	<u>6</u>	<u>0</u>	<u>0</u>	<u>2</u>	<u>4</u>
TOTALS	<u>30</u>	<u>39</u>	<u>14</u>	<u>19</u>	<u>28</u>
<u>4d(3) Exemptions</u>					
Exemption Requests Granted	30	30	52	40	55
Exemption Requests Denied	1	0	8	2	7
Exemption Requests Withdrawn	8	4	0	4	13
Exemptions Rescinded	0	46	18	12	19
Exemption Rescissions Denied	0	41	30	39	35
Exempt Positions Abolished ²	<u>n/a</u>	<u>19</u>	<u>5</u>	<u>20</u>	<u>3</u>
TOTALS	<u>39</u>	<u>140</u>	<u>113</u>	<u>117</u>	<u>132</u>
TOTAL TECHNICAL ACTIONS	<u>69</u>	<u>179</u>	<u>127</u>	<u>136</u>	<u>160</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 seven rule violation appeals filed and five decisions rendered on appeals of Personnel Code and/or Rule violation allegations in fiscal year 2013. One appeal resulted in a finding that an employee's salary should be restored to \$3,800 per month and four appeals resulted in a finding of no violation. There were five rule violation appeals pending at June 30, 2013.

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 where examinations are not feasible so in order to provide flexibility, the Code provides for three types of appointments which can be made without formal competitive examination. They 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 Commission's monthly Minutes provide the number by agency.

July	34	January	24
August	55	February	27
September	62	March	29
October	43	April	22
November	24	May	54
December	18	June	54

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 2013, there were 31 discharge appeals filed and the Commission rendered decisions in 29 appeals. The Commission imposed a suspension instead of discharge in one appeal, reinstated two employees without suspension, and denied eight appeals (upheld the discharge). Four appeals were dismissed for default (employee failed to appear at scheduled hearing or failed to file requested materials). Four appeals were dismissed due to no jurisdiction, and ten appeals were withdrawn or settled. There were twelve pending discharge appeals at June 30, 2013.

There were six suspension appeals filed during fiscal year 2013 and four decisions rendered by the Commission. One appeal was settled, one was dismissed for no jurisdiction, one was dismissed for non-participation in a telephone status conference call, and one suspension was reduced. At June 30, 2013, there were five 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 were no pending demotion appeals at June 30, 2013.

CHARGES FOR DISCHARGE AND SUSPENSION³

Conduct unbecoming a State employee.....	18
Exempt/probationary employee discharge	2
Failure to follow procedures, regulations, rules or supervisory directives.....	12
Falsification of documents or providing false information	6
Misuse of e-mail, state computer or other state property	1
Sleeping on duty	1
Socializing with offenders or parolees	3
Unauthorized absences, failure to return from leave, tardiness.....	13
Physical or mental abuse	2
Violation of drug or alcohol policy	<u>2</u>
Total Charges	<u>60</u>

(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 was one decision to dismiss for no jurisdiction during fiscal year 2013 and 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 two decisions to grant the employees' allocation appeals and no pending allocation appeals at June 30, 2013.

(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. There were three layoff appeals filed during fiscal year 2013. The Commission made one decision to dismiss for no jurisdiction and there were three pending layoff appeals at June 30, 2013, one from fiscal year 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. The Commission received one request for Declaratory Ruling to clarify the final decision in a rule violation appeal in fiscal year 2013.

APPEALS FILED BY TYPE FOR THE FIVE-YEAR PERIOD ENDED JUNE 30, 2013

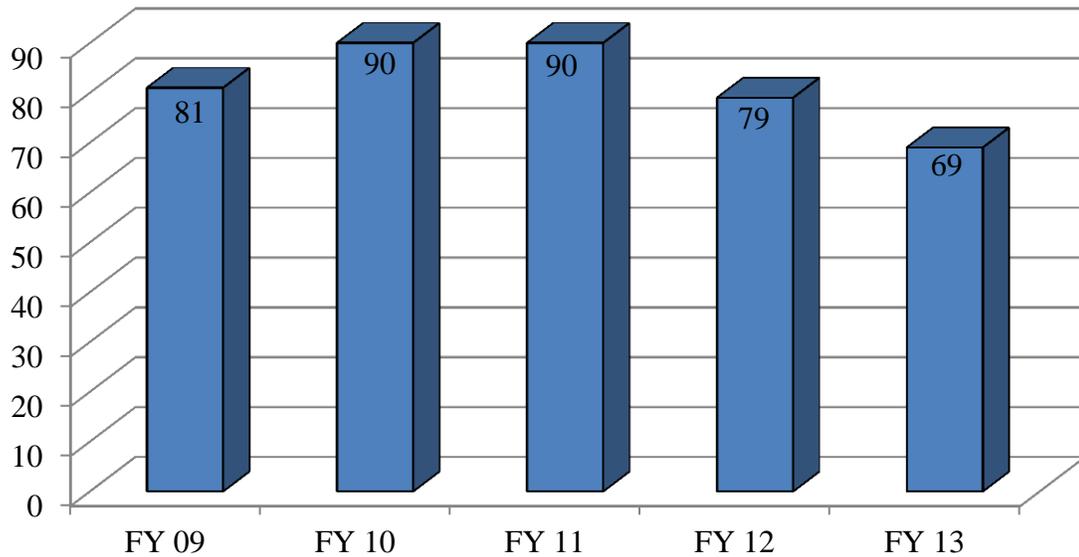
	2009	2010	2011	2012	2013	TOTAL
Discharge	33	43	39	40	31	186
Suspension	1	2	3	6	6	18
Demotion	0	0	1	2	0	3
Rule Violation	8	6	12	4	7	37
Geographical Transfer	8	1	0	1	0	10
Allocation	0	0	0	2	0	2
Layoff	0	3	0	1	3	7
Declaratory Ruling	1	0	0	0	1	2
	51	55	55	56	48	265

DECISIONS OF THE COMMISSION

A. <u>Substantive Actions by the Commission</u>	<u>FY 09</u>	<u>FY 10</u>	<u>FY 11</u>	<u>FY 12</u>	<u>FY 13</u>
Appeals granted:					
Employees reinstated with suspension	9	10	9	10	1
Employees reinstated with no suspension	3	1	2	1	3
Layoff appeal granted	0	0	0	0	0
Rule Violation appeal granted	1	2	2	1	1
Declaratory Ruling granted	1	0	0	0	1
Allocation appeal granted	0	0	0	0	2
Suspension appeal granted	0	0	0	0	1
<u>Subtotal</u>	<u>14</u>	<u>13</u>	<u>13</u>	<u>12</u>	<u>9</u>
Appeals denied:					
Discharge appeal denied	7	8	20	11	8
Position Allocation denied	4	0	0	0	0
Layoff appeal denied	0	0	1	0	0
Geographical Transfer appeal denied	0	0	0	0	0
Suspension appeal denied	1	1	0	1	0
Rule Violation appeal denied	0	4	3	5	4
Declaratory Ruling	0	1	0	0	0
<u>Subtotal</u>	<u>12</u>	<u>14</u>	<u>24</u>	<u>17</u>	<u>12</u>
Total Substantive Actions	<u>26</u>	<u>27</u>	<u>37</u>	<u>29</u>	<u>21</u>
B. <u>Appeals dismissed with no decision on the merits</u> ⁴					
Discharges	17	16	17	21	17
Demotions	1	0	1	1	1
Allocations	0	0	0	0	0
Layoff appeals	0	0	2	0	1
Geographical Transfers	1	6	2	0	1
Suspensions	0	1	4	4	3
Rule Violations	1	4	4	3	0
Total Non-Substantive Actions	<u>20</u>	<u>27</u>	<u>30</u>	<u>29</u>	<u>23</u>
C. <u>Appeals Pending at end of Fiscal Year</u>	35	36	23	21	25
D. <u>Total Appeals Closed or Pending at end of Fiscal Year</u>	81	90	90	79	69

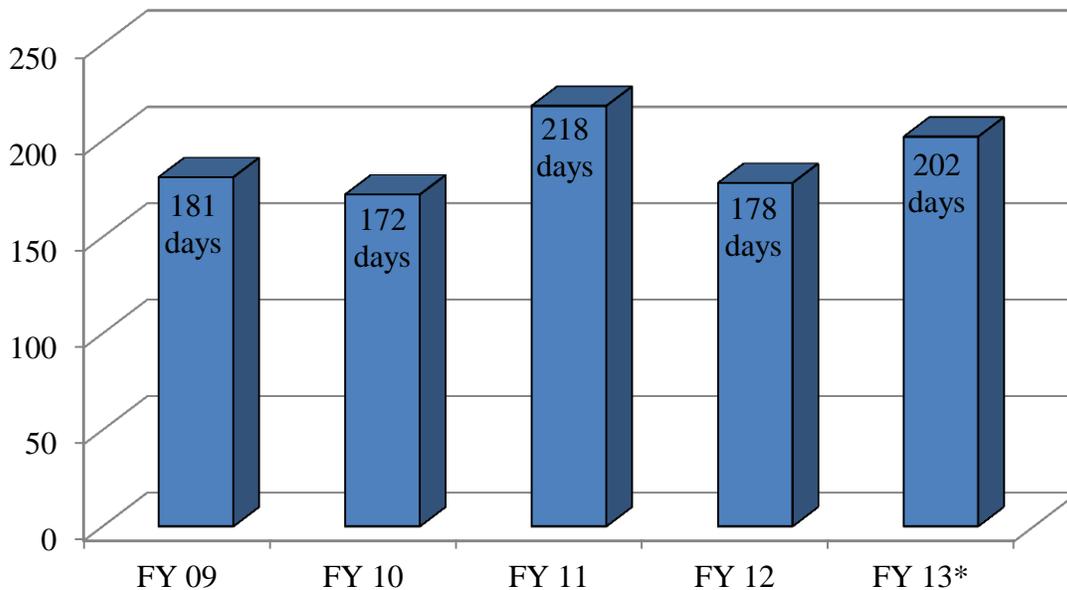
⁴ Includes appeals dismissed due to settlement, withdrawal, default (failure to appear or failure to respond to Commission inquiry) or lack of jurisdiction.

COMMISSION WORKLOAD Total Appeals Closed or Pending



At June 30, 2013 there were a total of 25 appeals pending, with four of those from previous years. The chart below reflects the processing time for appeals that were concluded during fiscal years ended June 30. The time is calculated from the date the appeal was filed to the date the final decision of the Commission was rendered. This calculation is consistent with that reported on the Public Accountability Report issued by the Office of the Comptroller.

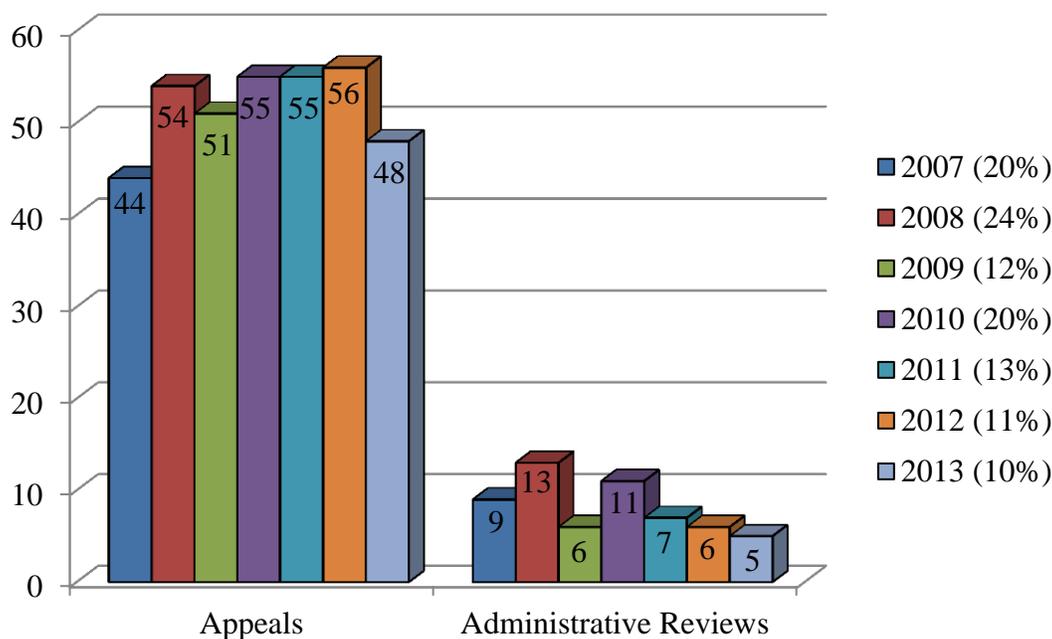
AVERAGE PROCESSING TIME



*The average processing time of 202 days for fiscal year 2013 would be 164 days if one large rule violation appeal was removed from the calculation.

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 administrative reviews and appeals filed for each fiscal year. If an appeal was filed during fiscal year 2007 and one of the parties filed for Administrative Review during fiscal year 2009, 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 2013. 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	2013
Commission upheld in Circuit Court	6	11	5	5	4	1	1
Commission reversed in Circuit Court	1	1	0	2	0	0	0
Commission upheld in Appellate Court	2	1	2	1	1	0	0
Commission reversed in Appellate Court	1	1	0	1	1	0	0
Remanded to Civil Service Commission	0	3	0	1	0	0	0
Pending as of June 30	2	1	1	4	4	5	4

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 no scheduled meetings with Commission employees during fiscal year 2013.

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. During fiscal year 2013, Executive Director Daniel Stralka made a presentation to the staff of the Office of Inspector General of the Department of Children and Family Services. The general topic was how investigators may better conduct investigations and prepare reports that are perceived as fair by an administrative law judge. 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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