

ILLINOIS CIVIL SERVICE COMMISSION

ANNUAL REPORT FOR

FISCAL YEAR 2014



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

Daniel Stralka
Executive Director



Daniel Stralka
EXECUTIVE DIRECTOR

State of Illinois
CIVIL SERVICE COMMISSION
607 East Adams Street, Suite 801
Springfield, IL 62701
PHONE (217) 782-7373
FAX (217) 524-3706
TTY (888) 261-2819
www.icsc.il.gov

Garrett P. FitzGerald
CHAIRMAN

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

September 19, 2014

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

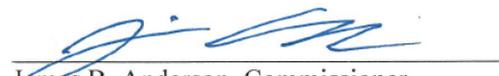
Dear Governor Quinn:

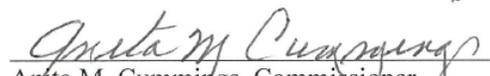
We submit this report to you, to the members of the General Assembly, and to the citizens of Illinois. It is the Commission's 102nd Annual Report and covers the period of July 1, 2013 through June 30, 2014. In this report we have set forth both our responsibilities and accomplishments.

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


Casey Urlacher, Commissioner

TABLE OF CONTENTS

	<u>Page Number</u>
Members of the Commission	4-6
Overview	6-7
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, 2014	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
Casey Urlacher, 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 Moylan Krey 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 and again in 2013. She was appointed as Maine Township Assessor in May 2014. From 2009 through 2013 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. Karen Ladar Memorial Good Citizen Award in 2010. Along with her husband, Kevin, she now resides in Des Plaines. They have five children and thirteen grandchildren, all of whom live in the State of Illinois.

Casey Urlacher

Casey Urlacher was born in the State of Washington but spent most of his childhood in New Mexico. He attended New Mexico Military Institute where he began his collegiate football career. He later transferred to Lake Forest College where he earned a Bachelor of Arts in Economics and Business. In 2013 Lake Forest College elected Casey to its Sports Hall of Fame for his athletic success and co-curricular activities.

After graduating from Lake Forest College, Casey was a professional football player from 2003 to 2006. He played for the NFL Chicago Bears as well as a number of other professional teams. Upon retiring from football in 2006, he became a successful businessman in

excavating/construction, real estate, restaurants and nightclubs. In 2013 Casey was elected Mayor of Mettawa, Illinois, where he has lived for the past ten years. As a result of these ventures, he came to understand how a merit-based workforce is essential to the success of both private and public enterprises.

Casey is actively involved in many charity and community organizations including the Lake County Chamber of Commerce, Preservation Foundation of the Lake County Forest Preserve, and St. Jude Children's Research Hospital. He is a member of the Citizens Utility Board and an Illinois Sierra Club Supporter.

OVERVIEW

The Civil Service Commission began the year with an approved budget of \$379,000 which was essentially flat with the previous year after the supplemental appropriation. The Commission lapsed \$41,130 back to the State in fiscal year 2014. This significant amount was primarily due to the departure of Brian Collins, the Commission's Chief Fiscal Officer, on January 31, 2014 and the continued vacancy of that position for the rest of the fiscal year. Most fiscal duties have been temporarily assumed by the Executive Director.

There were several new Commissioners appointed in the fiscal year. Effective August 2, 2013 James Anderson and Velisha Haddox were appointed as Commissioners to bring the Commission to its full complement. However, Ms. Haddox notified the Commission on September 2, 2013 that she would be unable to serve. Subsequently, Casey Urlacher was appointed to fill that vacant position effective October 11, 2013.

The Auditor General conducted its bi-annual compliance audit for fiscal years 2012 and 2013. The Commission is pleased to report that there were no material findings as a result of their extensive review. The audit did include a follow-up from the Auditor General's Management Audit of Exemptions released in 2010. The follow-up referenced two recommendations from the Management Audit, one of them that the Commission should work with Central Management Services to monitor the use of principal policy exempt positions. The Auditor General advised that this follow-up will continue to be included in future compliance audits until the Commission adopts a more formal monitoring program, acknowledging that an informal monitoring program is already in place. Commission staff had started the process of developing a limited monitoring program but this initiative was tabled with the departure of the Chief Fiscal Officer.

In early 2014, the Commissioners expressed a need for more detailed information on how agency principal policy exemption requests are evaluated by both the Department of Central Management Services and Commission staff so they may make informed decisions when exercising their collective judgment on these requests. At the April 18, 2014 Commission meeting, the Deputy Director, Bureau of Personnel, briefly reviewed the steps Central Management Services takes when reviewing exemption requests prior to affixing the Director's approval. When she was finished, the Commission's Executive Director made a detailed presentation as to the review and analysis Commission staff conducts upon receipt of the exemption materials from the Department of Central Management Services. Both these presentations were memorialized in the Minutes.

Assistant Executive Director Andrew Barris completed an initiative to create a searchable database of Commission decisions going back to 2003. This database will assist Administrative Law Judges to ensure continuity within Proposals for Decisions in contested appeals before the Commission.

In 2014 the Commission staff and Commissioners participated in the annual SECA (State and University Employees Combined Appeal) drive for charitable giving. The Commission was given an award for Exceptional Giving by SECA for having a larger monetary contribution compared to 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 2014, 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 2014, the Director of Central Management Services submitted proposed amendments to one section of the Personnel Rules as follows:

- Section 302.795, Administrative Law

After consideration, the Commission concurred with this amendment.

(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 2014, the Commission reviewed and acted on 26 amendments to the classification plan.

New Classes Not Approved ¹	1
New classes approved	10
Revised classes approved	15
Abolished classes approved	<u>0</u>
	<u>26</u>

¹ The agency withdrew its request for a new class at the meeting on July 19, 2013.

(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 47 exemption requests in fiscal year 2014. Of those, 39 were granted exemption (six of those were granted for periods ranging from six months to two years) two were denied and six were withdrawn.

There were a total of 42 4d(3) exempt positions that were considered for rescission of exemption for various reasons, including extended vacancies. Of those 42 positions, 22 had their exemptions rescinded and 20 of the proposed rescissions were denied (not rescinded).

REPORT ON EXEMPT POSITIONS AT JUNE 30, 2014²

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	141.....	18
Agriculture.....	336.....	20
Arts Council.....	15.....	2
Capitol Development Board.....	47.....	0
Central Management Services.....	1,440.....	114
Children and Family Services.....	2,629.....	51
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	361.....	68
Commerce Commission.....	72.....	0
Corrections.....	10,892.....	99
Criminal Justice Authority.....	56.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	82.....	5
Employment Security.....	1,307.....	30
Environmental Protection Agency.....	791.....	17
Financial & Professional Regulation.....	434.....	45
Gaming Board.....	159.....	6
Guardianship and Advocacy.....	102.....	7
Healthcare and Family Services.....	2,096.....	26
Historic Preservation Agency.....	165.....	16
Human Rights Commission.....	15.....	2
Human Rights Department.....	145.....	9
Human Services.....	11,888.....	74
Illinois Torture Inquiry Relief Commission.....	3.....	1
Independent Tax Tribunal.....	1.....	0
Insurance.....	235.....	16
Investment Board.....	4.....	2
Juvenile Justice.....	1,012.....	22
Labor.....	90.....	11
Labor Relations Board Educational.....	12.....	2
Labor Relations Board State.....	19.....	2
Law Enforcement Training & Standards Bd.....	18.....	2
Lottery.....	136.....	6
Military Affairs.....	120.....	3
Natural Resources.....	1,242.....	30
Pollution Control Board.....	22.....	2
Prisoner Review Board.....	17.....	0
Property Tax Appeal Board.....	34.....	1
Public Health.....	1,146.....	43
Racing Board.....	2.....	1
Revenue.....	1,766.....	54
State Fire Marshal.....	131.....	12
State Police.....	1,117.....	6
State Police Merit Board.....	4.....	2
State Retirement Systems.....	103.....	2
Transportation.....	2,171.....	0
Veterans' Affairs.....	1,332.....	9
Workers' Compensation Commission.....	133.....	11
TOTALS.....	44,063.....	856

² This report is generated by the Illinois Department of Central Management Services.

EXEMPTION ACTIVITY BY AGENCY

Aging	2 exemptions granted 1 exemption withdrawn
Agriculture	4 exemptions granted
Central Management Services	1 exempt position abolished 2 exemptions granted 1 exemption request withdrawn
Children and Family Services	2 exempt positions abolished 2 exemptions granted 1 exemption rescinded
Commerce and Economic Opportunity	4 exemptions granted 3 exemptions rescinded 5 exemption rescissions denied
Corrections	2 exempt positions abolished 1 exemption request denied 1 exemption granted 5 exemptions rescinded 4 exemption rescissions denied
Employment Security	1 exempt position abolished
Financial and Professional Regulation	1 exemption granted
Healthcare and Family Services	1 exemption granted 1 exemption rescission denied
Historic Preservation Agency	2 exemptions granted 2 exemptions rescinded
Human Services	3 exemptions granted 3 exemptions rescinded 2 exemption rescissions denied
Insurance	2 exemptions granted 1 exemption request denied
Juvenile Justice	3 exemptions granted 1 exemption request withdrawn 3 exemptions rescinded
Lottery	1 exemption rescinded

EXEMPTION ACTIVITY BY AGENCY

Natural Resources	1 exemption rescission denied
Public Health	1 exemption granted 5 exemption rescissions denied
Revenue	1 exempt position abolished 4 exemptions granted 2 exemption requests withdrawn 1 exemption rescission denied
Sentencing Policy Advisory Council	2 exempt positions abolished 2 exemptions rescinded
State Fire Marshal	1 exemption rescission denied
State Police	2 exemptions granted 2 exemptions rescinded
State Police Merit Board	1 exemption granted
Torture and Relief Commission	1 exemption granted
Workers' Compensation Commission	3 exemptions granted 1 exemption request withdrawn

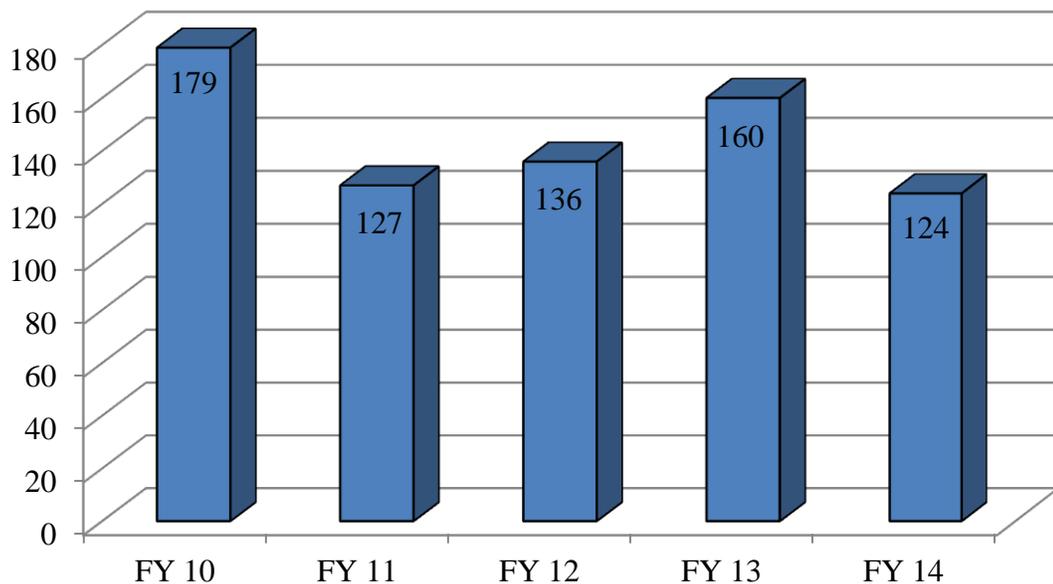
TECHNICAL ACTIONS BY THE COMMISSION

	<u>FY 10</u>	<u>FY 11</u>	<u>FY 12</u>	<u>FY 13</u>	<u>FY 14</u>
<u>Class Specifications</u>					
Revisions or New Classes Not Approved	0	1	0	0	1
New Classes Approved	12	5	10	8	10
Revised Classes Approved	27	8	7	16	15
Abolished Classes Approved	<u>0</u>	<u>0</u>	<u>2</u>	<u>4</u>	<u>0</u>
TOTALS	<u>39</u>	<u>14</u>	<u>19</u>	<u>28</u>	<u>26</u>

4d(3) Exemptions

Exemption Requests Granted	30	52	40	55	39
Exemption Requests Denied	0	8	2	7	2
Exemption Requests Withdrawn	4	0	4	13	6
Exemptions Rescinded	46	18	12	19	22
Exemption Rescissions Denied	41	30	39	35	20
Exempt Positions Abolished ³	<u>19</u>	<u>5</u>	<u>20</u>	<u>3</u>	<u>9</u>
TOTALS	<u>140</u>	<u>113</u>	<u>117</u>	<u>132</u>	<u>98</u>

TOTAL TECHNICAL ACTIONS **179** **127** **136** **160** **124**



³ 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 four rule violation appeals filed and seven decisions rendered on appeals of Personnel Code and/or Rule violation allegations in fiscal year 2014. One appeal resulted in a finding of a violation when an employee was not placed on a reemployment list for recall from layoff, three appeals resulted in a finding of no violation, and three appeals were dismissed. There were two rule violation appeals pending at June 30, 2014.

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	54	January	0
August	66	February	0
September	32	March	21
October	5	April	28
November	3	May	38
December	0	June	73

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 2014, there were 34 discharge appeals filed and the Commission rendered decisions in 29 appeals. The Commission imposed a suspension instead of discharge in eight appeals, reinstated three employees without suspension, and denied two appeals (upheld the discharge). One appeal was dismissed for default when the employee failed to appear at scheduled hearing. Three appeals were dismissed due to no jurisdiction, and 12 appeals were withdrawn or settled. There were 17 pending discharge appeals at June 30, 2014.

There were nine suspension appeals filed during fiscal year 2014 and 11 decisions rendered by the Commission. Four appeals were dismissed for no jurisdiction, two suspension appeals were withdrawn, three suspensions were upheld, and two suspensions were reduced. At June 30, 2014, 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 were no decisions and no pending demotion appeals at June 30, 2014.

CHARGES FOR DISCHARGE AND SUSPENSION⁴

Conduct unbecoming a State employee.....	16
Exempt/probationary employee discharge; suspension pending discharge.....	5
Failure to follow procedures, regulations, rules or supervisory directives.....	15
Falsification of documents or providing false information	5
Misuse of e-mail, state computer or other state property	2
Sleeping on duty	2
Socializing with offenders or parolees	1
Unauthorized absences, failure to return from leave, tardiness.....	18
Physical or mental abuse	1
Violation of drug or alcohol policy	<u>3</u>
Total Charges	<u>68</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 were no geographical transfer appeals filed during fiscal year 2014.

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 was one allocation appeal filed during fiscal year 2014 and it is pending.

(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 no layoff appeals filed during fiscal year 2014. The Commission rendered decisions in three layoff appeals during fiscal year 2014. In two appeals, no violation was found and the remaining appeal was withdrawn. There were no pending layoff appeals at June 30, 2014.

⁴ 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 during fiscal year 2014.

APPEALS FILED BY TYPE FOR THE FIVE-YEAR PERIOD ENDED JUNE 30, 2014

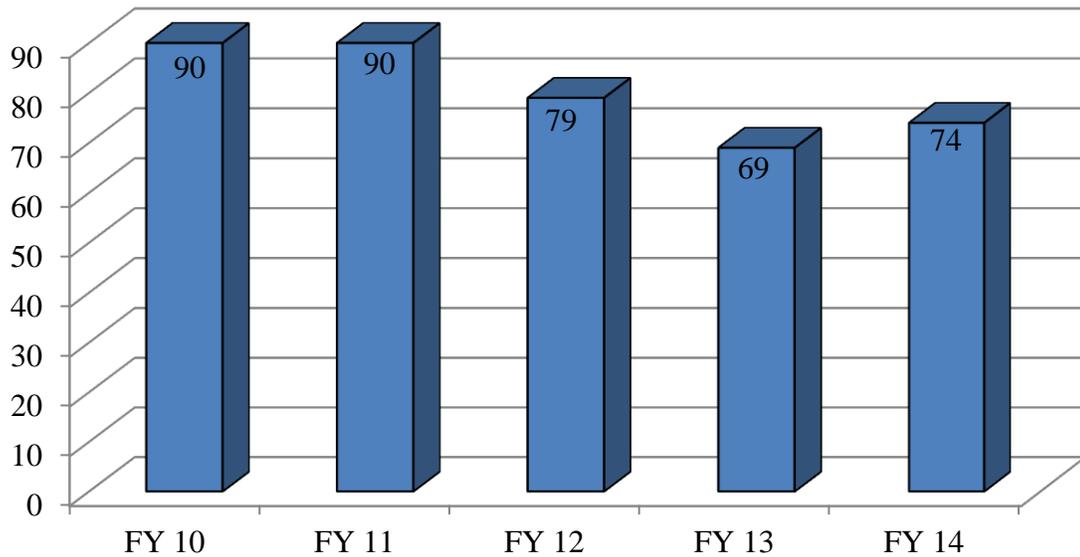
	2010	2011	2012	2013	2014	TOTAL
Discharge	43	39	40	31	34	187
Suspension	2	3	6	6	9	26
Demotion	0	1	2	0	0	3
Rule Violation	6	12	4	7	4	33
Geographical Transfer	1	0	1	0	0	2
Allocation	0	0	2	0	1	3
Layoff	3	0	1	3	0	7
Declaratory Ruling	0	0	0	1	1	2
	55	55	56	48	49	263

DECISIONS OF THE COMMISSION

A. <u>Substantive Actions by the Commission</u>	<u>FY 10</u>	<u>FY 11</u>	<u>FY 12</u>	<u>FY 13</u>	<u>FY 14</u>
Appeals granted:					
Employees reinstated with suspension	10	9	10	1	8
Employees reinstated with no suspension	1	2	1	3	3
Layoff appeal granted	0	0	0	0	0
Rule Violation appeal granted	2	2	1	1	1
Declaratory Ruling granted	0	0	0	1	0
Allocation appeal granted	0	0	0	2	0
Suspension appeal granted	0	0	0	1	2
<u>Subtotal</u>	<u>13</u>	<u>13</u>	<u>12</u>	<u>9</u>	<u>14</u>
Appeals denied:					
Discharge appeal denied	8	20	11	8	2
Position Allocation denied	0	0	0	0	0
Layoff appeal denied	0	1	0	0	2
Geographical Transfer appeal denied	0	0	0	0	0
Suspension appeal denied	1	0	1	0	3
Rule Violation appeal denied	4	3	5	4	3
Declaratory Ruling	1	0	0	0	0
<u>Subtotal</u>	<u>14</u>	<u>24</u>	<u>17</u>	<u>12</u>	<u>10</u>
Total Substantive Actions	<u>27</u>	<u>37</u>	<u>29</u>	<u>21</u>	<u>24</u>
B. <u>Appeals dismissed with no decision on the Merits or interlocutory appeals</u> ⁵					
Discharges	16	17	21	17	16
Demotions	0	1	1	1	0
Allocations	0	0	0	0	0
Layoff appeals	0	2	0	1	1
Geographical Transfers	6	2	0	1	0
Suspensions	1	4	4	3	6
Rule Violations	4	4	3	0	3
Total Non-Substantive Actions	<u>27</u>	<u>30</u>	<u>29</u>	<u>23</u>	<u>26</u>
C. <u>Appeals Pending at end of Fiscal Year</u>	36	23	21	25	24
D. <u>Total Appeals Closed or Pending at end of Fiscal Year</u>	90	90	79	69	74

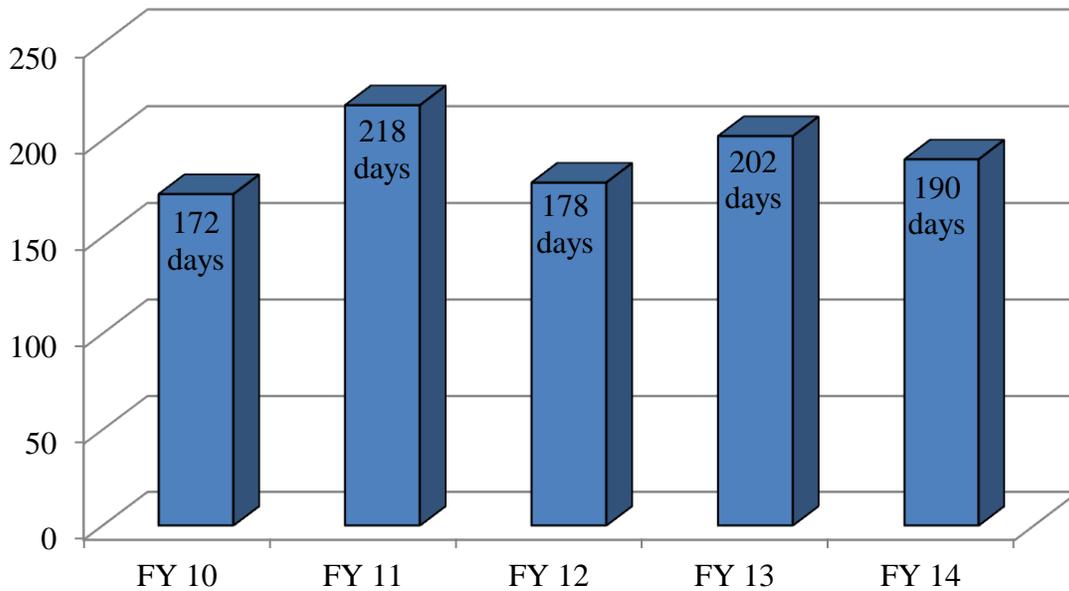
⁵ Includes appeals dismissed due to settlement, withdrawal, default (failure to appear or failure to respond to Commission inquiry) or lack of jurisdiction.

COMMISSION WORKLOAD Total Appeals Closed or Pending



At June 30, 2014 there were a total of 24 appeals pending, with three 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.

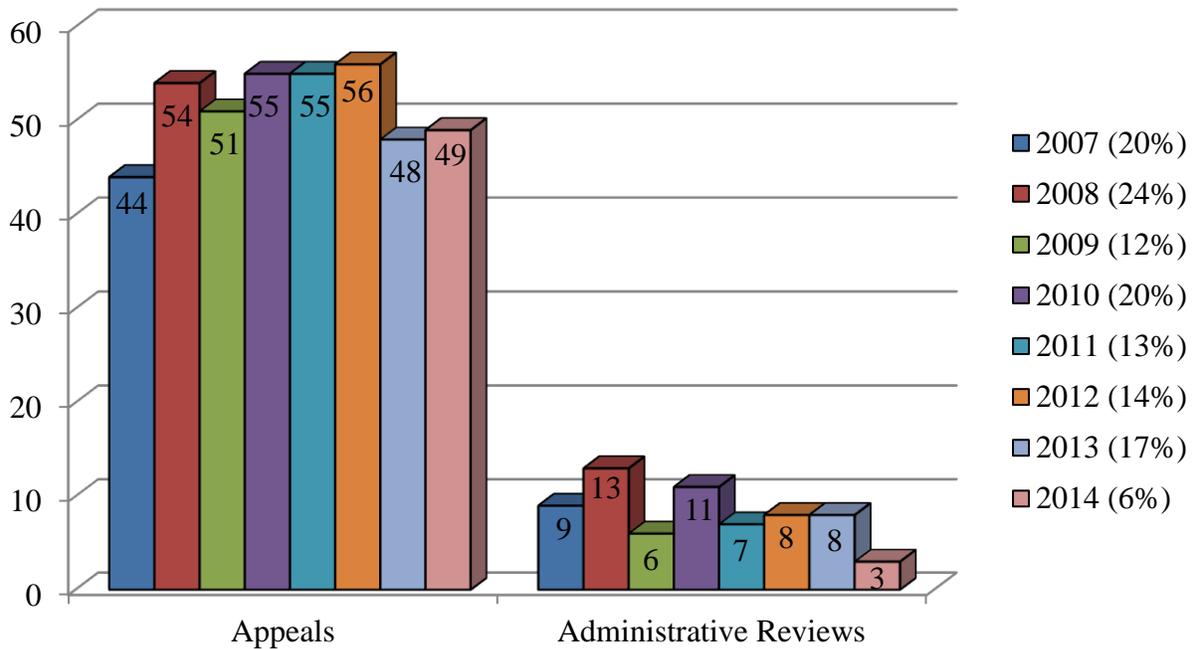
AVERAGE PROCESSING TIME



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. The average processing time of 190 days for fiscal year 2014 would be 175 days if one layoff 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 2014. 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	2014	
Commission upheld in Circuit Court	6	11	6	8	7	1	3	0	65%
Commission reversed in Circuit Court	1	1	0	2	0	1	0	0	8%
Commission upheld in Appellate Court	2	1	2	2	4	0	0	0	17%
Commission reversed in Appellate Court	1	1	0	1	1	0	0	0	6%
Remanded to Commission	0	3	0	1	1	1	0	0	9%
Pending as of June 30 2014	2	1	0	1	1	6	5	3	29%

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 2014. To ensure Step 4 grievances are being administered in a timely and proper manner, the Commission sought Step 4 grievance data from the Department of Central Management Services as of June 30, 2014. This data has yet to be provided to the Commission.

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

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, utilizing e-mail, scanning documents wherever possible, and purchasing recycled toner cartridges and recycled content paper.

Printed by authority of the State of Illinois on paper with recycled content

October 1, 2014 – 40 copies @ \$1.52 each