

ILLINOIS CIVIL SERVICE COMMISSION

ANNUAL REPORT FOR

FISCAL YEAR 2016



William A. Schroeder, Chairman (deceased)
Anita M. Cummings, Commissioner
G.A. Finch, Commissioner
Susan Moylan Krey, Commissioner
Casey Urlacher, Commissioner

Daniel Stralka
Executive Director



Daniel Stralka
EXECUTIVE DIRECTOR

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Vacant
CHAIRMAN
COMMISSIONERS
Anita M. Cummings
G.A. Finch
Susan Moylan Krey
Casey Urlacher

September 16, 2016

Governor Bruce Rauner
State of Illinois
Springfield, Illinois 62706

Dear Governor Rauner:

We submit this report to you, to the members of the General Assembly, and to the citizens of Illinois. It is the Commission's 104th Annual Report and covers the period of July 1, 2015 through June 30, 2016. 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,


Anita M. Cummings, Commissioner


G.A. Finch, Commissioner


Susan Moylan Krey, Commissioner

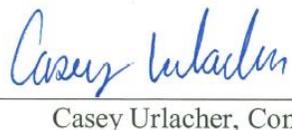

Casey Urlacher, Commissioner

TABLE OF CONTENTS

	<u>Page Number</u>
Members of the Commission	4-6
Overview	6-7
Duties of the Commission	7-8
Review of Personnel Rules	8
Class Specifications	8
Exemptions of Principal Policy Positions	9
Report on Exempt Positions at June 30, 2016.....	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	19
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

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>
William A. Schroeder, Chairman (deceased)	March 1, 2021
Anita M. Cummings, Commissioner	March 1, 2017
G.A. Finch, Commissioner	March 1, 2019
Susan Moylan Krey, Commissioner	March 1, 2017
Casey Urlacher, Commissioner	March 1, 2017

William A. Schroeder

William A. Schroeder has been a Professor of Law at Southern Illinois University since 1984 focusing on Criminal Procedure and Evidence. Although now retired, he continues to teach one course a semester. His administrative responsibilities have included service on the Admissions, Readmissions, and Appointments Committees (where he made determinations as to the relative merits of law school applicants/students) as well as a number of other quasi-personnel functions. Prior to that time he was an Associate Professor at the University of Alabama and a Visiting Professor at the University of Missouri. From time to time he has taught as a Visiting Professor at Washington University in St. Louis. In the fall semester of 2004, Professor Schroeder was a Fulbright Scholar and taught law in Lithuania.

Professor Schroeder was born in Chicago and attended the University of Illinois at Urbana-Champaign where he earned his undergraduate and law degrees. After graduation he taught as an Instructor at Boston College Law School and worked in private practice and as a prosecutor. While out east, he attended Harvard Law School, where he received an LL.M. Professor Schroeder is a member of the Illinois, Missouri, Kentucky, and Massachusetts bars.

Professor Schroeder is the author of numerous books and articles, including the Courtroom Handbook on Illinois Evidence. He is also the Reporter for the Illinois Judicial Benchbook on Evidence, published by the Illinois Supreme Court. His articles and books have been cited and quoted numerous times, including by the United States Supreme Court.

Anita M. Cummings

Anita M. 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 the United Business Association of Midway and a past Executive Director of the Chicago/Midway-Clearing Main Street project. Currently, she serves as a Southwest side “Thought Leader” for the City of Chicago’s Treasurer’s Office. Ms. Cummings is a graduate of DePaul University, a former Chicago Public school teacher, and a longtime resident of the southwest side of Chicago.

G.A. Finch

G. A. Finch, a business, employment and real estate attorney, is a Partner at Hoogendoorn & Talbot LLP and resides in Chicago. His public service encompasses Chair of the Cook County Employee Appeals Board, Chief of Staff to the Cook County Board President, Chicago Housing Authority General Counsel, City of Chicago Deputy Planning Commissioner, Illinois Human Rights Commissioner, and Member of the Illinois Agricultural Export Advisory Committee.

His honors have included Leadership Greater Chicago Fellow, Salzburg Global Seminar Fellow, Chicago Jaycees Ten Outstanding Young Citizens Award, Chicago Commission on Human Relations Wright Award, Cook County Bar Association Platt Award, and Chicago Bar Foundation Distinguished Service Award among others.

A civic leader, he previously served as President of the Board of Advisors of St. Joseph Seminary of Loyola University, Chair of Decatur Classical Local School Council, and Secretary of the Editorial Board of the *Illinois Bar Journal*. He is a Life Member of the Association for the Study of African American Life & History.

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 and ended the year without an approved budget. The Commission had requested a \$379,000 appropriation, same as in the previous two fiscal years. Despite the lack of an appropriation, the Commission was able to operate by virtue of a court order covering employee salaries and simply deferring all other expenditures. At the end of the fiscal year, the Commission had personal services expenditures of \$245,701 and accumulated \$75,147 in unpaid operational expenses. This does not take into account any Prompt Payment Interest due vendors for the unpaid expenses.

William A. Schroeder was appointed as Commissioner on September 14, 2015 to a term expiring on March 1, 2019. Later that year Chairman Fredrick H. Bates announced he received a judicial appointment and resigned his position effective December 11, 2015. G.A. Finch was then appointed as Commissioner on April 11, 2016 to a term expiring on March 1, 2021 while Commissioner Schroeder was designated as Chairman effective that same day. Sadly, Chairman Schroeder passed away just prior to the completion of this Annual Report.

After meeting with the Governor's Office of Management and Budget in early 2016, the Commission commenced a reorganization which would allow it to develop and implement an exemption monitoring program. The need for this program was first raised in a Recommendation from the Auditor General in its 2010 Management Audit of Exemptions Granted by the Civil Service Commission. This would be the last of six Recommendations to be implemented by the Commission. In accordance with this reorganization, a new position of Exemption Monitor and Human Resources Manager was created. To accommodate this new program without increasing headcount, all existing position descriptions were revamped and clarified. This allowed the existing fiscal officer position to be abolished. Jane Ryan was hired to fill the new Exemption Monitor and Human Resources Manager on June 1, 2016. It is anticipated that the exemption monitoring program will be up and running in the latter part of the next fiscal year.

The Auditor General conducted its bi-annual compliance audit for fiscal years 2014 and 2015. The report identified two significant deficiencies in internal controls. Both findings were directly related to the extended vacancy of the fiscal officer position and should be remedied with the above reorganization. The audit also included a follow-up from the Auditor General's Management Audit of Exemptions released in 2010. The follow-up referenced the remaining unimplemented recommendation that the Commission should work with Central Management Services to monitor the use of principal policy exempt positions. The reorganization and hiring of the Exemption Monitor and Human Resources Manager should suffice to satisfy this last Recommendation.

Prior to his departure Chairman Bates expressed a concern that members of the General Assembly were not adequately advised of the role the Civil Service Commission plays in the administration of State government. To remedy that, a short explanatory memorandum was prepared and sent to all Representatives and Senators on October 9, 2015.

The Commission staff and Commissioners participated in the annual SECA (State and University Employees Combined Appeal) drive for charitable giving. The Commission again won the Division 8 title for the 2015 campaign for the largest percentage of participation in small agencies as well as an Exceptional Giving award for exceeding the previous year's donations.

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. The Commission monitors the use of these positions to ensure their continued eligibility for exemption.
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 2016, 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 2016, the Director of Central Management Services submitted the following amendment to the Personnel Rules:

Section 305.310 Extending Jurisdiction A, B, and C to Sign Hanger and Sign Hanger Foreman positions in the Illinois Department of Transportation.

A change in the agenda format was made to ensure that any submitted amendment receives the Commission’s consideration and is not inadvertently approved by operation of law.

(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 2016, the Commission reviewed and acted on 28 amendments to the classification plan.

New classes approved	13
Revised classes approved	11
Abolished classes approved	<u>4</u>
	<u>28</u>

(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 76 exemption requests in fiscal year 2016. Of those, 49 were granted exemption (11 of the 49 were granted for a term ranging from three months to three years) and 27 were withdrawn.

There were a total of 35 4d(3) exempt positions that were considered for rescission of exemption for various reasons, including extended vacancies. Of those 35 positions, 26 had their exemptions rescinded and nine of the proposed rescissions were denied (not rescinded).

REPORT ON EXEMPT POSITIONS AT JUNE 30, 2016¹

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	146	18
Agriculture.....	373	20
Arts Council.....	11	2
Capitol Development Board.....	44	0
Central Management Services.....	1,408	116
Children and Family Services.....	2,567	50
Civil Service Commission.....	3	0
Commerce & Economic Opportunity.....	299	69
Commerce Commission.....	60	0
Corrections.....	11,780	98
Criminal Justice Authority.....	52	7
Deaf and Hard of Hearing Comm.....	5	1
Developmental Disabilities Council.....	9	1
Emergency Management Agency.....	72	6
Employment Security.....	1,159	31
Environmental Protection Agency.....	691	17
Financial & Professional Regulation.....	427	49
Gaming Board.....	171	6
Guardianship and Advocacy.....	97	8
Healthcare and Family Services.....	1,947	26
Historic Preservation Agency.....	133	17
Human Rights Commission.....	14	2
Human Rights Department.....	128	9
Human Services.....	13,312	77
Illinois Torture Inquiry Relief Commission.....	2	1
Independent Tax Tribunal.....	1	0
Insurance.....	232	15
Investment Board.....	3	2
Juvenile Justice.....	1,090	27
Labor.....	82	11
Labor Relations Board Educational.....	9	3
Labor Relations Board State.....	14	2
Law Enforcement Training & Standards Bd.....	20	2
Lottery.....	144	8
Military Affairs.....	131	3
Natural Resources.....	1,348	32
Pollution Control Board.....	20	2
Prisoner Review Board.....	21	0
Property Tax Appeal Board.....	33	1
Public Health.....	1,114	39
Racing Board.....	2	1
Revenue.....	1,554	52
State Fire Marshal.....	118	12
State Police.....	1,026	10
State Police Merit Board.....	6	2
State Retirement Systems.....	106	3
Transportation.....	2,190	0
Veterans' Affairs.....	1,355	10
Workers' Compensation Commission.....	129	11
TOTALS.....	45,658	879

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

EXEMPTION ACTIVITY BY AGENCY

Department on Aging	1 exemption request withdrawn
Agriculture	1 exempt position abolished 1 exemption granted
Central Management Services	4 exempt positions abolished 11 exemptions granted 14 exemption requests withdrawn 17 exemptions rescinded 2 exemption rescissions denied
Children and Family Services	3 exempt positions abolished 5 exemptions granted 4 exemption requests withdrawn 1 exemption rescinded
Commerce and Economic Opportunity	1 exemption request granted 1 exemption request withdrawn 1 exemption rescinded 1 exemption rescission denied
Corrections	5 exemption requests withdrawn 2 exemption rescissions denied
Criminal Justice Information Authority	1 exemption granted
Educational Labor Relations Board	1 exemption granted
Employment Security	1 exemption granted
Environmental Protection	1 exemption rescinded
Historic Preservation Agency	3 exemptions granted
Human Services	3 exemptions granted 1 exemption request withdrawn 2 exemptions rescinded 1 exemption rescission denied
Innovation and Technology (DoIT)	10 exemptions granted
Insurance	1 exemption granted 1 exemption request withdrawn
Juvenile Justice	2 exemptions granted

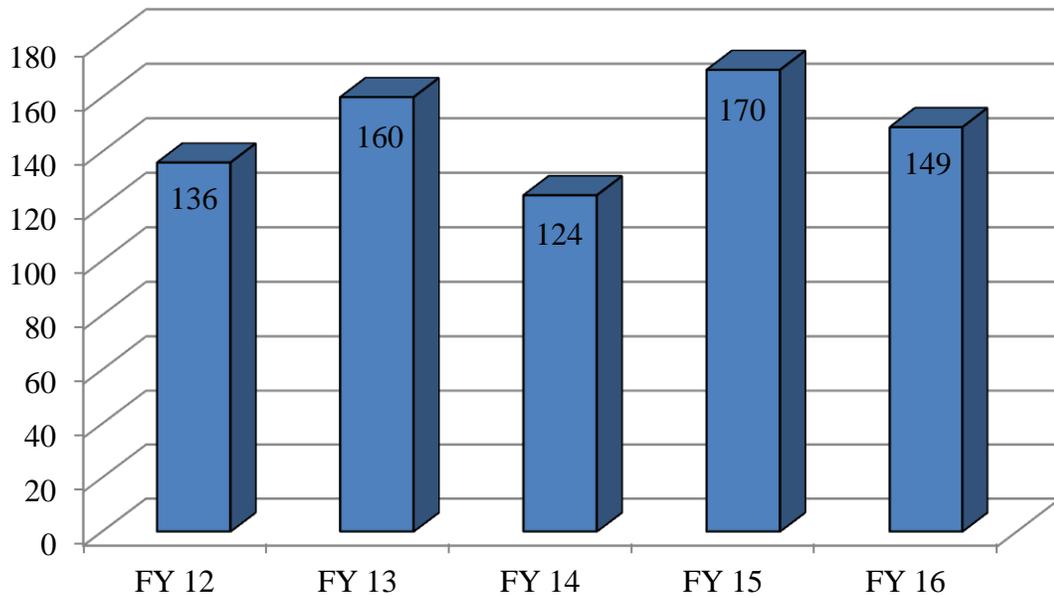
Lottery	2 exemptions granted
Natural Resources	1 exemption granted
Public Health	2 exemptions rescinded
Revenue	2 exempt positions abolished 3 exemptions granted 2 exemptions rescinded 2 exemption rescissions denied
State Police	1 exemption granted
Torture Inquiry & Relief Commission	1 exemption granted
Veterans' Affairs	1 exemption granted
Workers' Compensation Commission	1 exemption rescission denied

TECHNICAL ACTIONS BY THE COMMISSION

	FY 12	FY 13	FY 14	FY 15	<u>FY 16</u>
<u>Class Specifications</u>					
Revisions or New Classes Not Approved	0	0	1	0	0
New Classes Approved	10	8	10	31	13
Revised Classes Approved	7	16	15	87	11
Abolished Classes Approved	<u>2</u>	<u>4</u>	<u>0</u>	<u>4</u>	<u>4</u>
TOTALS	<u>19</u>	<u>28</u>	<u>26</u>	<u>122</u>	<u>28</u>

4d(3) Exemptions

Exemption Requests Granted	40	55	39	27	49
Exemption Requests Denied	2	7	2	3	0
Exemption Requests Withdrawn	4	13	6	5	27
Exemptions Rescinded	12	19	22	2	26
Exemption Rescissions Denied	39	35	20	9	9
Exempt Positions Abolished	20	3	9	2	10
TOTALS	<u>117</u>	<u>132</u>	<u>98</u>	<u>48</u>	<u>121</u>
	<u>136</u>	<u>160</u>	<u>124</u>	<u>170</u>	<u>149</u>



(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 three rule violation appeals filed and two decisions rendered on appeals of Personnel Code and/or Rule Violation allegations in fiscal year 2016. One decision resulted in a finding of a violation and the second was dismissed for no jurisdiction as the employee had previously filed a grievance on the same issue. There were two rule violation appeals pending at June 30, 2016.

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	63	January	31
August	88	February	45
September	86	March	42
October	43	April	65
November	35	May	82
December	47	June	85

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 by Central Management Services 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 2016, there were 44 discharge appeals filed and the Commission rendered decisions in 48 appeals. The Commission imposed a suspension instead of discharge in nine appeals and denied 14 appeals (upheld the discharge). One appeal was upheld and the employee was reinstated. Three appeals were dismissed for default for failure to appear at hearing and three were dismissed when the agency withdrew the charges. One appeal was dismissed due to no jurisdiction and one was dismissed when the agency did not comply with Section 302.705 of the Personnel Rules. The remaining 16 appeals were withdrawn or settled. There were 16 pending discharge appeals at June 30, 2016.

There were five suspension appeals filed during fiscal year 2016 and eight decisions rendered by the Commission. Four appeals were dismissed as the parties had settled, three appeals were withdrawn and one appeal resulted in the suspension being upheld. There was one pending suspension appeal at June 30, 2016.

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. No demotion appeals were filed during fiscal year 2016. The one demotion appeal decision resulted in dismissal when the employee withdrew it. There are no pending demotion appeals at June 30, 2016.

CHARGES FOR DISCHARGE AND SUSPENSION²

Conduct unbecoming a State employee.....	19
Ethics notice violation	1
Exempt/probationary employee discharge; suspension pending discharge.....	2
Failure to follow procedures, regulations, rules or supervisory directives.....	18
Failure to requalify with state issued firearm.....	3
Falsification of documents or providing false information	10
Misuse of e-mail, state computer, state vehicle or other state property	3
Sleeping on the job	1
Unauthorized absences, failure to return from leave, tardiness	21
Workplace violence or harassment.....	3
Physical or mental abuse or neglect	2
Violation of drug or alcohol policy	<u>2</u>
Total Charges	<u>85</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. One geographical transfer appeal was filed during fiscal year 2016 that resulted in a finding of no violation. There were no geographic 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. No allocation appeals were filed during fiscal year 2016. There were no pending allocation appeals at June 30, 2016.

(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 and no decisions rendered during fiscal year 2016. No layoff appeals were pending at June 30, 2016.

² The total exceeds the number of employees discharged and suspended because multiple charges were made against several 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. One request for Declaratory Ruling was filed during fiscal year 2016 to clarify the issue of back pay but it was later withdrawn. No requests for declaratory ruling are pending at June 30, 2016.

APPEALS FILED BY TYPE FOR THE FIVE-YEAR PERIOD ENDED JUNE 30, 2016

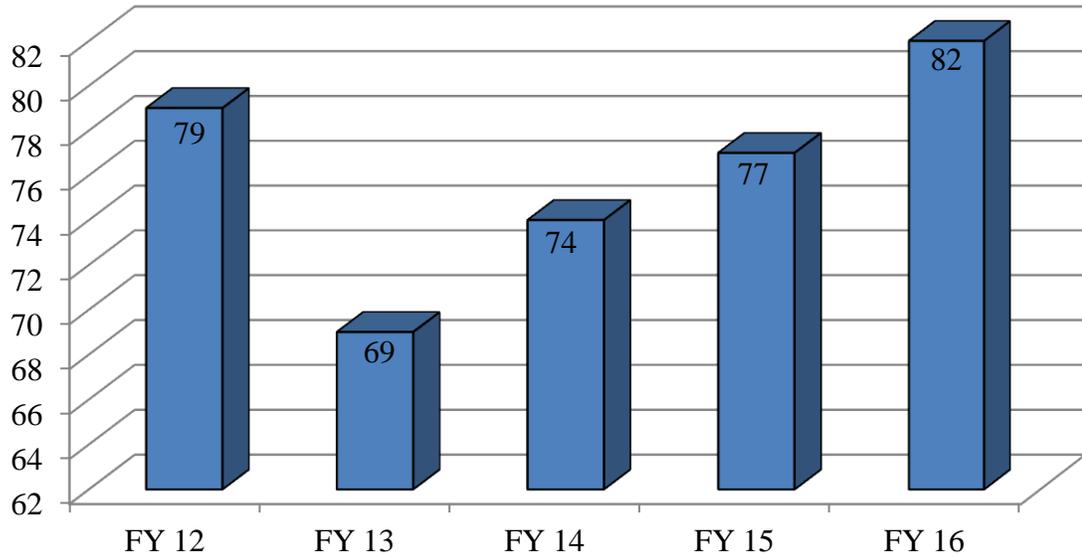
	2012	2013	2014	2015	2016	TOTAL
Discharge	40	31	34	41	44	190
Suspension	6	6	9	8	5	34
Demotion	2	0	0	1	0	3
Rule Violation	4	7	4	3	3	21
Geographical Transfer	1	0	0	0	1	2
Allocation	2	0	1	0	0	3
Layoff	1	3	0	0	0	4
Declaratory Ruling	0	1	1	0	1	3
	56	48	49	53	54	260

DECISIONS OF THE COMMISSION

A. <u>Substantive Actions by the Commission</u>	<u>FY 12</u>	<u>FY 13</u>	<u>FY 14</u>	<u>FY 15</u>	<u>FY 16</u>
Appeals granted:					
Employees reinstated with suspension	10	1	8	7	9
Employees reinstated with no suspension	1	3	3	0	1
Layoff appeal granted	0	0	0	0	0
Rule Violation appeal granted	1	1	1	0	1
Declaratory Ruling request granted	0	1	0	0	0
Allocation appeal granted	0	2	0	0	0
Suspension appeal granted	0	1	2	2	0
<u>Subtotal</u>	<u>12</u>	<u>9</u>	<u>14</u>	<u>9</u>	<u>11</u>
Appeals denied:					
Discharge appeal denied	11	8	2	8	14
Position Allocation denied	0	0	0	0	0
Layoff appeal denied	0	0	2	0	0
Geographical Transfer appeal denied	0	0	0	0	1
Suspension appeal denied	1	0	3	0	1
Rule Violation appeal denied	5	4	3	4	0
Declaratory Ruling request denied	0	0	0	1	0
<u>Subtotal</u>	<u>17</u>	<u>12</u>	<u>10</u>	<u>13</u>	<u>16</u>
Total Substantive Actions	<u>29</u>	<u>21</u>	<u>24</u>	<u>22</u>	<u>27</u>
B. <u>Appeals dismissed with no decision on the Merits or interlocutory appeals</u> ³					
Discharges	21	17	16	21	24
Demotions	1	1	0	0	1
Allocations and Declaratory Rulings	0	0	0	1	1
Layoff appeals	0	1	1	0	0
Geographical Transfers	0	1	0	0	0
Suspensions	4	3	6	5	7
Rule Violations	3	0	3	0	1
Total Non-Substantive Actions	<u>29</u>	<u>23</u>	<u>26</u>	<u>27</u>	<u>34</u>
C. <u>Appeals Pending at end of Fiscal Year</u>	21	25	24	28	21
D. <u>Total Appeals Closed or Pending at end of Fiscal Year</u>	79	69	74	77	82

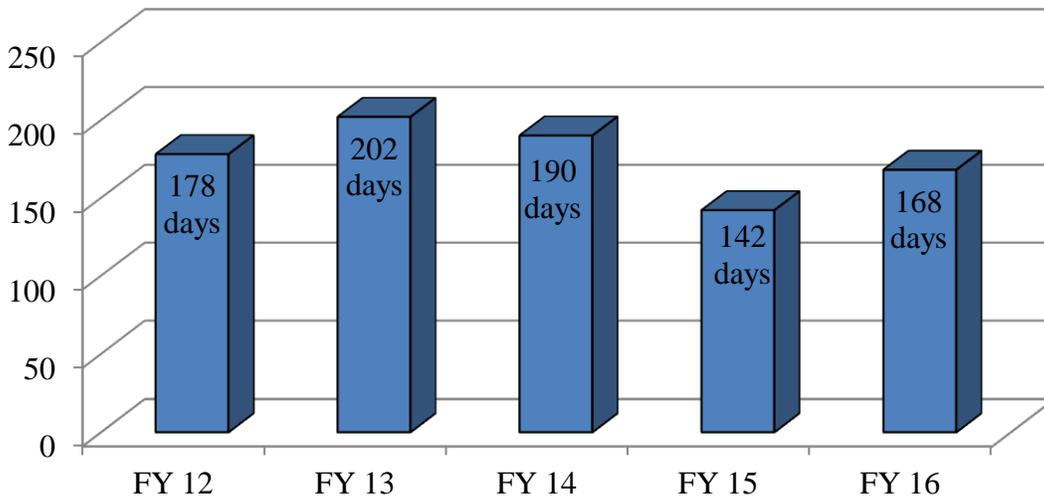
³ Includes appeals dismissed due to settlement, withdrawal, default (failure to appear or failure to respond to Commission inquiry) lack of jurisdiction, or other reasons.

**COMMISSION WORKLOAD
Total Appeals Closed or Pending**



At June 30, 2016 there were a total of 21 appeals pending, with two of those from previous fiscal years (2010 and 2013). 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.

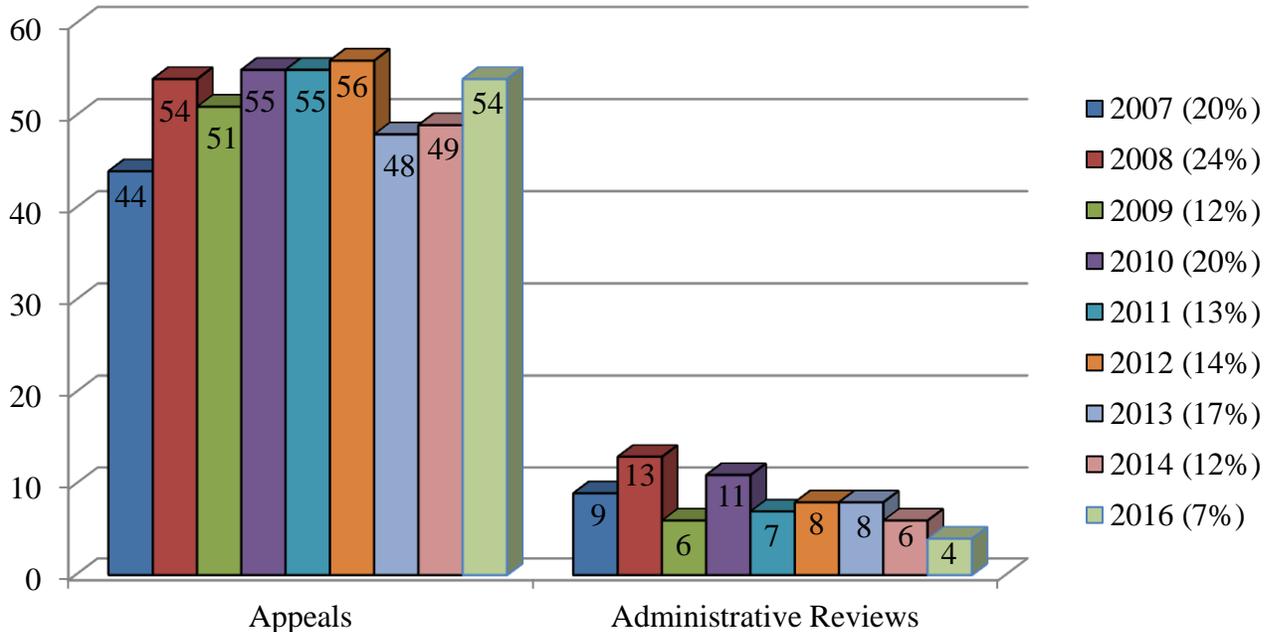
AVERAGE PROCESSING TIME (The goal is 180 days.)



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 large 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 2008 and one of the parties filed for Administrative Review during fiscal year 2009, the statistic will be counted for fiscal year 2008.



The following table shows the results and current status of Administrative Reviews that were filed for fiscal years 2007 through 2016. 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	2015	2016
Commission upheld Circuit Court	6	11	6	8	7	4	4	2	0	0
Commission reversed Circuit Court	1	1	0	2	0	1	0	0	1	0
Commission upheld Appellate Court	2	1	2	3	4	1	0	1	1	0
Commission reversed Appellate Court	1	1	0	1	1	0	0	0	0	0
Remanded	0	3	0	1	1	2	1	0	1	0
Pending at June 30	2	1	0	1	1	4	5	4	4	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 Step 4 grievance committee meetings with Commission employees during fiscal year 2016. Central Management Services indicated there were seven Rules Grievances filed during fiscal year 2016 and 27 pending at the 4th level as of June 30, 2016.

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. On March 25, 2016 the Executive Director made a presentation to a meeting of the Illinois Department of Financial and Professional Regulation's legal staff on "What every general counsel should know about the Civil Service Commission." The Commission staff is available to employees and agency administrators to respond to a variety of procedural inquiries regarding the operation of the Commission.

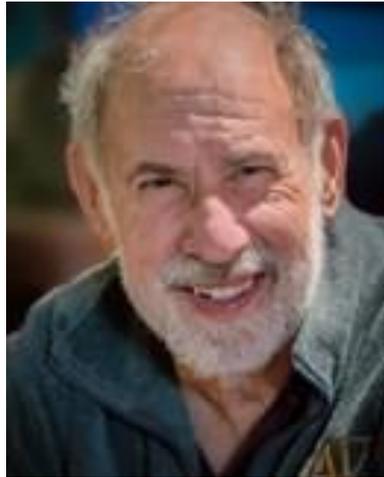
INTERAGENCY COMMITTEE ON EMPLOYEES WITH DISABILITIES

The Chairman of the Commission is an ex officio member of the Interagency Committee on Employees with Disabilities 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.

IN MEMORY OF BILL SCHROEDER



1943 to 2016

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