

ILLINOIS CIVIL SERVICE COMMISSION

ANNUAL REPORT FOR

FISCAL YEAR 2018



Timothy D. Sickmeyer, Chairman
G.A. Finch, Commissioner
David Luechtefeld, Commissioner
Jane Ryan, Commissioner
Casey Urlacher, Commissioner

Daniel Stralka
Executive Director



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Timothy D. Sickmeyer
 CHAIRMAN

COMMISSIONERS
 G.A. Finch
 David Luechtefeld
 Jane Ryan
 Casey Urlacher

November 15, 2018

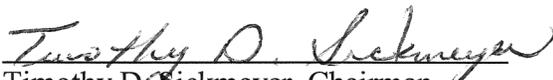
Governor Bruce Rauner
 State of Illinois
 Springfield, Illinois 62706

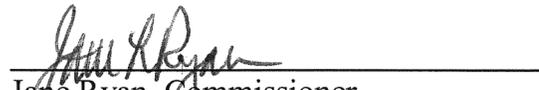
Dear Governor:

We submit this report to you, to the members of the General Assembly, and to the citizens of Illinois. It is the Commission's 105th Annual Report and covers the period of July 1, 2017 through June 30, 2018. 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,


 Timothy D. Sickmeyer, Chairman


 Jane Ryan, Commissioner


 G.A. Finch, Commissioner


 David Luechtefeld, 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	8-9
Exemption Activity by Agency.....	9
Report on Exempt Positions at June 30, 2018.....	10
Technical Actions by the Commission.....	11
Rule Violation and Compliance Activity	11-12
Appeals of Discharge, Suspension, and Demotion	12-13
Charges for Discharge and Suspension.....	13
Appeals of Geographical Transfer and Allocation.....	13
Appeals of Layoff.....	13-14
Declaratory Ruling	14
Appeals Filed by Type	14
Decisions of the Commission.....	15
Commission Workload.....	16
Average Processing Time.....	16
Administrative Review.....	17
Grievance Committee.....	18
Training	18
Interagency Committee on Employees with Disabilities	18
State Hispanic and Bilingual Employment Plans.....	18

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>
Timothy D. Sickmeyer, Chairman	March 1, 2023
G.A. Finch, Commissioner	March 1, 2021
David Luechtefeld, Commissioner	March 1, 2023
Jane Ryan, Commissioner	March 1, 2019
Casey Urlacher, Commissioner	March 1, 2023

Timothy D. Sickmeyer

Timothy D. Sickmeyer is a retired 28-year veteran of the Illinois Conservation Police. A graduate of Shawnee College, Mr. Sickmeyer served as a waterfowl technician with the (former) Department of Conservation. He then joined the Office of Law Enforcement. Starting as a field officer, he rose through the ranks to be Chief of the Division of Investigations of the Department of Natural Resources where he oversaw a team of field investigators and support staff. During this tenure, he planned and directed numerous undercover operations and large-scale investigations including employment related investigations. Mr. Sickmeyer was trained in the Rutan interview process while at the Department and participated in the hiring and promotion of State employees in accordance with the Personnel Code. He received numerous merit awards and commendations throughout his career. Upon his retirement in 2010, Mr. Sickmeyer served as a contract lobbyist for the Conservation Police Lodge and the Illinois Trappers Association.

Mr. Sickmeyer grew up in Chester, Illinois and now lives in rural Mason County along with his wife where he serves as an elder in his church, helping and ministering to others. He is a sworn deputy sheriff for the Mason County Sheriff's Department, serving as needed. He has two grown children along with two grandchildren and remains an avid outdoorsman.

G.A. Finch

G. A. Finch, a business attorney and an executive employment/compensation counsel, is a Partner at Hoogendoorn & Talbot LLP. He has been named an Illinois Super Lawyer, selected as a Leading Lawyer and designated the highest Martindale-Hubbell Preeminent Rating in Legal Ability and Ethics (AV). He started his career as a law clerk to a US District Court Chief Judge in Chicago.

He serves as Chair of the Cook County Employee Appeals Board. His earlier public service has included Chief of Staff to the Cook County Board President, Illinois Human Rights Commissioner, City of Chicago Deputy Planning Commissioner, Chicago Housing Authority General Counsel, and Member of the Illinois Agricultural Export Advisory Committee.

He counts among his honors: 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.

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 Member of the Economic Club of Chicago.

David Luechtefeld

David Luechtefeld grew up on a dairy farm ten miles south of the small town of Okawville, Illinois in Washington County. He attended a two-room school at St. Anthony Catholic Grade School in Lively Grove, Illinois. Upon graduation, he attended Okawville High School and graduated in 1958. He then entered St. Louis University on a basketball and baseball scholarship and graduated in 1962 with a Bachelor of Science Degree. He was inducted into the St. Louis University Distinguished Alumni Hall of Fame and the Basketball Hall of Fame. David also earned a Master of Science Degree from Southern Illinois University at Edwardsville. He has been actively involved in St. Barbara's Catholic Church for the past 55 years.

In 1962 he began teaching History and Government at Okawville High School and taught for 33 years. He was the head baseball coach for 28 years. He was also the head basketball coach for 38 years and served as Athletic Director. He has also been inducted into the Basketball and Baseball Coaches Hall of Fame in Illinois.

David Luechtefeld was appointed in 1995 to be the State Senator for the 58th District. He served in that capacity for 21 years. He served as the Assistant Minority Leader for 14 years and the Deputy Minority Leader for his final year. He retired from the Senate in 2017.

Jane Ryan

Jane Ryan began her career with the State of Illinois in 1983. In 32 years with the State, she has worked in supervisory and managerial positions in the Attorney General's Office, Secretary of State, Central Management Services, Department of Transportation, and the Civil Service Commission. Many years of working in human resources and labor administration as well as serving as a union steward provide a background familiar the State of Illinois Personnel Code, the Human Rights Act, the Americans with Disabilities Act and Equal Employment Opportunity laws. In addition to her state service, Ms. Ryan served as Chairman of the City of Lincoln Civil Service Commission.

A graduate of Eastern Illinois University with a Master of Arts, Ms. Ryan is a lifelong resident of Lincoln, Illinois. She has sought to continually improve her knowledge with training in Internal Investigations, Conflict Resolution, Sexual Harassment, EEO Officers' Training, Diversity, Ethics, Personnel Law/Public Sector Employment, and Federal Mediation, Counseling Labor Management Relations, etc. She is a member of the Zonta Club, works with the Special Olympics Polar Plunge, serves as Financial Secretary of her church, and participates in numerous civic activities.

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 over 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 seeking and receiving an appropriation of \$416,900. This amount was sufficient to provide for this fiscal year's expenses but did not address the shortfall from the previous two fiscal years. (The Civil Service did not receive any appropriation in FY16 and only \$25,000 in FY17.) Fortunately, a supplemental appropriation of \$140,000 was passed in June that provided sufficient additional funding to eliminate the shortfall and accumulated Prompt Payment Interest.

Commissioner Jane Ryan was appointed on October 12, 2017 to serve a term ending March 1, 2019. She had been fulfilling the duties of Exemption Monitor and Human Resources Manager on a 75-day temporary appointment prior to her appointment as Commissioner. The vacant Exemption Monitor and Human Resources Manager was subsequently posted and filled via the Rutan interview process. Sabrina Johnson was the successful applicant and started as Exemption Monitor and Human Resources Manager on February 1, 2018.

Under the guidance of Chairman Sickmeyer, the legislature passed and the Governor signed into law P.A 100-1073. This bill amended the Personnel Code to definitively establish the Commission's authority to remand matters back to an Administrative Law Judge for additional proceedings when warranted while protecting an employee's entitlement to a prompt resolution of their appeal.

The Auditor General conducted its bi-annual compliance audit for fiscal years 2016 and 2017. The report identified one finding related to compliance with the Fiscal Control and Internal Auditing Act. The Commission did not dispute the finding but noted how the conversion to the SAP system impacted its noncompliance. The Commission has taken steps to ensure compliance going forward. In addition, the report included a follow-up to two previous findings related to segregation of duties and the monitoring of exempt positions. The Auditor General noted that the Commission has taken sufficient steps for it to find substantial compliance with the underlying issues.

The Civil Service Commission undertook an extensive review and rewrite of its Rules to better reflect existing practices before the Commission and to ease the burden of the appeal process on involved parties. The Commission staff contacted interested parties, legal representatives and State agencies for input. Ways in which the appeals process could be more time-efficient, cost-effective, and address future issues related to technological innovation were considered. Amendments to 26 different rules were proposed. After working with the Joint Committee on Administrative Rules and the Index Department at the Secretary of State, the proposed amendments to the Rules were published in the April 20, 2018 issue of the Illinois Register to be available for public comment. As of June 30, 2018, no comments or objections had been submitted.

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 2018, 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 2018, the Director of Central Management Services submitted one amendment to the Personnel Rules on Section 305.320 Extending Jurisdiction A, B, and C.

(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 2018, the Commission reviewed and acted on 68 amendments to the classification plan.

New classes approved	6
Revised classes approved	57
Abolished classes approved	<u>5</u>
	<u>68</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.

A significant change in exemption request processing occurred at the beginning of the fiscal year with the inclusion of the *Shakman* litigation Special Master’s review subsequent to the Director’s recommendation. Central Management Services requested the Commission to place submitted requests “on hold” while the Special Master conducted her own review. It was only after the Special Master’s review was complete that Central Management Services released pending exemption requests for consideration. This additional step in exemption request processing contributed to an overall reduction in the Commission’s workload in this area in 2018.

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 16 exemption requests in fiscal year 2018. Of those, 15 were granted exemption (ten of the 15 were granted for terms ranging from one to four years) and one was denied. There was one 4d(3) exempt position submitted by the agency that was considered for rescission of exemption. The Commission did rescind the exemption. As of June 30, 2018, there were also 16 exemption requests received by the Commission but waiting for Central Management Services to release them for consideration by the Commission.

EXEMPTION ACTIVITY BY AGENCY

Agriculture	1 exempt position abolished
Central Management Services	7 exempt positions abolished 2 exemptions granted
Commerce and Economic Opportunity	2 exempt positions abolished
Corrections	1 exemption granted
Human Rights	1 exemption denied
Human Services	1 exemption rescinded
Innovation and Technology (DoIT)	9 exemptions granted
Insurance	1 exemption granted
Natural Resources	1 exemption granted
State Retirement System	1 exemption granted

REPORT ON EXEMPT POSITIONS AT JUNE 30, 2018¹

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Abraham Lincoln Presidential Library & Museum	82	13
Aging.....	135	19
Agriculture	370	18
Arts Council	14	2
Capitol Development Board.....	30	0
Central Management Services.....	845	64
Children and Family Services.....	2,594	53
Civil Service Commission.....	3	0
Commerce & Economic Opportunity.....	245	66
Commerce Commission	58	0
Corrections	12,275	110
Criminal Justice Authority.....	46	7
Deaf and Hard of Hearing Comm.....	2	1
Developmental Disabilities Council	6	1
Emergency Management Agency.....	64	8
Employment Security	1,068	29
Environmental Protection Agency.....	604	18
Financial & Professional Regulation.....	380	48
Gaming Board	148	5
Guardianship and Advocacy	100	8
Healthcare and Family Services	1,585	26
Human Rights Commission.....	14	2
Human Rights Department.....	119	10
Human Services.....	12,583	80
Illinois Torture Inquiry Relief Commission	3	1
Independent Tax Tribunal	1	0
Innovation and Technology.....	1,270	60
Insurance	208	17
Investment Board	3	2
Juvenile Justice.....	917	28
Labor	73	11
Labor Relations Board Educational.....	10	3
Labor Relations Board State.....	13	2
Law Enforcement Training & Standards Bd.	22	3
Lottery	141	8
Military Affairs.....	133	3
Natural Resources.....	1,277	34
Pollution Control Board	18	2
Prisoner Review Board.....	19	1
Property Tax Appeal Board.....	29	1
Public Health.....	1,097	40
Racing Board.....	2	1
Revenue.....	1,366	45
State Fire Marshal	124	11
State Police.....	919	10
State Police Merit Board	7	2
State Retirement Systems	94	3
Transportation	2,127	0
Veterans' Affairs	1,263	10
Workers' Compensation Commission.....	116	11
TOTALS.....	44,622	897

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

TECHNICAL ACTIONS BY THE COMMISSION

	FY 14	FY 15	FY 16	FY 17	FY18
<u>Class Specifications</u>					
Revisions or New Classes Not Approved	1	0	0	0	0
New Classes Approved	10	31	13	10	6
Revised Classes Approved	15	87	11	24	57
Abolished Classes Approved	<u>0</u>	<u>4</u>	<u>4</u>	<u>10</u>	<u>5</u>
	<u>26</u>	<u>122</u>	<u>28</u>	<u>44</u>	<u>68</u>
TOTALS					
<u>4d(3) Exemptions</u>					
Exemption Requests Granted	39	27	49	58	15
Exemption Requests Denied	2	3	0	0	1
Exemption Requests Withdrawn	6	5	27	3	0
Exemptions Rescinded	22	2	26	28	1
Exemption Rescissions Denied	20	9	9	10	0
Exempt Positions Abolished	9	2	10	4	10
	<u>98</u>	<u>48</u>	<u>121</u>	<u>103</u>	<u>27</u>
	<u>124</u>	<u>170</u>	<u>149</u>	<u>147</u>	<u>95</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 six rule violation appeals filed and four decisions rendered on appeals of Personnel Code and/or Rule Violation allegations in fiscal year 2018. Two decisions resulted in a finding of no violation and one decision was dismissed for default when requested information was not filed with the Commission. There was one decision where a violation was proven and the agency ordered to come into compliance with the Personnel Code and Personnel Rules. There were four rule violation appeals pending at June 30, 2018.

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	108	November	105	March	114
August	122	December	108	April	65
September	104	January	117	May	101
October	84	February	89		

Reporting of this information was discontinued beginning with the July 2018 Minutes. The last month reported in Commission Minutes was for May 2018 in the June 2018 Minutes. Central Management Services tracks this information by employee, not position number so the numbers do not accurately reflect consecutive non-merit appointments. Commission staff will be working with Central Management Services and the Department of Innovation and Technology to develop a reliable measurement of activity in this area in the coming fiscal year.

(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 2018, there were 37 discharge appeals filed and the Commission rendered decisions in 38 appeals. The Commission imposed a suspension instead of discharge in five appeals and denied 16 appeals (upheld the discharge). One appeal was upheld and the employee was reinstated. Four appeals were dismissed for default for not appearing at hearing date or for no jurisdiction because of late filing or non-certified status of the employee. The remaining 12 appeals were withdrawn or settled. There were 15 pending discharge appeals at June 30, 2018.

There were three suspension appeals filed during fiscal year 2018 and eight decisions rendered by the Commission. Four appeals were dismissed after being withdrawn or settled, two were dismissed for no jurisdiction, one appeal resulted in the suspension being reduced from ten days to five days, and one appeal resulted in the suspension being upheld. There were no pending suspension appeals at June 30, 2018.

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. One demotion appeal was filed during fiscal year 2018 and it is pending at June 30, 2018.

CHARGES FOR DISCHARGE AND SUSPENSION²

Conduct unbecoming a State employee	12
Exempt/probationary employee discharge; suspension pending discharge	7
Failure to follow procedures, regulations, rules or supervisory directives	16
Falsification of documents or providing false information.....	2
Misuse or theft of state property	1
Sleeping on duty.....	3
Unauthorized absences, failure to return from leave, tardiness	16
Physical or mental abuse or neglect.....	2
Violation of drug or alcohol policy.....	<u>2</u>
Total Charges	<u>61</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. No geographical transfer appeals were filed during fiscal year 2018. 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 2018. There were no pending allocation appeals at June 30, 2018.

(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

² The total exceeds the number of employees discharged and suspended because multiple charges were made against several employees.

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 2018. No layoff appeals were pending at June 30, 2018.

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. No requests for Declaratory Ruling were filed during fiscal year 2018. No requests for declaratory ruling are pending at June 30, 2018.

APPEALS FILED BY TYPE FOR THE FIVE-YEAR PERIOD ENDED JUNE 30, 2018

	2014	2015	2016	2017	2018	Total	
Discharge	34	41	44	37	37	193	76%
Suspension	9	8	5	9	3	34	13%
Demotion	-	1	-	-	1	2	1%
Rule Violation	4	3	3	1	8	19	8%
Geographical Transfer	-	-	1	1	-	2	1%
Allocation	1	-	-	-	-	1	0%
Layoff	-	-	-	-	-	0	0%
Declaratory Ruling	1	-	1	-	-	2	1%
	49	53	54	48	49	253	

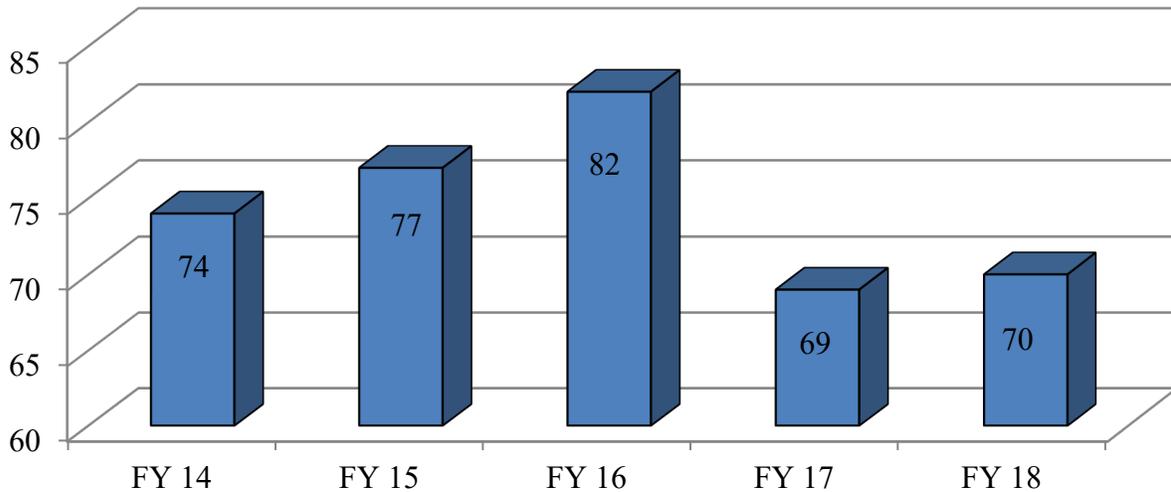
DECISIONS OF THE COMMISSION

A. <u>Substantive Actions by the Commission</u>	<u>FY 14</u>	<u>FY 15</u>	<u>FY 16</u>	<u>FY 17</u>	<u>FY 18</u>
Appeals granted:					
Employees reinstated with suspension	8	7	9	8	5
Employees reinstated with no suspension	3	0	1	1	1
Layoff appeal granted	0	0	0	0	0
Rule Violation appeal granted	1	0	1	0	1
Declaratory Ruling request granted	0	0	0	0	0
Allocation appeal granted	0	0	0	0	0
Suspension appeal granted	2	2	0	1	1
<u>Subtotal</u>	<u>14</u>	<u>9</u>	<u>11</u>	<u>10</u>	<u>8</u>
Appeals denied:					
Discharge appeal denied	2	8	14	13	16
Position Allocation denied	0	0	0	0	0
Layoff appeal denied	2	0	0	0	0
Geographical Transfer appeal denied	0	0	1	0	0
Suspension appeal denied	3	0	1	3	1
Rule Violation appeal denied	3	4	0	1	2
Declaratory Ruling request denied	0	1	0	0	0
<u>Subtotal</u>	<u>10</u>	<u>13</u>	<u>16</u>	<u>17</u>	<u>19</u>
Total Substantive Actions	<u>24</u>	<u>22</u>	<u>27</u>	<u>27</u>	<u>27</u>
B. <u>Appeals dismissed with no decision on the Merits or interlocutory appeals</u> ³					
Discharges	16	21	24	17	16
Demotions	0	0	1	0	0
Allocations and Declaratory Rulings	0	1	1	0	0
Layoff appeals	1	0	0	0	0
Geographical Transfers	0	0	0	1	0
Suspensions	6	5	7	1	6
Rule Violations	3	0	1	2	1
Total Non-Substantive Actions	<u>26</u>	<u>27</u>	<u>34</u>	<u>21</u>	<u>23</u>
C. <u>Appeals Pending at end of Fiscal Year</u>	24	28	21	21	20
D. <u>Total Appeals Closed or Pending at end of Fiscal Year</u>	74	77	82	69	70

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.

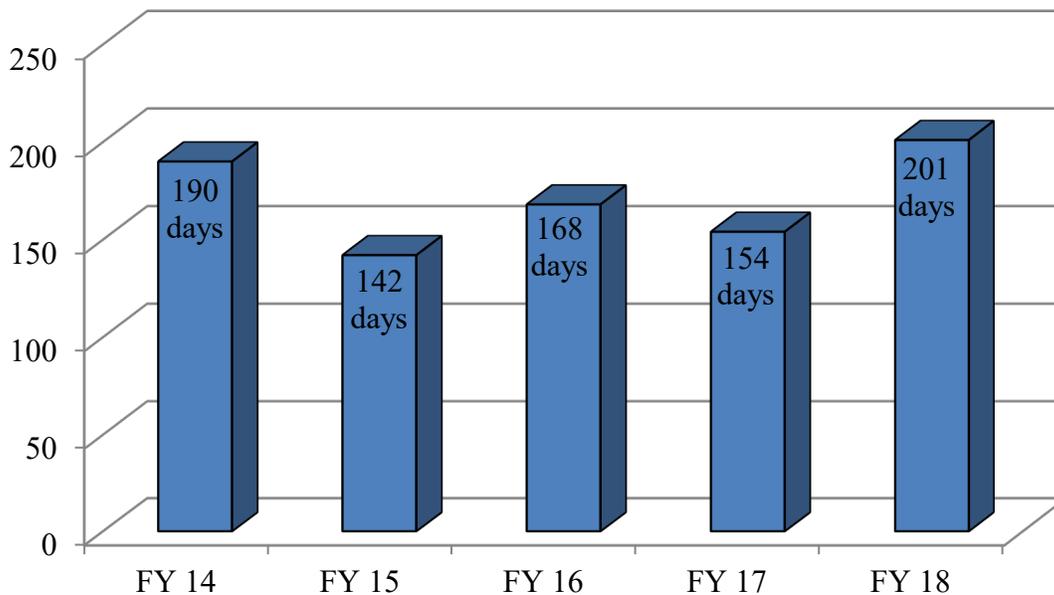
COMMISSION WORKLOAD Total Appeals Closed or Pending

At June 30, 2018 there were a total of 20 appeals pending, with two of those from previous fiscal years (2010 and 2016).



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.

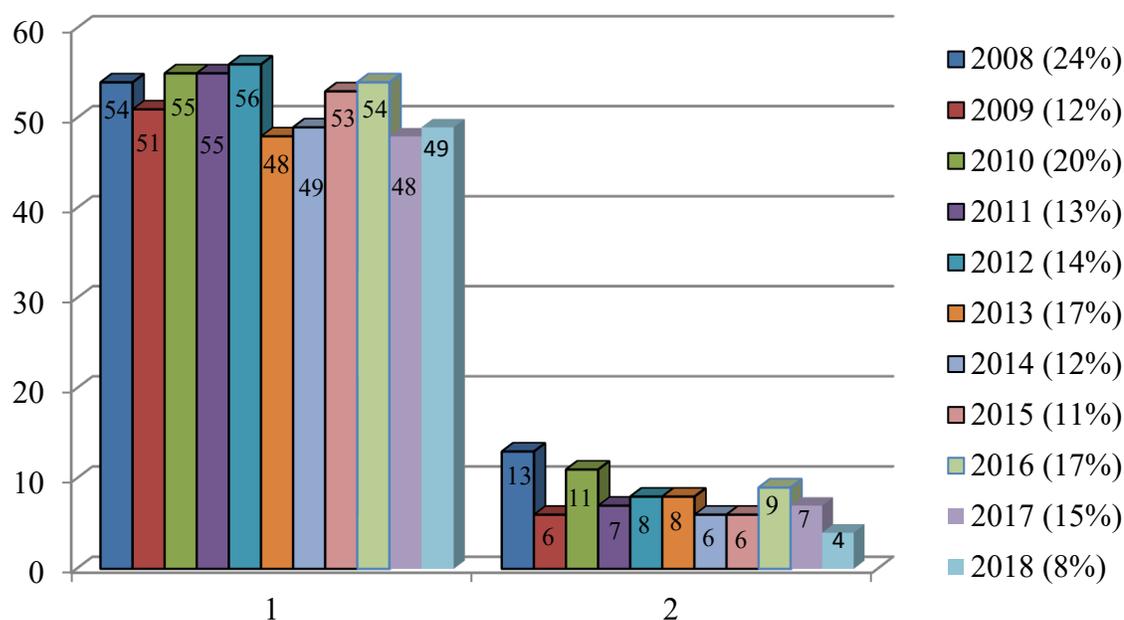
AVERAGE PROCESSING TIME (The goal is 180 days or less.)



The average processing time of 201 days for fiscal year 2018 would be 164 days if one discharge appeal from FY 2013 that was held pending judicial verdict 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 2012 and one of the parties filed for Administrative Review during fiscal year 2013, the statistic will be counted for fiscal year 2012.



The following table shows the results and status of Administrative Reviews that were filed for fiscal years 2008 through 2018. 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.

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
CSC upheld in Circuit Court	11	6	8	7	4	5	4	0	6	3	0
CSC reversed in Circuit Court	1	0	2	0	1	0	0	1	0	0	0
CSC upheld in Appellate Court	1	2	3	5	2	1	2	1	1	0	0
CSC reversed in Appellate Court	1	0	1	1	0	0	0	0	0	0	0
Remanded	3	0	1	1	2	1	0	1	0	0	0
Pending at 6/30	1	0	1	1	3	3	2	4	4	6	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. Central Management Services had not scheduled a grievance committee for many years. The Civil Service Commission made a concerted effort to ensure that pending grievances were addressed by the grievance committee in 2018 as discussed in quarterly meetings with Central Management Services regarding this issue as well as the creation of a rule regarding an expedited method to address such grievances. As a result of this concerted effort, a grievance committee was conducted by Central Management Services on September 15, 2017 at which Commission staff participated. Central Management Services indicated there were 19 Rules Grievances at the 4th level at July 1, 2017 and 14 at the 4th level as of June 30, 2018. The number of Rules Grievances that were dismissed, withdrawn or resolved without a hearing was 13.

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 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.

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