

# ILLINOIS CIVIL SERVICE COMMISSION

ANNUAL REPORT FOR

FISCAL YEAR 2019



Timothy D. Sickmeyer, Chairman  
G.A. Finch, Commissioner  
David Luechtefeld, Commissioner  
Vivian Robinson, Commissioner  
Casey Urlacher, Commissioner

Thomas H. Klein  
Executive Director



State of Illinois  
**CIVIL SERVICE COMMISSION**  
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Timothy D. Sickmeyer  
 CHAIRMAN

**COMMISSIONERS**  
 G.A. Finch  
 David Luechtefeld  
 Vivian Robinson  
 Casey Urlacher

Thomas H. Klein  
 EXECUTIVE DIRECTOR

November 21, 2019

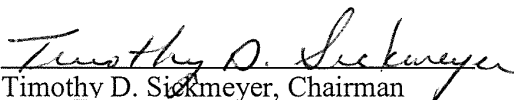
Governor JB Pritzker  
 State of Illinois  
 Springfield, Illinois 62706

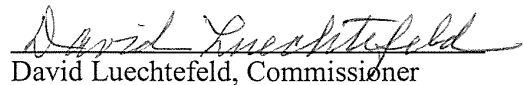
Dear Governor:

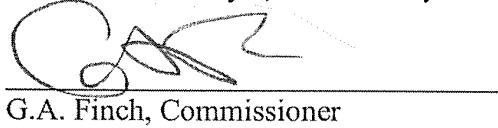
We submit this report to you, to the members of the General Assembly, and to the citizens of Illinois. It is the Commission's 105th Annual Report and covers the period of July 1, 2018 through June 30, 2019. In this report we have set forth both our responsibilities and accomplishments.

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

  
 David Luechtefeld, Commissioner

  
 G.A. Finch, Commissioner

  
 Vivian Robinson, Commissioner

  
 Casey Urlacher, Commissioner

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## MEMBERS OF THE COMMISSION

The members of the Civil Service Commission are appointed for a period of six years.

<u>Name</u>	<u>Term Expires</u>
Timothy D. Sickmeyer, Chairman	March 1, 2023
G.A. Finch, Commissioner	March 1, 2021
David Luechtefeld, Commissioner	March 1, 2023
Vivian Robinson, Commissioner	March 1, 2025
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 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, Member of the Illinois Agricultural Export Advisory Committee, and Member of Lt. Governor's Energy Working Group.

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, Chicago Bar Foundation Distinguished Service Award, and LULAC Leadership 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, Secretary of the Editorial Board of the *Illinois Bar Journal* and on the Boards of the Chicago Bar Association and the Chicago Bar Foundation. 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 58<sup>th</sup> 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 one year. He retired from the Senate in 2017.

### **Vivian Robinson**

Vivian Robinson was born in Fort Gordon, Georgia into a military family. Her formative years were spent living all over the country as well as Africa and Germany. She graduated Cum Laude from Southeast Missouri State University with a Bachelor of Arts degree in Psychology and a minor in Biology. That was followed by a Master of Social Work degree from Southern Illinois University.

In 1980 Vivian started public service with the Department of Children and Family Services. She spent her 35-year career helping train foster parents and improving the quality of life and education for underserved youth. Vivian received the Congressional Angels in Adoption Award in 1999. During her time at the Department, there was a significant increase in adoptions and programs to reduce child abuse were strengthened. Vacation and other benefit time were spent assisting orphanages in China and Southeast Asia. Vivian also held various positions, including President, in AFSCME Local 1048 helping protect the rights of State workers.

Vivian has lived in downstate Illinois for the past 40 years. She has twelve children, eight by adoption from orphanages in Southeast Asia. Vivian serves as a Court Appointed Special Advocate for abused or neglected children and continues to train child welfare advocates.

## **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 \$446,200 for fiscal year 2019. The Commission was able to clear all remaining expenditures from the budget impasse with the spending authority granted to it in the budget bill.

On January 28, 2019, the term of Commissioner Jane Ryan concluded when her appointment, which had yet to be confirmed by the Senate, was withdrawn. On April 19, 2019 Vivian Robinson was appointed as Commissioner, replacing Jane Ryan.

On January 7, 2019, Magistrate Judge Sidney Schenkier entered an Agreed Order in the Shakman litigation which expanded the manner in which Section 4d(3) exempt positions are reviewed to include the Court Appointed Special Master, the Hiring and Employment Monitor of the Office of the Executive Inspector General, and the Shakman Plaintiffs. These additional reviews apply to both current and proposed exempt positions. The Civil Service Commission retains its statutory duty to approve 4d(3) exemptions. The Civil Service Commission is partnering with the Special Master, the Hiring and Employment Monitor, and Central Management Services to establish exempt positions while ensuring that exemptions are only granted to appropriate positions. Working with these partners at the early stages of review will help create a more efficient exemption process.

A revised employee Personnel Policy was issued in November 2018. Eligibility requirements for FMLA (employment for 12 months and 1,250 hours worked) were specifically added to the policy.

The Civil Service Commission's 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 became effective on September 1, 2018.

Chairman Sickmeyer expressed a concern that current 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 April 3, 2019.

The Commission staff and Commissioners participated in the annual SECA (State and University Employees Combined Appeal) drive for charitable giving. The Commission won the Division 7 title for the 2019 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 2019, 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 2019, the Director of Central Management Services submitted two amendments to the Personnel Rules on Section 302.30 Veterans Preference and Section 303.21 Expedited Grievance Procedure.

## **(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 2019 the Commission reviewed and acted on 58 amendments to the classification plan.

New classes approved	7
Revised classes approved	46
Abolished classes approved	<u>5</u>
	<u>58</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 of Central Management Services. 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 65 exemption requests in fiscal year 2019. Of those, 61 were granted exemption and four were denied. The Commission rescinded the 4d(3) exemption from 90 positions, denied rescission for two positions and continued one position.

### **EXEMPTION ACTIVITY BY AGENCY**

Abraham Lincoln Presidential Library	1 exemption granted 3 exemptions rescinded
Aging	4 exemptions rescinded
Agriculture	1 exempt position abolished 1 exemption granted 2 exemptions rescinded
Central Management Services	7 exempt positions abolished 6 exemptions granted 13 exemptions rescinded
Children & Family Services	3 exemptions granted 1 rescission denied 1 exemption rescinded
Commerce and Economic Opportunity	1 exempt position abolished 26 exemptions rescinded
Corrections	8 exemptions rescinded
Criminal Justice	1 exemption granted 1 exemption rescinded
Emergency Management Agency	1 exemption denied 2 exemptions granted
Employment Security	2 exemptions rescinded
Environmental Protection Agency	1 exempt position abolished 2 exemptions granted 1 exemption rescinded
Financial & Professional Regulation	2 exemptions granted 4 exemptions rescinded
Gaming Board	4 exemptions granted
Healthcare & Family Services	1 exemption denied 3 exemptions granted
Human Rights	2 exemptions granted

Human Services	1 exempt position abolished 8 exemptions granted 3 exemptions rescinded
Innovation and Technology (DoIT)	2 exemptions granted 4 exemptions rescinded 1 rescission continued
Insurance	2 exemptions granted 1 exemption rescinded
Juvenile Justice	2 exemptions granted
Labor	1 exemption rescinded
Law Enforcement Standards and Training Board	1 exemption granted
Liquor Control Commission	exemptions granted
Lottery	1 exemption granted 2 exemptions rescinded
Natural Resources	4 exempt positions abolished 1 exemption granted 2 exemptions rescinded 1 rescission denied
Property Tax Appeal Board	1 exemption request denied 1 exemption granted
Public Health	3 exemptions granted 3 exemptions rescinded
Revenue	3 exemptions granted 3 exemptions rescinded
State Fire Marshal	2 exemptions granted 6 exemptions rescinded
State Retirement System	1 exempt position abolished
Torture Inquiry & Relief Commission	1 exemption granted
Transportation	3 exemptions granted
Veterans' Affairs	1 exempt position abolished 1 exemption denied 1 exemption granted

## REPORT ON EXEMPT POSITIONS AS OF JUNE 30, 2019<sup>1</sup>

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Abraham Lincoln Presidential Library & Museum .....	76	10
Aging.....	135	15
Agriculture .....	340	15
Arts Council .....	14	2
Capitol Development Board.....	34	0
Central Management Services.....	839	46
Children and Family Services.....	2,631	55
Civil Service Commission.....	4	0
Commerce & Economic Opportunity.....	208	39
Commerce Commission .....	52	0
Corrections .....	12,917	102
Criminal Justice Authority.....	52	7
Deaf and Hard of Hearing Comm.....	4	1
Developmental Disabilities Council .....	5	1
Emergency Management Agency.....	69	10
Employment Security .....	1,080	27
Environmental Protection Agency.....	593	17
Financial & Professional Regulation.....	387	45
Gaming Board .....	148	9
Guardianship and Advocacy .....	98	8
Healthcare and Family Services .....	1,523	29
Human Rights Commission.....	17	2
Human Rights Department.....	121	12
Human Services.....	12,642	81
Illinois Torture Inquiry Relief Commission .....	3	1
Independent Tax Tribunal .....	1	0
Innovation and Technology.....	1,204	57
Insurance .....	203	18
Investment Board .....	3	2
Juvenile Justice.....	922	30
Labor .....	75	10
Labor Relations Board Educational.....	11	3
Labor Relations Board State.....	14	2
Law Enforcement Training & Standards Bd. ....	20	3
Lottery .....	142	7
Military Affairs.....	137	3
Natural Resources.....	1,157	29
Pollution Control Board .....	15	2
Prisoner Review Board.....	22	1
Property Tax Appeal Board.....	36	2
Public Health.....	1,117	39
Racing Board.....	3	1
Revenue.....	1,456	47
State Fire Marshal .....	128	7
State Police.....	947	8
State Police Merit Board .....	6	2
State Retirement Systems .....	96	3
Transportation .....	2,388	3
Veterans' Affairs .....	1,202	10
Workers' Compensation Commission.....	105	12
 TOTALS.....	 45,402	 835

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<sup>1</sup> This report is generated by the Illinois Department of Central Management Services.

## TECHNICAL ACTIONS BY THE COMMISSION

	FY 15	FY 16	FY 17	FY18	FY19
<b><u>Class Specifications</u></b>					
Revisions or New Classes Not Approved	0	0	0	0	0
New Classes Approved	31	13	10	6	7
Revised Classes Approved	87	11	24	57	46
Abolished Classes Approved	<u>4</u>	<u>4</u>	<u>10</u>	<u>5</u>	<u>5</u>
	<b><u>122</u></b>	<b><u>28</u></b>	<b><u>44</u></b>	<b><u>68</u></b>	<b><u>58</u></b>
<b>TOTALS</b>					
<b><u>4d(3) Exemptions</u></b>					
Exemption Requests Granted	27	49	58	15	61
Exemption Requests Denied	3	0	0	1	4
Exemption Requests Withdrawn	5	27	3	0	0
Exemptions Rescinded	2	26	28	1	90
Exemption Rescissions Denied	9	9	10	0	2
Exemption Rescissions Continued	0	0	0	0	1
Exempt Positions Abolished	2	10	4	10	17
	<b><u>48</u></b>	<b><u>121</u></b>	<b><u>103</u></b>	<b><u>27</u></b>	<b><u>175</u></b>
	<b><u>170</u></b>	<b><u>149</u></b>	<b><u>147</u></b>	<b><u>95</u></b>	<b><u>233</u></b>

### (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 four decisions rendered on appeals of Personnel Code and/or Rule Violation allegations in fiscal year 2019. Three decisions resulted in a finding of no violation and one was withdrawn after being settled by the parties. There were three rule violation appeals pending as of June 30, 2019.

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.

## **(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 2019, there were 21 discharge appeals filed and the Commission rendered decisions in 27 appeals. The Commission imposed a suspension instead of discharge in six appeals and denied six appeals (upheld the discharge). Four appeals were dismissed for no jurisdiction because they were either exempt employees or not certified. The remaining 11 appeals were withdrawn or settled. There were nine pending discharge appeals as of June 30, 2019.

There were four suspension appeals filed during fiscal year 2019 and two decisions rendered by the Commission. One appeal was withdrawn, and one suspension was upheld. There were two pending suspension appeals as of June 30, 2019.

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. Two demotion appeals were filed, and the Commission rendered decisions in three during fiscal year 2019. One was upheld, one was withdrawn, and one was dismissed for no jurisdiction as the employee was not certified. There were none pending as of June 30, 2019.

## CHARGES FOR DISCHARGE AND SUSPENSION<sup>2</sup>

Conduct unbecoming a State employee .....	9
Exempt/probationary employee discharge; suspension pending discharge .....	1
Failure to follow procedures, regulations, rules or supervisory directives .....	13
Falsification of documents or providing false information.....	1
Misuse or theft of state property .....	6
Refusal of mandatory overtime.....	1
Sleeping or using cell phone on duty .....	2
Unauthorized absences, failure to return from leave, tardiness .....	8
Physical or mental abuse, neglect or harassment .....	4
Violation of drug or alcohol policy.....	<u>1</u>
Total Charges	<u>46</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 2019. 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 2019. There were no pending allocation appeals as of June 30, 2019.

### (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 was one layoff appeal filed during fiscal year 2019. That appeal was pending as of June 30, 2019.

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<sup>2</sup> 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. No requests for Declaratory Ruling were filed during fiscal year 2019. No requests for declaratory ruling are pending as of June 30, 2019.

### APPEALS FILED BY TYPE FOR THE FIVE-YEAR PERIOD ENDED JUNE 30, 2019

	2015	2016	2017	2018	2019	5 years TOTAL
Discharge	41	44	37	37	21	180
Suspension	8	5	9	3	4	29
Demotion	1	-	-	1	2	4
Rule Violation	3	3	1	8	3	18
Geographical Transfer	-	1	1	-	-	2
Allocation	-	-	-	-	-	0
Layoff	-	-	-	-	1	1
Declaratory Ruling	-	1	-	-	-	1
	53	54	48	49	31	235

## DECISIONS OF THE COMMISSION

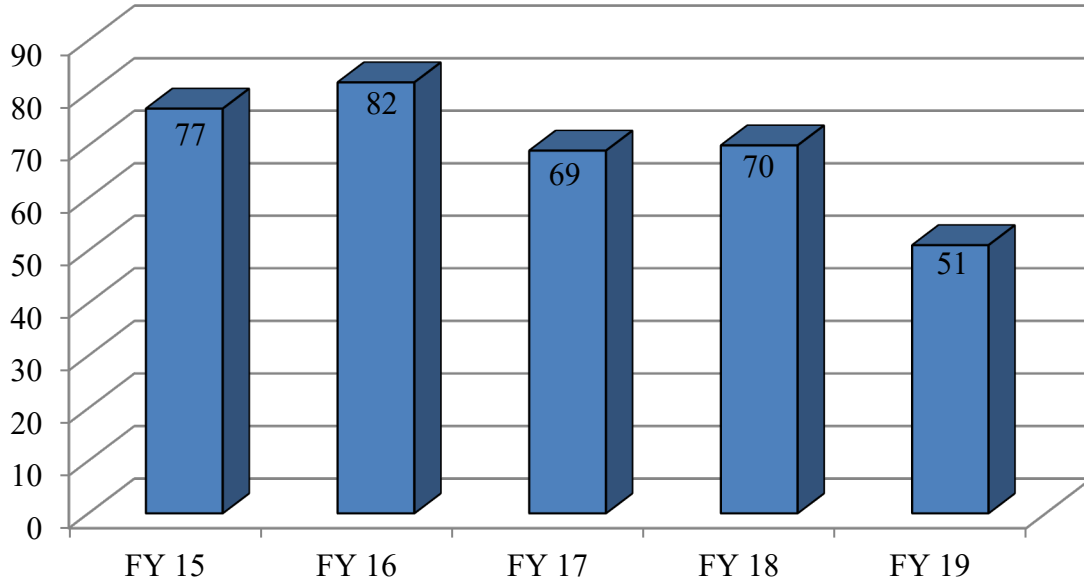
A. <u>Substantive Actions by the Commission</u>	<u>FY 15</u>	<u>FY 16</u>	<u>FY 17</u>	<u>FY 18</u>	<u>FY 19</u>
Appeals granted:					
Employees reinstated with suspension	7	9	8	5	6
Employees reinstated with no suspension	0	1	1	1	0
Layoff appeal granted	0	0	0	0	0
Rule Violation appeal granted	0	1	0	1	0
Declaratory Ruling request granted	0	0	0	0	0
Allocation appeal granted	0	0	0	0	0
Suspension appeal granted	2	0	1	1	0
<b><u>Subtotal</u></b>	<b><u>9</u></b>	<b><u>11</u></b>	<b><u>10</u></b>	<b><u>8</u></b>	<b><u>6</u></b>
Appeals denied:					
Discharge appeal denied	8	14	13	16	6
Position Allocation denied	0	0	0	0	0
Layoff appeal denied	0	0	0	0	0
Geographical Transfer appeal denied	0	1	0	0	0
Suspension appeal denied	0	1	3	1	1
Rule Violation appeal denied	4	0	1	2	3
Declaratory Ruling request denied	1	0	0	0	0
Demotion appeal denied	0	0	0	0	1
<b><u>Subtotal</u></b>	<b><u>13</u></b>	<b><u>16</u></b>	<b><u>17</u></b>	<b><u>19</u></b>	<b><u>11</u></b>
<b>Total Substantive Actions</b>	<b><u>22</u></b>	<b><u>27</u></b>	<b><u>27</u></b>	<b><u>27</u></b>	<b><u>17</u></b>
B. <u>Appeals dismissed with no decision on the Merits or interlocutory appeals</u> <sup>3</sup>					
Discharges	21	24	17	16	15
Demotions	0	1	0	0	2
Allocations and Declaratory Rulings	1	1	0	0	0
Layoff appeals	0	0	0	0	0
Geographical Transfers	0	0	1	0	0
Suspensions	5	7	1	6	1
Rule Violations	0	1	2	1	1
<b>Total Non-Substantive Actions</b>	<b><u>27</u></b>	<b><u>34</u></b>	<b><u>21</u></b>	<b><u>23</u></b>	<b><u>19</u></b>
C. <u>Appeals Pending at end of FY</u>	28	21	21	20	15
D. <u>Appeals Closed or Pending at end of FY</u>	77	82	69	70	51

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



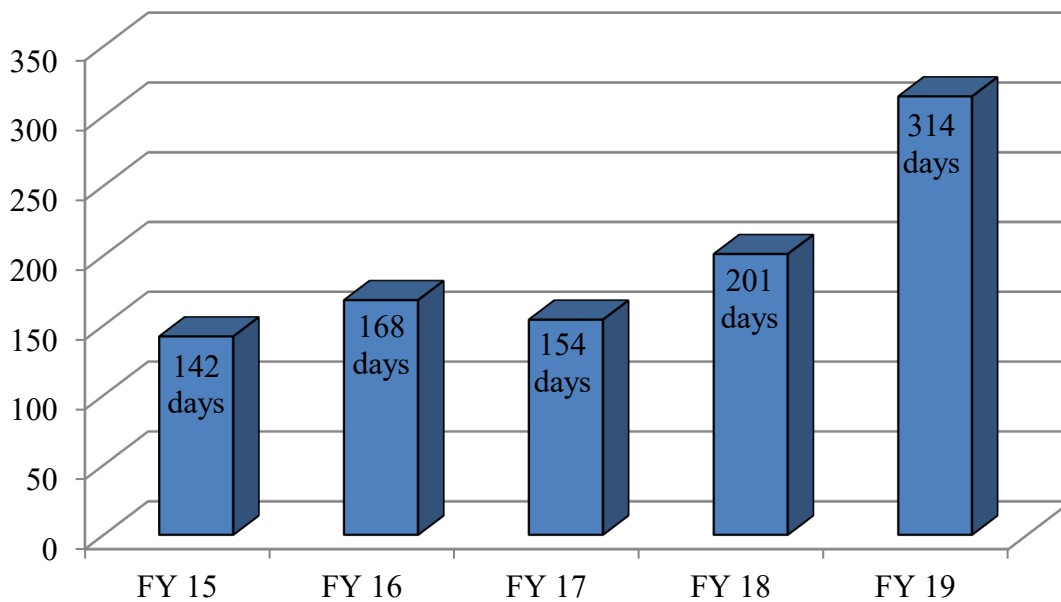
## COMMISSION WORKLOAD Total Appeals Closed or Pending

As of June 30, 2019 there were a total of 15 appeals pending, with two of those from fiscal year 2018.



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.

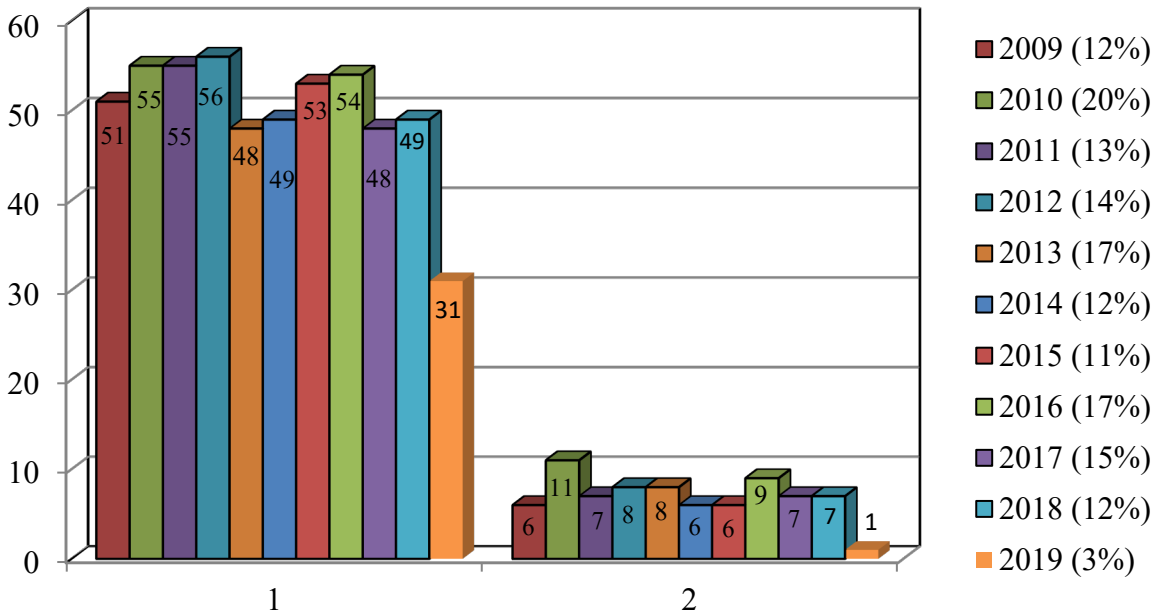
### AVERAGE PROCESSING TIME (The goal is 180 days or less.)



The average processing time of 314 days for fiscal year 2019 would be 174 days if three appeals (from FY 2010, FY 2016 and FY 2017) were 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 number of administrative reviews compared to the number of appeals filed with the Commission 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 2009 through 2019. 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.

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
CSC upheld in Circuit Court	6	8	7	4	5	4	0	6	4	3	0
CSC reversed in Circuit Court	0	2	0	1	0	0	1	0	0	0	0
CSC upheld in Appellate Court	2	3	5	2	1	2	1	1	1	0	0
CSC reversed in Appellate Court	0	1	1	0	0	0	0	0	0	0	0
Remanded	0	1	1	2	1	0	1	0	0	0	0
Pending on 6/30	0	1	1	3	3	2	4	3	5	4	1

## **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 Commission participated in a Grievance Committee Meeting on October 30, 2018. Based upon the Civil Service Commission's discovery of an error in Section 303.30 of the Personnel Rules, CMS amended the Personnel Rules to include Section 303.21 to address the expedited grievance process.

## **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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