

March 19, 2020

REGULAR MEETING MINUTES  
ILLINOIS CIVIL SERVICE COMMISSION  
March 19, 2020

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:03 A.M. AT 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, IL

II. ROLL CALL AND CONFIRMATION OF A QUORUM

Chairman Timothy D. Sickmeyer (by telephone); G.A. Finch (by telephone), David Luechtefeld (by telephone), and Vivian Robinson (by telephone), Commissioners; Thomas Klein, Executive Director, Andrew Barris, Assistant Executive Director and Sabrina Johnson (by telephone), Exemption Monitor; Sheila Tapscott (by telephone), Sarah Kerley (by telephone), and Chris Nickols (by telephone), Illinois Department of Central Management Services; and Amanda Thomet (by telephone), Office of the Executive Inspector General.

Executive Director Klein confirmed there was a quorum in light of the Governor's Executive Order suspending the Open Meetings Act in part. Executive Director Klein expressed gratitude to the Governor for the Executive Order.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD FEBRUARY 20, 2020

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD FEBRUARY 20, 2020.**

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

In accordance with the Open Meetings Act and the Rules of the Civil Service Commission, Executive Director Thomas Klein offered an opportunity for any person to address members of the Commission. Hearing no response, the meeting proceeded to the next agenda item.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Governing Rule – Section 1.142 Jurisdiction B Exemptions**

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
  - 1) The amount and scope of principal policy making authority;
  - 2) The amount and scope of principal policy administering authority;
  - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
  - 4) The capability to bind the agency, board or commission to a course of action;
  - 5) The nature of the program for which the position has principal policy responsibility;
  - 6) The placement of the position on the organizational chart of the agency, board or commission;
  - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days' notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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**B. Requests for 4d(3) Exemption**

- Exemption Monitor Sabrina Johnson indicated that Item B was a request for an Office Director within the Division of Oil and Gas Resource Management at the Department of Natural Resources, a position that reports to the Director. This position serves as the policy administrator for oil and gas resource management and sets policies and direction for a proactive inspection and enforcement program for all oil and gas development activities throughout the State of Illinois. This position directs and sets policy regarding oil and gas production and initiates and writes changes to the state’s oil and gas regulations. Staff recommended this exemption request be granted.

Sarah Kerley, Senior Policy Advisor with the Department of Central Management Services (CMS), concurred with Staff’s presentation.

**B. Illinois Department of Natural Resources**

Position Number	40070-12-10-000-00-01
Functional Title	Director, Office of Oil and Gas Resource Management
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO GRANT THE 4d(3) EXEMPTION REQUEST FOR THE FOLLOWING POSITION:**

**B: Director, Office of Oil and Gas Resource Management (DNR)**

**Proposed Rescission in accordance with Section 1.142(b) of the Rules of the Civil Service Commission**

Section 1.142(b) provides that the Commission may rescind the exemption of positions that no longer meet the requirements for exemption upon the recommendation of the Director of Central Management Services. The determination of rescission of Section 4d(3) exemptions rests with Civil Service Commission. Section 1.142(b) of the Commission Rules provides that rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will ensure responsive and accountable administrative control of the programs of the agency.

- Exemption Monitor Sabrina Johnson indicated that Item C was a rescission request for the Operations Administrator at the Department of Corrections (DOC). This exemption was granted in August 2016. CMS is requesting this rescission, and DOC does not have any objection to this request. Based on the last clarification effective March 2020, this position implements the Bureau of Operations policies, procedures, Administrative Directives, Department Rules and Institutional Directives. This position provides recommendations

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to ensure compliance and establishes mechanisms for resolution. Staff recommended rescission of the exemption.

Ms. Kerley concurred with Staff's presentation.

Item	Agency / Position #		Functional Title	Incumbent
C	DOC	40070-29-04-010-00-01	Operations Administrator	Vacant

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO RESCIND THE 4d(3) EXEMPTION FOR THE FOLLOWING POSITION:**

**C: Operations Administrator (DOC)**

- Executive Director Thomas Klein indicated Item D, Division Chief of Health Programs, was approved for exemption at the February 20, 2020, meeting without the approval from Office of the Executive Inspector General (OEIG). Sarah Kerley indicated that the OEIG and the Shakman Special Master had subsequently approved this position for exemption.

**D. Illinois Department of Public Health**

Position Number	40070-20-33-000-00-01
Functional Title	Chief, Division of Emerging Health Issues
Incumbent	Vacant
Location	Sangamon County

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY CHAIRMAN SICKMEYER, AND THE MOTION ADOPTED 4-0 TO CERTIFY THE PAST ACTION OF THE FEBRUARY 20, 2020 MEETING TO GRANT THE 4d(3) EXEMPTION REQUEST FOR THE FOLLOWING POSITION:**

- D: Chief, Division of Emerging Health Issues (DPH) granted exemption on February 20, 2020**

VI. CLASS SPECIFICATIONS

A. **Governing Rule – Section 1.45 Classification Plan**

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work; and
- f) The relation of the class specifications to any applicable collective bargaining agreement.

The following class titles were submitted for abolishment, creation, and revision by the Director of the Illinois Department of Central Management Services:

- B. **Court Reporter (revise)**  
**Industrial Commission Reporter (revise)**
- C. **Employee Benefits Associate (create)**  
**Employee Benefits Representative (create)**  
**Employee Benefits Specialist (create)**
- D. **Library Aide II (abolish)**  
**Library Aide III (abolish)**
- E. **Revenue Collection Officer II (revise)**  
**Revenue Collection Officer III (revise)**
- F. **Stationary Engineer (revise)**

Prior to the meeting, Assistant Executive Director Andrew Barris confirmed with Chris Nickols from CMS Technical Services the creation dates and/or most recent effective dates of the proposed classes as follows:

<b>Position Title</b>	<b>Creation Dates</b>	<b>Most Recent Effective Date</b>
Court Reporter	1974	06/01/2015
Industrial Commission Reporter	1974	08/16/1974
Office Associate	2015	06/01/2015
Insurance Analyst II	1993	09/16/1993
Insurance Analyst III	1993	09/16/1993
Insurance Analyst IV	1993	09/16/1993
Revenue Collection Officer II	1999	02/01/2018
Revenue Collection Officer III	2002	02/01/2018
Stationary Engineer	1975	12/01/1975

Commissioner Luechtefeld inquired about the need for any new positions. Barris explained that the proposed creation of the classes would not in and of itself create new positions, but it would create classes within which any new needed positions would exist. Barris inquired and Nickols confirmed that the proposed creation of the Employee Benefits classes was needed to address different specific issues regarding employee benefits than the current Insurance Analyst classes. Barris reported that the proposed revisions would not result in an increase in rate of pay and all the proposals were agreed to through collective bargaining.

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-0 TO APPROVE THE REVISION OF THE FOLLOWING CLASS SPECIFICATIONS TO BE EFFECTIVE APRIL 1, 2020:**

- B. Court Reporter (revise)**
- Industrial Commission Reporter (revise)**

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO APPROVE THE CREATION OF THE FOLLOWING CLASS SPECIFICATIONS TO BE EFFECTIVE APRIL 1, 2020:**

- C. Employee Benefits Associate (create)**
- Employee Benefits Representative (create)**
- Employee Benefits Specialist (create)**

**IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-0 TO APPROVE THE ABOLISHMENT OF THE FOLLOWING CLASS SPECIFICATIONS TO BE EFFECTIVE APRIL 1, 2020:**

- D. Library Aide II (abolish)**
- Library Aide III (abolish)**

**IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER ROBINSON, AND THE MOTION ADOPTED 4-0 TO APPROVE THE REVISION OF THE FOLLOWING CLASS SPECIFICATIONS TO BE EFFECTIVE APRIL 1, 2020:**

- E. Revenue Collection Officer II (revise)**
- Revenue Collection Officer III (revise)**

**IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-0 TO APPROVE THE REVISION OF THE FOLLOWING CLASS SPECIFICATIONS TO BE EFFECTIVE APRIL 1, 2020:**

- F. Stationary Engineer (revise)**

**IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.**

VII. PERSONNEL RULES

**A. Civil Service Commission Governing Rule – Section 1.310 Personnel Rules**

The Commission has power to disapprove new rules or amendments to existing rules submitted by the Director of Central Management Services. Such proposed new rules or amendments of existing rules submitted to the Commission shall be accompanied by a report of proceedings attending the prior public hearing required by law with respect to them. If the Commission does not disapprove new rules or any amendment to existing rules within 30 days following the receipt from the Director of Central Management Services, the new rules or amendments have the force and effect of law after filing by the Director with the Secretary of State.

**B. None submitted**

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.**

Sarah Kerley inquired about this Personnel Rules motion in light of CMS' responsibilities for any rulemaking that might exist in the course of the pandemic or that might have already occurred in response to the pandemic. It was explained that this language was needed in case the Civil Service Commission received a submission that did not timely make the agenda and it was emphasized that any amendments to the Personnel Rules must be submitted to the Commission for potential disapproval.

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VIII. MOTION TO CLOSE A PORTION OF THE MEETING

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE THE MOTION ADOPTED 4-0 TO CLOSE A PORTION OF THE MEETING PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>YES</b>	<b>ROBINSON</b>	<b>YES</b>



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IX. RECONVENE THE OPEN MEETING

Upon due and proper notice, the regular open meeting of the Illinois Civil Service Commission was reconvened at 607 E. Adams Street, Suite 801, Springfield, IL at 11:31 a.m.

ROLL CALL AND CONFIRMATION OF A QUORUM

Chairman Timothy D. Sickmeyer (by telephone); G.A. Finch (by telephone), David Luechtefeld (by telephone), and Vivian Robinson (by telephone), Commissioners; Thomas Klein, Executive Director, Andrew Barris, Assistant Executive Director and Sabrina Johnson (by telephone), Exemption Monitor.

X. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

**DA-15-20**

Employee	Kristi M. Jones	Appeal Date	10/15/19
Agency	Human Services	Decision Date	03/06/20
Appeal Type	Discharge	Proposal for Decision	45-day suspension plus the duration of suspension pending discharge.
ALJ	Thomas Klein		

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.**

**SICKMEYER      YES                      FINCH              YES  
LUECHTEFELD   YES                      ROBINSON        YES**

XI. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

**RV-19-20**

Employee	Peter Obazuaye	Appeal Date	10/22/19
Agency	Human Services	Decision Date	03/05/20
Appeal Type	Rule Violation	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Thomas Klein		

**IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER ROBINSON, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.**

**SICKMEYER      YES                      FINCH              YES  
LUECHTEFELD   YES                      ROBINSON        YES**

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XII. STAFF REPORT

Executive Director Thomas Klein reported the following:

- Staff are working remotely as much as possible and the essential functions of the Commission continue to be performed.
- A draft of the audit report was received from the Office of the Auditor General.
- He and the Chairman attended the budget appropriation hearing for the House of Representatives.

Assistant Executive Director Andrew Barris stated that the Governor had entered an Executive Order suspending the requirement to file Statements of Economic Interest until 30 days after the emergency declaration ends.

XIII. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held at 11:00 a.m. on Thursday, April 16, 2020, in the Springfield office of the Commission.

XIV. MOTION TO ADJOURN

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER ROBINSON, AND THE MOTION ADOPTED 4-0 TO ADJOURN THE MEETING AT 11:42 A.M.**