

April 16, 2010

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
April 16, 2010

I. OPENING OF MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET,
SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 19, 2010

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR
MEETING HELD MARCH 19, 2010?**

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

A. Report on Exempt Positions

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging	143.....	10
Agriculture	427.....	16
Arts Council.....	19.....	2
Capitol Development Board	45.....	0
Central Management Services	1,413.....	115
Children and Family Services	3,016.....	48
Civil Service Commission	4.....	0
Commerce & Economic Opportunity	422.....	68
Commerce Commission.....	71.....	0
Corrections.....	11,265.....	104
Criminal Justice Authority.....	59.....	5
Deaf and Hard of Hearing Comm.	7.....	1
Developmental Disabilities Council	9.....	1
Emergency Management Agency	96.....	6
Employment Security.....	1,951.....	29
Environmental Protection Agency	932.....	17
Financial & Professional Regulation	494.....	41
Gaming Board.....	81.....	7
Guardianship and Advocacy	112.....	7
Healthcare and Family Services.....	2,304.....	26
Historic Preservation Agency	199.....	11
Human Rights Commission	14.....	2
Human Rights Department	148.....	9
Human Services	13,791.....	75
Insurance.....	230.....	9
Investment Board.....	3.....	1
Juvenile Justice	1,231.....	20
Labor.....	81.....	7
Labor Relations Board Educational	12.....	2
Labor Relations Board State	18.....	2
Law Enforcement Training & Standards Bd.....	17.....	2
Medical District Commission	2.....	0
Military Affairs	122.....	3
Natural Resources	1,276.....	25
Pollution Control Board.....	20.....	1
Prisoner Review Board	20.....	0
Property Tax Appeal Board	20.....	1
Public Health.....	1,089.....	43
Racing Board	2.....	0
Revenue	2,028.....	61
State Fire Marshal.....	138.....	12
State Police	1,335.....	6
State Police Merit Board.....	6.....	1
State Retirement Systems	84.....	2
Transportation.....	3,363.....	0
Veterans' Affairs.....	1,172.....	7
Workers' Compensation Commission	173.....	8
TOTALS	49,464.....	813

B. 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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C1. Illinois Department of Insurance – Proposed Exemption

Position Number	40070-14-30-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative Office
Functional Title	Health Care Insurance Exchange Program Director
Incumbent	Vacant
Supervisor	Director
Location	Cook County

C2. Illinois Department of Insurance – Proposed Exemption

Position Number	40070-14-40-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative Office
Functional Title	Health Information Technology Exchange Program Director
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “These positions meet the reporting criteria of the Commission Rules and considering the similarity of these positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemptions.”

V. CLASS SPECIFICATIONS

The following class titles were submitted for revision by the Director of Central Management Services:

- A. Forensic Scientist Trainee**
- Forensic Scientist I**
- Forensic Scientist II**
- Forensic Scientist III**

Classification Analysis: “The Bureau of Forensic Services at the Illinois State Police has requested revisions to all of the class specifications of the Forensic Scientist series which includes a Trainee and I, II, and III levels. The revisions involve Option C in each of these four classes having to do with laboratory discipline areas of biology and DNA. The FBI Quality Assurance Standards by which the State Police laboratories are accredited require that ‘for analysts appointed or hired on or after July 1, 2009’ they must have ‘nine or more cumulative semester or equivalent hours’ in the college coursework subject areas of biochemistry, genetics, and molecular biology. The education and experience requirements refer to ‘successful completion of coursework in each of these three biology subspecialties to include genetics, biochemistry, and molecular biology’ but no specific semester hour requirement. The State Police laboratories would like to see

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the FBI quality assurance standards reflected in the class specifications of the Forensic Scientist series. Thus it is proposed that Option C in each of the four levels of the Forensic Scientist series be amended to read:

Option C subsumes the laboratory discipline areas of biology and DNA. Option C requires, in addition to the bachelor's degree in natural or forensic science requirement, successful completion of coursework of nine (9) semester hours in the three DNA class requirements of genetics, biochemistry and molecular biology with a total of sixty semester hours of natural science.

Underline emphasis has been added to highlight the specific requirement of nine semester hours.”

- B. Mental Health Technician I**
- Mental Health Technician II**
- Mental Health Technician III**
- Mental Health Technician IV**
- Mental Health Technician V**
- Mental Health Technician VI**
- Mental Health Technician Trainee**
- Security Therapy Aide I**
- Security Therapy Aide II**
- Security Therapy Aide III**
- Security Therapy Aide IV**
- Security Therapy Aide Trainee**

Classification Analysis: “The Department of Human Services (DHS) has requested that there be established a minimum base of education for the classes of Mental Health Technician Trainee I and the Security Therapy Aide Trainee. The new requirement in each class would call for a minimum of a high school education or its equivalency and reads specifically:

Requires knowledge, skill, and mental development equivalent to completion of high school.

It is the desire of the Department of Human Services to establish a minimum education base for these titles where before there was no education component in the Desirable Requirements. Beginning at the trainee levels of the Mental Health Technician series and the Security Therapy Aide series, incumbents are expected to possess the ability to write clear and concise statements of care, treatment and performance; provide active treatment services in structured educational, vocational, and activity programs; document care, treatment and progress in an individual's active treatment plan and/or write reports to supervisory personnel on changes in behavior or incidents that occur. The equivalent of a high school education is proposed as adequate minimum preparation for entering the training programs for these class titles. As of the writing of this proposal, 94% of the

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incumbent population of all positions that would be affected by these changes possess a high school education or higher.

Additionally, these trainee titles contain terms and clinical references that have become obsolete. For example, it is preferable to refer to *individuals* with mental illness or developmental disabilities as opposed to *persons, clients or patients* with mental illness or developmental disabilities; instead of *maximum security environment* it is more desirable to use *forensic residential setting*. To rectify the language in the class specifications, DHS has offered a more modern terminology. These language modifications have been incorporated into the proposed drafts that are attached to this proposal.

Each trainee class belongs to a series of classes. To accommodate the requested changes to both the education requirements and the terminology in these trainee specifications, it is necessary to modify the class specifications of all levels in each series to the same standard. Therefore, the following classes have also been modified:

- Mental Health Technician I, II, III, IV, V, and VI
- Security Therapy Aide Technician I, II, III, IV

Finally, since the Mental Health Technician Trainee II class no longer exists, the “I” designation has been removed from the Mental Health Technician Trainee I class specification and the title reduced to Mental Health Technician Trainee.”

C. Veterans Service Officer

Classification Analysis: “About a year has passed and we have been asked by the Veterans’ Outreach Program Manager to once again update the qualification requirements stated in the Veterans Service Officer classification to show a more accurate end date for the War On Terrorism. The manager has voiced a concern that showing a closed date for the War on Terrorism is incorrect, and could cause more recent and qualified veterans to fail to apply for the Veteran Service Officer. He must also spend time explaining to veterans why a closed date is listed on the class specification when the hostilities remain ongoing. Our Examining Division refers to the class requirements as well in screening candidates appropriately for this classification. Defining an arbitrary closing date for the War On Terrorism created technical issues with our programs that use and support the class specification. For this reason, we would ask the Commission to reconsider the position of requiring a closing date that experience has now shown to be a very long-term affair as we continue to actively engage the terrorist threat and protect our homeland. We have checked with the Department of Veterans’ Affairs, and they support this amendment.

Specifically, the Commission’s concern in December 2004 was that use of the term ‘indeterminant,’ as we had proposed at that time, was too ambiguous in defining the eligibility requirement, and that in all times past, the dates of hostilities were stated with specific starting and closing dates when class revisions were submitted. We would point

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out, however, that the legislation specifically includes those times when either a declaration of war or emergency condition is currently in effect, and this leads to our need for an open end-date. We have discussed this change with the Department of Veterans' Affairs, and they are in agreement with the proposed change.

By writing the specific legislation directly into the class requirements, we believe that this will assure that proper maintenance of the closing date can be made in a timely fashion, once this is determined by appropriate authority. And with our class specifications now published on-line, we believe the added precision is of benefit for potential candidates as well as those working in personnel administration. We would also find it better from the standpoint of resource utilization if we could resolve the stated concerns without regular class updates. For these reasons, we ask that the Commission reconsider our desired use of an 'Ongoing Hostilities' reference or simply let us show the end date blank for the War On Terrorism as providing the most accurate representation of qualifying candidate experience.

We have made other minor changes to improve readability of the class specification as indicated on the draft."

WILL THE COMMISSION APPROVE THE REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE MAY 1, 2010?

A. Forensic Scientist Trainee

Forensic Scientist I

Forensic Scientist II

Forensic Scientist III

B. Mental Health Technician I

Mental Health Technician II

Mental Health Technician III

Mental Health Technician IV

Mental Health Technician V

Mental Health Technician VI

Mental Health Technician Trainee

Security Therapy Aide I

Security Therapy Aide II

Security Therapy Aide III

Security Therapy Aide IV

Security Therapy Aide Trainee

C. Veterans Service Officer

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

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VI. MOTION TO GO INTO EXECUTIVE SESSION

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

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VII. RECONVENE MEETING

VIII. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	2/28/10	3/31/10	3/31/09
Aging	1	1	1
Agriculture	0	0	1
Central Management Services	0	0	2
Children and Family Services	4	2	4
Commerce and Economic Opportunity	0	0	1
Criminal Justice Authority	0	0	1
Employment Security	3	2	2
Healthcare and Family Services	2	2	9
Historic Preservation Agency	1	1	0
Natural Resources	2	1	0
State Police	0	0	0
Transportation	21	10	5
Veterans' Affairs	0	0	1
Workers' Compensation Commission	0	0	1
Totals	34	19	28

IX. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

- **DISMISSED**

GT-49-09

Employee	John P. Rogers, II	Appeal Date	6/26/09
Agency	FPR	Decision Date	3/24/10
Type	Geographical Transfer	ALJ	Daniel Stralka
Allegation	Transferred from Chicago to Des Plaines	Proposal for Decision	Dismissed subject to Commission approval; default (no show at hearing).

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- **DISMISSED**

DA-41-10

Employee	Genevieve A. Bernard	Appeal Date	3/08/10
Agency	DES	Decision Date	3/18/10
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Failure to return from leave of absence; failure to follow directive to report to work or contact manager	Proposal for Decision	Dismissed subject to Commission approval; withdrawn.

- **DISMISSED**

DA-45-10

Employee	Diana Bleimehl	Appeal Date	3/15/10
Agency	DVA	Decision Date	3/29/10
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Conduct unbecoming and inability to perform job duties	Proposal for Decision	Dismissed subject to Commission approval; withdrawn (will pursue via grievance).

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSALS FOR DECISION IN THE ABOVE MATTERS?

X. **STAFF REPORT**

XI. **ANNOUNCEMENT OF NEXT MEETING**

The next regular meeting is to be held on Friday, May 21, 2010 at 1:00 p.m. in the Commission's Springfield office.

XII. **MOTION TO ADJOURN**