

April 21, 2022

REGULAR MEETING MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
April 21, 2022

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

Timothy D. Sickmeyer, Chairman; G.A. Finch (by video), David Luechtefeld, Teresa C. Smith (by video), and Vivian Robinson, Commissioners; Thomas Klein, Executive Director, Andrew Barris, Assistant Executive Director, and Sabrina Johnson, Exemption Monitor; Heather Humphrey (by telephone) and John O'Keefe (by telephone), Department of Agriculture; Kari Dennison (by telephone), Mark Mierzejewski (by telephone), Chris Nichols, and Jami Owens (by telephone), Central Management Services; Amanda Thomet (by telephone), Office of Executive Inspector General.

IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER ROBINSON THE MOTION ADOPTED 5-0 TO ALLOW COMMISSIONER FINCH AND COMMISSIONER SMITH TO JOIN THE MEETING REMOTELY.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD MARCH 17, 2022

IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER FINCH THE MOTION ADOPTED 5-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD MARCH 17, 2022.

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. None Submitted

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.

B. Employee Benefits Specialist (revise)

**C. Meat & Poultry Inspector Trainee (revise)
Meat & Poultry Inspector (revise)**

Assistant Executive Director Barris reported that the revision to Item B included three years of work experience in insurance administration, benefits administration, or human resources.

The revision to Item C included experience with the use of computer hardware and software as well as minor changes such as a lifting weight requirement. Chris Nickols from CMS Technical Services added that a drivers' license requirement was also added and confirmed that the class had not been revised since 1989.

IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER ROBINSON THE MOTION ADOPTED 5-0 TO APPROVE THE REVISIONS OF THE FOLLOWING CLASS SPECIFICATIONS TO BE EFFECTIVE MAY 1, 2022:

- B. Employee Benefits Specialist (revise)**
- C. Meat & Poultry Inspector Trainee (revise)**
Meat & Poultry Inspector (revise)

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IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER LUECHTEFELD THE MOTION ADOPTED 5-0 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. Section 302.130 Removal of Names from Eligible Lists

80 Ill. Adm. Code 302.130

302.130 Removal of Names from Eligible Lists

The amendment adds language providing a right of appeal for an individual who is removed from an eligible list due to alleged deception or fraud in connection with an examination. It also removes “Addiction of an eligible to narcotics or to alcohol” from the lists of reasons the Director may remove an individual from an eligible list.

The amendment was prompted by the passage of Public Act 102-617, which made similar amendments to the Personnel Code (20 ILCS 415/8b.4)

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD THE MOTION ADOPTED 5-0 TO APPROVE THE ABOVE AMENDMENT TO THE PERSONNEL RULES.

VIII. MOTION TO CLOSE A PORTION OF THE MEETING

EXECUTIVE DIRECTOR THOMAS KLEIN ASKED IF ANY COMMISSIONERS WANTED TO GO INTO CLOSED SESSION TO DISCUSS THE PROPOSAL FOR DECISION. THERE WAS NO MOTION TO MOVE INTO CLOSED SESSION AND THE MEETING CONTINUED.

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IX. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

DA-30-21

Employee	Daniel Levad	Appeal Date	06/30/2021
Agency	Dept. of Public Health	Decision Date	04/08/2022
Appeal Type	Discharge	Proposal for Decision	Dismissed/Settlement/Appeal Withdrawn
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
SMITH	YES		

DA-9-22

Employee	Trina M. Diedrich	Appeal Date	10/15/2021
Agency	Dept. of Human Services	Decision Date	04/08/2022
Appeal Type	Discharge	Proposal for Decision	Dismissed/Settlement/Discharge Withdrawn
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
SMITH	YES		

DA-16-22

Employee	Heidi Scott	Appeal Date	12/27/21
Agency	Dept. of Corrections	Decision Date	04/08/2022
Appeal Type	Discharge	Proposal for Decision	Dismissed/Discharge Withdrawn
ALJ	Andrew Barris		

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IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER SMITH, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
SMITH	YES		

DA-22-22

Employee	Jacqueline Lopez de Victoria	Appeal Date	02/17/2022
Agency	Dept. of Human Services	Decision Date	04/08/2022
Appeal Type	Discharge	Proposal for Decision	Dismissed/Appeal Withdrawn
ALJ	Thomas Klein		

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER SMITH, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
SMITH	YES		

DA-23-22

Employee	Lakeia Jimerson	Appeal Date	03/17/2022
Agency	Dept. of Children and Family Services	Decision Date	04/08/2022
Appeal Type	Discharge	Proposal for Decision	Dismissed/Appeal Withdrawn
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
SMITH	YES		

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X. STAFF REPORT

Assistant Executive Director Andrew Barris thanked the Commissioners for their timely submission of their Statements of Economic Interest and Supplemental Statements of Economic Interest.

Exemption Monitor Sabrina Johnson indicated that, in February 2022, two exempt positions were transferred from CMS to the Commission of Equity and Inclusion (CEI), which was established January 1, 2022. In February 2022, three positions were approved 4d(3) exempt. The positions are Deputy Director of the Business Enterprise Program and Associate Deputy Director of the Business Enterprise Program. The positions had minimal changes in duties and both warrant the continuance of 4d(3) exemption.

Executive Director Thomas Klein stated that the Civil Service Commission Fiscal Year 2023 budget was approved by the General Assembly.

XI. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held at 11:00 a.m. on Thursday, May 19, 2022, in the Springfield office of the Commission.

XII. MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 11:17 A.M.