

April 23, 2021

REGULAR MEETING MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
April 23, 2021

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:02 A.M. AT 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, IL

II. ROLL CALL AND CONFIRMATION OF A QUORUM

Timothy D. Sickmeyer (by telephone), Chairman; G.A. Finch (by video), David Luechtefeld (by telephone), Vivian Robinson (by telephone), and Teresa C. Smith (by video), Commissioners; Thomas Klein, Executive Director, Andrew Barris (by video), Assistant Executive Director, Sabrina Johnson (by telephone), Exemption Monitor, and Alexandra Myers (by telephone), Executive Secretary; Sheila Tapscott (by telephone), Central Management Services; Kimberly Bates (by telephone), and Derek Hobson (by telephone), Illinois Department of Children and Family Services; Heidi Guernsey (by telephone), Illinois Department of Corrections; Sree Niar (by telephone), Illinois Emergency Management Agency; Viktorija Legge (by telephone), Office of Executive Inspector General; Lori Ann McCabe (by telephone) and Sherry Campbell (by telephone), Illinois Department of Innovation and Technology; Erin Johnson (by telephone), Illinois Department of Juvenile Justice; Michael Sheldon (by video).

Executive Director Klein confirmed there was a quorum in light of the Governor's Emergency Declaration and Chairman Sickmeyer's determination that it is neither practical nor prudent to have an in-person meeting.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD MARCH 18, 2021

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD MARCH 18, 2021.

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. Request for 4d(3) Exemption

Exemption Monitor Sabrina Johnson indicated that Item B was a request for a Chief Deputy Director, Child Protection & State Central Register at the Department of Children and Family Services, a position that reports to the Executive Deputy Director, who reports to the Director. This position serves as the chief policy administrator who formulates and oversees the implementation of statewide policies and procedures involving Child Protections and State Central Register. This position monitors program compliance with federal and state rules and regulations and represents the Director and the Department to public officials, government, private agencies, and press. Staff recommended this exemption request be granted.

Exemption Monitor Ms. Johnson indicated that Item C was a request for a Medical Compliance Administrator at the Department of Corrections, a position that reports to the Chief Compliance Officer, who reports to the Director. This position serves as a principal policy administrator developing and implementing policy affecting standards of care, ethics and licensing that are required for health and mental health services. This position audits administrative directives and consent decree compliance language and serves as spokesperson to legislatures, the Governor's Office and state officials on behalf of the Department, Director, Assistant Director and Chief Compliance Officer. Staff recommended this exemption request be granted.

Exemption Monitor Ms. Johnson indicated Item D was a request for a Chief Information Officer at the Department of Innovation and Technology (DoIT), a position that reports to the Public Safety Group Chief Information Officer, who reports to the Assistant Secretary, who reports to the Secretary. This position is a principal policy formulating administrator for the management process for the Illinois Emergency Management Agency, interprets new legislation and administrative policies and procedures, and creating policies and procedures which will monitor and control access to system resources and data. Staff recommended this exemption request be granted.

Executive Director Thomas Klein inquired about the difference in the policy making authority of this position and the Chief Information Officer position to which it reports. Sherry Campbell, Classifications Manager with DoIT, indicated that this is comparative across the board for all DoIT Chief Information Officers assigned to specific agencies who report to a group Chief Information Officer. It was confirmed by Sherry Campbell that this Chief Information Officer will be assigned to IEMA and supervised by DoIT group Chief Information Officer.

Exemption Monitor Ms. Johnson indicated Item E was a request for a Director of Human Resources at the Department of Juvenile Justice, a position that reports to the Chief of Staff, who reports to the Director. This position serves as a principal policy formulator, develops statewide policies and procedures for the human resources programs and monitors applicable laws, rules, regulations, contracts, and codes related to human resources. This position is a liaison to the Governor's Office and spokesperson on matters associated with human resources programs. Staff recommended this exemption request be granted.

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO GRANT THE 4d(3) EXEMPTION REQUEST FOR THE FOLLOWING POSITIONS:

- B: Chief Deputy Director, Child Protection & State Central Register (DCFS)**
- C: Medical Compliance Administrator (DOC)**
- D: Chief Information Officer (DoIT)**
- E: Director of Human Resources (DJJ)**

B. Illinois Department of Children and Family Services

Position Number	40070-16-69-000-00-01
Functional Title	Chief Deputy Director, Child Protection & State Central Register
Incumbent	Vacant
Supervisor	Executive Deputy Director, who reports to the Director
Location	Sangamon County

C. Illinois Department of Corrections

Position Number	40070-29-00-020-10-01
Functional Title	Medical Compliance Administrator
Incumbent	Vacant
Supervisor	Chief Compliance Office, who reports to the Director
Location	Sangamon County

D. Illinois Department of Innovation and Technology

Position Number	40070-28-71-000-00-01
Functional Title	Chief Information Officer
Incumbent	Sree Nair
Supervisor	Public Safety Group Chief Information Officer, who reports to the Assistant Secretary, who reports to the Secretary
Location	Sangamon County

E. Illinois Department of Juvenile Justice

Position Number	40070-27-00-001-10-01
Functional Title	Director of Human Resources
Incumbent	Vacant
Supervisor	Chief of Staff, who reports to the Director
Location	Sangamon County

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. Health Information Administrator

Assistant Executive Director Andrew Barris reported that the proposed revision to the Health Information Administrator class was simply the inclusion of a phrase that its duties fall under the general supervision of higher-level administrative staff and the revised class specification reflects the change. The proposed revision was agreed to through collective bargaining.

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER ROBINSON, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO APPROVE THE CREATION OF THE FOLLOWING CLASS SPECIFICATIONS TO BE EFFECTIVE MAY 1, 2021:

B. Health Information Administrator

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE 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. None submitted

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.

VIII. MOTION TO CLOSE A PORTION OF THE MEETING

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 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.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
SMITH	YES		

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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 11:47 a.m.

ROLL CALL AND CONFIRMATION OF A QUORUM

Chairman Timothy D. Sickmeyer (by telephone); G.A. Finch (by video), David Luechtefeld (by telephone), Vivian Robinson (by telephone), and Teresa Smith (by video), Commissioners; Thomas Klein, Executive Director, Andrew Barris (by video), Assistant Executive Director, Sabrina Johnson (by telephone), Exemption Monitor, and Alexandra Myers, Executive Secretary; Michael Sheldon (by video).

X. INTERLOCUTORY APPEAL

DA-17-21

Employee	Richard Phillips	Appeal Date	03/17/21
Agency	Corrections	Decision Date	04/13/21
Appeal Type	Discharge	Proposal for Decision	Grant Motion to Dismiss for lack of jurisdiction.
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER ROBINSON, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 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		

XI. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-24-20

Employee	Stacey Kidd	Appeal Date	01/14/2020
Agency	Dept. of Corrections	Decision Date	04/09/2021
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

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IT WAS MOVED BY COMMISSIONER SMITH, 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 FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
SMITH	YES		

S-9-21 & DA-10-21

Employee	Michael J. Sheldon	Appeal Date	11/23/20 & 12/10/20
Agency	Dept. of Veteran's Affairs	Decision Date	04/12/2021
Appeal Type	Discharge	Proposal for Decision	Suspension Appeal Dismissed as moot. Discharge upheld.
ALJ	Thomas Klein		

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSALS 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
SMITH	YES		

XII. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

DA-16-21

Employee	Samantha Payne	Appeal Date	03/10/2021
Agency	Corrections	Decision Date	04/12/2021
Appeal Type	Discharge	Proposal for Decision	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 FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

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SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
SMITH	YES		

XIII. STAFF REPORT

Assistant Executive Director Barris thanked the Commissioners for their efforts in completing the Statement of Economic Interest and Supplemental Statement of Economic Interest and they could speak with him individually if they had any questions regarding possible revisions to the statements.

XIV. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held at 11:00 a.m. on Thursday, May 20, 2021 in the Springfield office of the Commission.

XV. MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 11:50 A.M.