

June 20, 2019

REGULAR MEETING MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
June 20, 2019

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 N. LASALLE STREET, SUITE S-901, CHICAGO, IL AND 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, IL BY INTERACTIVE VIDEO CONFERENCE

II. PRESENT

Chairman Timothy D. Sickmeyer; G.A. Finch (by telephone), David Luechtefeld, Vivian Robinson, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director, Andrew Barris, Assistant Executive Director, and Sabrina Johnson, Exemption Monitor; Sarah Kerley, John Logsdon, Chris Nickols and Sheila Tapscott, Illinois Department of Central Management Services; Cheryl Barrett and Julie Brightwell, Illinois Department on Aging; Tammy Grant, Amanda Wolfman, Mary Ham, and Beth Solomon; Illinois Department of Children and Family Services; Pam Smith and Craig R. Foxall, Illinois Environmental Protection Agency; Scott Viniard, Illinois Department of Human Services; Monica Brackman and Chris Gasperin, Illinois Department of Natural Resources; Lisa Tisdale, Matthew Eddington and Mark Sherbeyn, Illinois Department of Veterans' Affairs; and Natale Fuller and Marina Bergamo, Office of the Executive Inspector General.

Assistant Executive Director Andrew Barris advised that he had been notified in advance that Commissioner Finch was prevented from physically attending the June 20, 2019 meeting at the Commission's Chicago office and wished to attend by audio conference.

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER ROBINSON, AND THE MOTION ADOPTED 4-0 TO ALLOW COMMISSIONER FINCH TO ATTEND THE MEETING BY AUDIO CONFERENCE.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD MAY 16, 2019

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER ROBINSON, AND THE MOTION ADOPTED 5-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD MAY 16, 2019.

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 Daniel Stralka 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. Report on Exempt Positions from Department of Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Abraham Lincoln Presidential Library & Museum	76	12
Aging.....	134	18
Agriculture	338	16
Arts Council	14	2
Capitol Development Board.....	34	0
Central Management Services	881	49
Children and Family Services.....	2,695	54
Civil Service Commission	3	0
Commerce & Economic Opportunity	224	52
Commerce Commission	53	0
Corrections	12,908	107
Criminal Justice Authority.....	52	7
Deaf and Hard of Hearing Comm	4	1
Developmental Disabilities Council	5	1
Emergency Management Agency.....	70	10
Employment Security	1,088	28
Environmental Protection Agency.....	602	18
Financial & Professional Regulation	397	48
Gaming Board	150	9
Guardianship and Advocacy	98	8
Healthcare and Family Services	1,557	29
Human Rights Commission.....	17	2
Human Rights Department	121	12
Human Services.....	12,862	82
Illinois Torture Inquiry Relief Commission	3	1
Independent Tax Tribunal	1	0
Innovation and Technology	1,232	58
Insurance	209	18
Investment Board	3	2
Juvenile Justice.....	924	30
Labor	74	11
Labor Relations Board Educational.....	11	3
Labor Relations Board State.....	14	2
Law Enforcement Training & Standards Bd.	20	3
Lottery	146	7
Military Affairs.....	137	3
Natural Resources.....	1,182	28
Pollution Control Board	16	2
Prisoner Review Board.....	22	1
Property Tax Appeal Board.....	38	2
Public Health	1,133	42
Racing Board.....	3	1
Revenue.....	1,490	47
State Fire Marshal	130	7
State Police.....	960	8
State Police Merit Board	6	2
State Retirement Systems	100	3
Transportation	2,686	3
Veterans' Affairs	1,235	9
Workers' Compensation Commission.....	106	12
TOTALS.....	46,264	870

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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C. Requests for 4d(3) Exemption

Exemption Monitor Sabrina Johnson indicated that Items C – H2 were positions the Department of Central Management Services was recommending for 4d(3) exemption. Item C has been continued since February 2019 and Items D – H2 have been continued since May 2019.

- As to Item C, this request is for a Senior Labor Relations Counsel at the Illinois Department of Central Management Services (CMS), a position that reports to the Deputy General Counsel, who reports to the General Counsel, who reports to the Director. This position is a policy advisor on labor relations matters related to all collective bargaining agreements, provides advice and consultation on statewide labor policy matters, rules, regulations and procedures and advises management on the rights and responsibilities of management and employees. Staff recommended approval of this exemption request.

Sarah Kerley, Deputy Director with CMS concurred with this request presentation.

- As to Item E1, this request is for an Assistant Director of the Division of Developmental Disabilities at the Illinois Department of Human Services (DHS), a position that reports to the Director of Developmental Disabilities, who reports to the Assistant Secretary, who reports to the Secretary. This position had authority on policy-making issues impacting Developmental Disabilities management and statewide agency operations, formulated and administered policies and procedures for Developmental Disabilities programs and had policy-making functions for the sections of Community Services, Reimbursement and Program Support, Quality Management and Program Development. Staff recommended approval of this exemption request.
- As to Item I1 – I4, these requests are for Immersion Site Directors in St. Clair, Kane, Rock Island and Jefferson counties at the Illinois Department of Children and Family Services (DCFS). These positions report to the Associate Director, who reports to the Director. These positions were approved for 4d(3) exemption on July 15, 2016 for three years and DCFS requested to continue the exemption. DCFS indicated the implementation has taken longer than originally expected and has not expanded beyond the four original sites and the Southern region. These positions oversaw and implemented training and forms of congregate care as required by the B.H. Consent Decree. Staff recommended approving these four positions for exemption.

Chairman Sickmeyer questioned if these would be made permanent exemptions and Executive Director Stralka indicated affirmatively.

IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO GRANT THE 4d(3) EXEMPTION REQUEST FOR THE FOLLOWING POSITIONS:

- C: Senior Labor Relations Counsel (CMS)**
- E1: Assistant Director- Developmental Disabilities (DHS)**
- I1: Immersion Site Director, St. Clair County (DCFS)**
- I2: Immersion Site Director, Kane County (DCFS)**
- I3: Immersion Site Director, Rock Island County (DCFS)**
- I4: Immersion Site Director, Jefferson County (DCFS)**

- As to Item D, this request is for a Chief of the Office of Asian-American Services at the Department of Children and Family Services (DCFS), a position that reports to the Deputy Director, who reports to the Director. This position was denied 4d(3) exemption in October 2007. This position develops and implements statewide policies, procedures and guidelines to maximize Asian-American services for clients and agencies. This position serves as a liaison to the federal government's "New Americans" initiatives and other federal programs affecting Asian-Americans. Staff recommended denial of this exemption request.

Tammy Grant, Deputy Director of the Office of Employee Services with DCFS, indicated this position was vacant for a while and has been filled since May 2016. Ms. Grant indicated Asian-Americans are underutilized within DCFS and this position has brought the numbers in Cook County from 46 underutilized positions to 10 positions for underutilization. Ms. Grant then explained this position interfaced with Asian-American communities and bridged that gap and explained the services for those families to have a positive influence on what the agency is trying to do for children and families in those areas. As employees go out conducting investigations and providing services, the families can understand what DCFS is doing for them in a positive way. DCFS currently has African-American and Latino positions that are 4d(3) exempt.

Sarah Kerley indicated the consideration of this position is that it is two steps removed from the Director and it develops statewide policies and procedures to communities engaged with DCFS services. Ms. Kerley stated at the time it was denied, this position had a smaller percentage of population within the state and the Asian-American community had challenges with the policy and procedure. CMS looked at the African-American and Latino positions and indicated this position should not be different from them.

Chairman Timothy Sickmeyer inquired if this position required the ability to speak in some sort of Asian dialect. Ms. Kerley indicated it does not have a language option. Executive Director Daniel Stralka questioned what the challenges are that Ms. Kerley referenced that exist with this position but do not exist with the Hispanic and African-American positions. Ms. Kerley indicated that Asian-Americans historically had a

large immigrant population that lived in less integrated communities than African-American and Latino communities and they do not utilize the services at the same level as other ethnic groups. There are specific issues to keep kids safe in these communities with different policy structures for the people DCFS wants to send to do this work.

Executive Director Stralka stated he recalled from the discussions in 2007 that CMS or DCFS would draw the line for subgroups to liaison with other ethnic groups. Ms. Kerley stated each agency handles policy issues and there are several agencies with different ethnic groups. DCFS has identified the need for a Chief Asian-American position to implement programs and policies within the scope of this position along with ability to handle difficult issues that may come up. If a different operational need arises with ethnic groups down the road, then the agency would make those requests.

COMMISSIONER URLACHER MOVED TO DENY THE 4d(3) EXEMPTION REQUEST FOR ITEM D. THIS MOTION FAILED FOR LACK OF A SECOND.

IT WAS MOVED BY CHAIRMAN SICKMEYER, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-1 TO GRANT THE 4d(3) EXEMPTION REQUEST FOR THE FOLLOWING POSITION:

D: Chief, Asian American Services (DCFS)

- As to Item E2, this request is for an Associate Deputy Director of the Division of Developmental Disabilities at the Illinois Department of Human Services (DHS), a position that reports to the Deputy Director of Developmental Disabilities, who reports to the Director of Developmental Disabilities, who reports to the Assistant Secretary, who reports to the Secretary. This position met no 4d(3) exempt requirements and DHS agreed. Staff recommended denial of this exemption request.

Scott Viniard, Director of Human Resources with DHS agreed that it has no policy authority. Chairman Sickmeyer inquired why position Item E2 was in Lee County. Mr. Viniard responded that the Developmental Disabilities Facilities are throughout the state and regional staff work at a facility site. It is not unusual for DHS to have high level positions located at facility sites.

IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 5-0 TO GRANT THE 4d(3) EXEMPTION REQUEST FOR THE FOLLOWING POSITION:

E2: Associate Deputy Director-Developmental Disabilities (DHS)

- As to Item F, this request is for a Chief Labor Relations Administrator at the Department of Natural Resources (DNR), a position that reports to the Human Resources Director, who reports to the Chief of Staff, who reports to the Director. This position had the authority to engage with labor relations matters, Personnel Rules, Personnel Code, contract negotiations, grievance hearings, appropriate discipline measures along with agency policies. Staff recommended approval of this exemption request.

Chris Gasperin, Chief Labor Relations Administrator with DNR indicated that while the reporting structure was correct, he had no signature authority, he only recommended discipline, all suspensions were reviewed by the Human Resources Director, and all discharges are approved by CMS Labor Relations. He did not bind the agency within the negotiations process. That was done by CMS Labor Relations and CMS had final determination on all contracts. Executive Director Stralka asked if the position description was accurate and Mr. Gasperin indicated it was. Commissioner Luechtefeld questioned if Mr. Gasperin had any duties related to the union contract. Mr. Gasperin indicated if any manager or employee had questions regarding contracts, he would be able to answer them. Commissioner Luechtefeld inquired if he made any recommendations. Mr. Gasperin indicated he does as to contract interpretation and if he had questions, he would contact CMS. Commissioner Luechtefeld asked if that would be a conflict with this position being not exempt and would he have any bias regarding contracts. Mr. Gasperin indicated if the position was 4d(3) exempt, the incumbent could then advise the principal what they want to hear versus what they need to hear.

Commissioner Luechtefeld asked the Executive Director if he agreed with Mr. Gasperin's arguments. Executive Director Stralka responded, and it was confirmed by Ms. Johnson, that Staff's analysis focused more on the ability of the position to bind the agency as set forth in the position description.

Chairman Sickmeyer inquired what positions reported to the Chief Labor Relations Administrator. Mr. Gasperin responded there are two positions, Human Resources Representative and Human Resources Specialist. Chairman Sickmeyer questioned if this position implements plans or policies for Labor Relations. Mr. Gasperin indicated there are no current labor relations policies being made and he only recommended discipline or decisions based on the contract. Chairman Sickmeyer inquired if there were any divisions within DNR that can make any decision regarding contracts without his involvement and Mr. Gasperin agreed. Executive Director Stralka inquired if Mr. Gasperin attended contract negotiations on behalf of DNR. Mr. Gasperin indicated he attended and was the sole representative for DNR.

Ms. Kerley followed up that the Commission's questions were very similar to the ones CMS and the Shakman Special Master asked. This position's role in contract negotiations was a significant factor in submitting it for exemption.

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO GRANT THE 4d(3) EXEMPTION REQUEST FOR THE FOLLOWING POSITION:

F: Chief Labor Relations Administrator (DNR)

- As to Item G, this request is for a Chief Administrative Law Judge at the Property Tax Appeal Board (PTAB), a position that reports to the Executive Director. This position handled all aspects of property tax appeal hearings in Illinois, oversaw settlement proposals between the parties and assisted in managing administrative and operational activities in the Springfield office. Staff recommended denial of this exemption request.

James Moffat, Human Resources Manager and Labor Relations Administrator with PTAB, indicated the current incumbent had been in this position since 1987 and the position does not warrant exemption. It does not have policy making authority and PTAB is hoping the Commissioners deny this request. Ms. Kerley informed the Commissioners that every Chief Administrative Law Judge (CALJ) within the state has been deemed exempt by the Commission. Ms. Kerley added that most of these CALJ positions manage fewer hearing officers than this one. When the Shakman litigation exempt position review process began in August 2017, PTAB agreed with CMS that this position should be exempt. The agency's position has now changed.

Ms. Kerley indicated this position needs to be exempt to ensure consistency across agencies. She indicated the amount and scope of principal policy administering authority was huge in this position. PTAB had 38 total employees and only two exempt positions. This position supervised hearing officers, managed and oversaw property tax appeals and had authority over the employees who do this work. This position had the ability to bind PTAB on how property tax appeals are conducted. The position had the authority to meet the 4d(3) exempt requirements.

Steve Waggoner, Chief Administrative Law Judge with PTAB, indicated he cannot bind the agency, does not speak for the agency, and cannot set policies that would need approval of the Board, Governor and Senate. He also indicated that his supervisory role was minimal, he helped supervise staff within the Springfield office and supervised Administrative Law Judges. Chairman Sickmeyer inquired if he created policy and directives for his section. Mr. Waggoner indicated he discussed issues on a weekly basis and facilitated discussions rather than implementing policy.

Ms. Kerley added that this position handled discipline and recommended grievance resolutions. Executive Director Stralka asked if this was the responsibility of Mr. Moffat. Ms. Kerley indicated it was in the Chief Administrative Law Judge description. Mr. Moffat corrected her and indicated his position makes the ultimate recommendations to the Board.

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 4-1 WITH COMMISSIONER LUECHTEFELD VOTING NO, TO DENY THE 4d(3) EXEMPTION REQUEST FOR THE FOLLOWING POSITION:

G: Chief Administrative Law Judge - Hearings Division (PTAB)

- As to Item H1, this request is for a Labor Relations Administrator at the Department of Veterans' Affairs (DVA), a position that reports to the Chief of Staff, who reports to the Director. This position had the authority to engage with labor relations matters, contract negotiations, grievance hearings, appropriate discipline measures along with policies, procedures and personnel rules. Staff recommended approval of this exemption request.

Lisa Tisdale, Labor Relations Administrator with DVA, indicated she had no authority to make policies. She only reviewed policies, handled third level grievances along with class action grievances, handled union issues, discussed impacts and was required to attend grievance hearings. She indicated CMS has the authority to overrule her on all labor relations issues. She resolved timekeeping and overtime issues. She represented DVA at contract negotiations with nine unions. She discussed grievance resolutions with other exempt positions at DVA. Ms. Tisdale acknowledged being the agency's designated representative at labor negotiations. She contended that this position must have the ability to uphold policies without the fear of job loss.

Chairman Sickmeyer questioned who she reported to and Ms. Tisdale indicated she reported to the Chief of Staff. Chairman Sickmeyer inquired how many labor relations positions are within DVA. Ms. Tisdale indicated she was the only one and does not supervise anyone.

Mark Sherbeyn, Human Resources Manager with DVA, indicated the agency supports the 4d(3) exemption of this position and he provided the DVA Tardiness Policy that Ms. Tisdale signed off on along with AFSCME. Mr. Sherbeyn indicated Ms. Tisdale entered into agreements with unions, binds the agency, and represents the agency with statewide contract negotiations. Ms. Tisdale asked to rebut Mr. Sherbeyn's statement and Chairman Sickmeyer denied this request. Ms. Kerley added that CMS Labor Relations did seek additional exempt positions within CMS Labor Relations.

IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO GRANT THE 4d(3) EXEMPTION REQUEST FOR THE FOLLOWING POSITION:

H1: Labor Relations Administrator (DVA)

- As to Item H2, this request is for a Deputy General Counsel at the Department of Veterans' Affairs, a position that reports to the General Counsel, who reports to the Director. The functions of this job were legal advisor for administration, litigation and operational functions of the Department along with legal review and advice on Illinois

Veterans’ Home policies and procedures. This position provided legal support of DVA Veteran Service Officers, employee relations, labor issues, grant programs and legal support to the agency Auditor for reports, compliance audits and procurement related issues. Staff recommended denial of this exemption request.

Matthew Eddington, Deputy General Counsel with DVA indicated he supported the denial of exemption. He does not make policy on any basis. He interpreted the laws. No one reported to him and he cannot bind the agency with any contract negotiations. Ms. Kerley indicated this position has a subordinate which is currently vacant. When looking at other agencies, with attorneys having subordinates, they are not technical advisors under Section 4d(5). Ms. Kerley indicated the manner to implement policies within his job duties along with legal review of Veterans Homes policies and procedures warrant the position to be 4d(3) exempt. Mr. Eddington indicated the vacant subordinate position is unfunded.

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 5-0 TO DENY THE EXEMPTION REQUEST FOR THE FOLLOWING POSITION:

H2: Deputy General Counsel (DVA)

The following positions were granted exemption on June 20, 2019:

C. Illinois Department of Central Management Services

Position Number	40070-37-70-110-00-01
Functional Title	Senior Labor Relations Counsel
Incumbent	Vacant
Supervisor	Deputy General Counsel, Labor Relations who reports to the General Counsel who reports to the Director
Location	Sangamon County

D. Illinois Department of Children and Family Services

Position Number	37015-16-05-400-00-01
Functional Title	Chief, Asian-American Services
Incumbent	Marjorie Moore
Supervisor	Deputy Director of Affirmative Action who reports to the Director
Location	Cook County

E1. Illinois Department of Human Services

Position Number	40070-10-66-010-00-01
Functional Title	Assistant Director, Developmental Disabilities
Incumbent	Kathleen Ward
Supervisor	Director of Developmental Disabilities who reports to the Assistant Secretary who reports to the Secretary
Location	Sangamon County

E2. Illinois Department of Human Services

Position Number	40070-10-66-200-10-01
Functional Title	Associate Deputy Director-Developmental Disabilities
Incumbent	Tiffany Bailey
Supervisor	Deputy Director, Developmental Disabilities who reports to the Assistant Secretary who reports to the Secretary
Location	Lee County

F. Illinois Department of Natural Resources

Position Number	37015-12-00-730-00-01
Functional Title	Chief Labor Relations Administrator
Incumbent	Chris Gasperin
Supervisor	Human Resources Director who reports to the Chief of Staff who reports to the Director
Location	Sangamon County

H1. Illinois Department of Veterans' Affairs

Position Number	37015-34-00-000-00-05
Functional Title	Labor Relations Administrator
Incumbent	Lisa Tisdale
Supervisor	Chief of Staff who reports to the Director
Location	Sangamon County

I1. Illinois Department of Children and Family Services

Position Number	40070-16-00-600-10-01
Functional Title	Immersion Site Director
Incumbent	James E. Tooles
Supervisor	Associate Director of Strategy & Performance Execution who reports to the Director
Location	St. Clair County

I2. Illinois Department of Children and Family Services

Position Number	40070-16-00-600-10-02
Functional Title	Immersion Site Director
Incumbent	Norma Machay
Supervisor	Associate Director of Strategy & Performance Execution who reports to the Director
Location	Kane County

I3. Illinois Department of Children and Family Services

Position Number	40070-16-00-600-10-03
Functional Title	Immersion Site Director
Incumbent	Verletta Saxon
Supervisor	Associate Director of Strategy & Performance Execution who reports to the Director
Location	Rock Island County

I4. Illinois Department of Children and Family Services

Position Number	40070-16-00-600-10-04
Functional Title	Immersion Site Director
Incumbent	Vacant
Supervisor	Associate Director of Strategy & Performance Execution who reports to the Director
Location	Jefferson County

The following positions were denied exemption at the June 20, 2019 meeting:

G. Illinois Property Tax Appeal Board

Position Number	40070-50-48-600-00-51
Functional Title	Chief Administrative Law Judge-Hearings Division
Incumbent	Steve Waggoner
Supervisor	Executive Director
Location	Sangamon County

H2. Illinois Department of Veterans' Affairs

Position Number	40070-34-00-210-00-01
Functional Title	Deputy General Counsel
Incumbent	Matthew Eddington
Supervisor	General Counsel who reports to the Director
Location	Cook County

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

On February 28, 2019, March 28, 2019, and May 30, 2019 the Director of Central Management Services sent notice that she was recommending rescission of several Section 4d(3) exempt positions which may no longer meet the requirements for exemption. Each affected agency was provided notice of the recommended actions. The following is a list of these positions that will now be put forth before the Commission for formal consideration of rescission of their exemption, including two positions that have been continued from previous meetings (Items J and K).

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 Items J – X3 are recommended rescissions from the Department of Central Management Services.

- As to Item J, this proposed rescission is for an Assistant Deputy Director, Functional Processes at the Department of Corrections / Public Safety Shared Services Center (DOC). This recommended rescission had been continued since March 2019 and based on May 2019 CSC meeting, Sarah Kerley indicated the position would be abolished. DOC acknowledged they were in the process of abolishing this position; however, it did not happen prior to the June 20 meeting. Staff recommended approving this rescission request.
- As to Item K, this proposed rescission is for an Executive Director for the World Shooting and Recreational Complex at the Department of Natural Resources (DNR). This proposed rescission has been continued since April 2019, and at that time Teresa Smith, Deputy Director of Personnel at CMS, asked for a continuance to allow additional discussion with the agency so there could be further review, based on what had been presented. Staff asked about the discussion between the two agencies and neither agency could provide an update at that time.

This position established policies and procedures for the Complex, acted authoritatively as policy formulating administrator and administered all aspects of the facility and events. This position was over all programs for the Complex, it developed a strategic international marketing plan for the vendors, event participants, and contributors to enhance and fund Complex activities. It was also the official agency spokesperson on behalf of the Director and the Department to all internal and external entities involving the World Shooting and Recreational Complex. Staff recommended denying this rescission request.

Executive Director Stralka indicated there was a lengthy discussion two months ago regarding this position. Commissioner Luechtefeld inquired what the present incumbent would recommend and expressed concern about what could happen if things were not going well, there was no one to blame. If it was an at will position, there could be changes. Commissioner Luechtefeld indicated he felt the position should be exempt. Monica Brockman, Executive Director of the World Shooting and Recreational Complex with DNR indicated she agreed with Commissioner Luechtefeld.

Sarah Kerley indicated if the duties within the job description were being performed, she was not sure why this discussion would take place. Assessing a position based on what we hope it will be in the future is a different discussion. The Complex had one employee, Ms. Brockman. There was no question she was doing well, the current DNR Director hopes the Complex becomes what it should be, but it is not right now. CMS has worked with DNR to extend Ms. Brockman's work for an additional 90 days to encompass an upcoming event. This position was currently posted. Interviews will be scheduled soon and the position will be filled in the near future. In response to a question from Commissioner Luechtefeld, Ms. Kerley indicated that a fully functioning Complex could support an exempt Executive Director.

Ms. Brockman indicated when the Shakman exemption questionnaire was given to her, she responded "no" to questions regarding being a spokesperson, a policy maker and decision maker. Her role was to run a gun club and it was a very sensitive position that included making decisions with the Director.

- As to Items L1 – X3, Staff recommended approving these rescission requests. Executive Director Stralka inquired if the positions were vacant and Ms. Johnson indicated only five were filled.
- Item K, Commissioner Luechtefeld asked if the position was currently exempt or non-exempt. Ms. Johnson indicated the position was currently exempt and if denied, the position would remain exempt and if approved, it would become non-exempt.

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER ROBINSON, AND THE MOTION ADOPTED 5-0 TO RESCIND THE 4D(3) EXEMPTION FROM THE FOLLOWING POSITIONS:

- J: Assistant Deputy Director-Functional Processes (DOC)**
- L1: Exhibits Manager (ALPLM)**
- L2: Facility Services Manager (ALPLM)**
- M1: Transition and Research Administrator/Colbert Decree (AGE)**
- M2: Deputy Division Manager (AGE)**
- M3: Deputy Division Manager, Home and Community Services (AGE)**

- N: Assistant Illinois State Fair Manager (AGR)**
- O1: Chief Information Officer (CMS)**
- O2: Facilities Trade and Building Services Manager (CMS)**
- O3: Portfolio Manager-Equipment and Commodities Div. (CMS)**
- O4: Manager, Transactions & Property Administration (CMS)**
- P1: Legislative Information Liaison (CEO)**
- P2: International Market Event Development Manager (CEO)**
- P3: Deputy Director, Urban Assistance (CEO)**
- P4: Asst. Deputy Director, Entrepreneurship, Innovation & Tech. (CEO)**
- P5: Manager, Entrepreneurship, Innovation & Technology (CEO)**
- P6: Asst. Deputy Director, Community Assistance (CEO)**
- P7: Illinois Main Street Manager (CEO)**
- P8: Regional Mgr., Economic Dev./Northern Stateline (CEO)**
- P9: Regional Mgr., Economic Dev./East Central Region (CEO)**
- P10: Regional Mgr., Economic Dev./Central Region (CEO)**
- P11: Regional Mgr., Economic Dev./North Central Region (CEO)**
- P12: Regional Mgr., Economic Dev./Southern Central Region (CEO)**
- P13: Assistant Deputy Director, Office of Tourism (CEO)**
- Q1: Public Information Officer-Outreach Program (DOC)**
- Q2: Assistant Center Supervisor (DOC)**
- Q3: Administration Deputy Director (DOC)**
- Q4: Assistant Deputy Director, Strategic Processes (DOC)**
- R: Staff Assistant/Advisor to Director (DES)**
- S: Agency Purchasing Officer (EPA)**
- T1: Constituent Information Program Admin-Professional Reg (FPR)**
- T2: Federal & State Interstate Liaison-Secretary's Office (FPR)**
- T3: Director of Athletics-Statewide Enforcement Section (FPR)**
- U1: Bureau Chief, Policy & Review, Contract Administration (DHS)**
- U2: Manager, Contract Compliance, Contract Administration (DHS)**
- U3: Manager, Business Services (DHS)**
- V: Executive Contract & Software License Mgr., Chief Technology (DoIT)**

- W: Carnival Manager (DOL)**
- X1: Assistant Legislative Liaison (DPH)**
- X2: Grants Management Assistant to the Assistant Director (DPH)**
- X3: Administrative Assistant (DPH)**

IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO DENY THE PROPOSED RESCISSION:

- K: Executive Director-World Shooting & Recreational Complex (DNR)**

The following proposed rescission was denied at the June 20, 2019 meeting:

Item	Agency / Position #		Functional Title	Incumbent
K	DNR	40070-12-04-000-00-01	Exec. Director-World Shooting & Recreation Complex	Monica Brackman

The following proposed rescissions were granted at the June 20, 2019 meeting:

Item	Agency / Position #		Functional Title	Incumbent
J	DOC	40070-29-40-210-00-01	Assistant Deputy Director-Functional Processes	Vacant
L1	ALPLM	40070-19-10-150-00-01	Exhibits Manager	Vacant
L2	ALPLM	40070-19-10-400-00-01	Facility Services Manager	Lawrence Patterson
M1	AGE	40070-47-00-020-10-01	Transition & Research Administrator/Colbert Decree	Vacant
M2	AGE	40070-47-20-100-00-01	Deputy Division Manager	Vacant
M3	AGE	40070-47-30-000-00-02	Deputy Division Manager/Home & Community Services	Vacant
N	AGR	40070-11-12-000-00-02	Assistant Illinois State Fair Mgr.	Vacant
O1	CMS	40070-37-41-100-00-01	Chief Information Officer	L. Krebs (75-day temp)
O2	CMS	40070-37-41-300-10-01	Facilities Trade & Building Services Manager	Vacant
O3	CMS	40070-37-41-400-00-01	Portfolio Manager - Equipment and Commodities Division	Vacant
O4	CMS	40070-37-62-000-00-01	Manager, Transactions & Property Administration	Vacant
P1	CEO	37015-42-00-210-00-01	Legislative Information Liaison	Vacant
P2	CEO	40070-42-00-000-20-01	International Market Event Development Manager	Vacant
P3	CEO	40070-42-00-030-00-01	Deputy Director, Urban Assistance	Vacant

Item	Agency / Position #		Functional Title	Incumbent
P4	CEO	40070-42-00-700-06-01	Asst. Deputy Director- Entrepreneurship, Innovation & Technology	Vacant
P5	CEO	40070-42-00-740-00-01	Manager, Entrepreneurship, Innovation & Technology	Vacant
P6	CEO	40070-42-05-000-05-01	Assistant Deputy Director, Community Assistance	Vacant
P7	CEO	40070-42-10-025-00-01	Illinois Main Street Manager	Vacant
P8	CEO	40070-42-10-100-00-01	Regional Mgr. Economic Dev./ Northern Stateline	Vacant
P9	CEO	40070-42-10-300-00-01	Regional Mgr., Economic Dev./ East Central Region	Vacant
P10	CEO	40070-42-10-400-00-01	Regional Mgr., Economic Dev./ Central Region	Vacant
P11	CEO	40070-42-10-500-00-01	Regional Mgr., Economic Dev./ North Central Region	Vacant
P12	CEO	40070-42-10-800-00-01	Regional Mgr., Economic Dev./ Southern Central Region	Vacant
P13	CEO	40070-42-25-000-05-01	Assistant Deputy Director, Office Of tourism	Vacant
Q1	DOC	37015-29-00-000-15-01	Public Information Officer- Outreach Program	Vacant
Q2	DOC	40070-29-20-213-10-01	Assistant Center Supervisor	Vacant
Q3	DOC	40070-29-40-100-00-01	Administration Deputy Director	Vacant
Q4	DOC	40070-29-40-220-00-01	Assistant Deputy Director - Strategic Processes	Vacant
R	DES	40070-44-00-000-01-03	Staff Assistant/Advisor to Director	Thomas Dilbeck
S	EPA	40070-46-00-200-00-01	Agency Purchasing Officer	Craig Foxall
T1	FPR	37015-13-40-500-00-01	Constituent Information Program Administrator-Professional Regulation	Vacant
T2	FPR	40070-13-00-400-00-01	Federal & State Interstate Liaison-Secretary's Office	Vacant
T3	FPR	40070-13-40-960-00-01	Director of Athletics- Statewide Enforcement Section	Vacant
U1	DHS	40070-10-04-200-00-01	Bureau Chief, Policy & Review, Contract Admin.	Vacant
U2	DHS	40070-10-04-300-00-01	Manager, Bureau of Contract Compliance, Contract Admin.	Brian Bond (Interim)
U3	DHS	40070-10-10-100-00-01	Manager, Business Services	D. Stavrou (Interim)

Item	Agency / Position #		Functional Title	Incumbent
V	DoIT	40070-28-20-100-00-01	Executive Contract & Software License Mgr.-Chief Technology Office	Vacant
W	DOL	40070-15-20-100-00-01	Carnival Manager	Vacant
X1	DPH	00501-20-03-020-11-81	Assistant Legislative Liaison	Vacant
X2	DPH	00502-20-01-100-10-81	Grants Management Assistant to the Assistant Director	Vacant
X3	DPH	00502-20-03-010-20-81	Administrative Assistant	Vacant

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. None submitted

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER ROBINSON, AND 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 URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND 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 URLACHER, SECONDED BY COMMISSIONER ROBINSON, 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
URLACHER	YES		

June 20, 2019

IX. RECONVENE THE OPEN MEETING

Upon due and proper notice, the regular open meeting of the Illinois Civil Service Commission was reconvened at 160 N. LaSalle Street, Suite S-901, Chicago, IL and 607 E. Adams Street, Suite 801, Springfield, IL by interactive video conference at 12:40 p.m.

PRESENT

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

X. INTERLOCUTORY APPEAL

DA-18-19

Employee	Kala Scott-Calvin	Appeal Date	3/07/19
Agency	Human Services	Decision Date	6/06/19
Appeal Type	Discharge	Proposal for Decision	Grant Motion to Dismiss for no jurisdiction.
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL OF THE ADMINISTRATIVE LAW JUDGE THAT SCOTT-CALVIN WAS IN A TRAINEE APPOINTMENT AT THE TIME OF HER DISCHARGE AND THE COMMISSION DOES NOT HAVE JURISDICTION OVER HER DISCHARGE APPEAL AS SET FORTH IN THE PROPOSAL FOR DECISION DATED JUNE 6, 2019.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
URLACHER	YES		

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-35-18

Employee	Alex Hall, Jr.	Appeal Date	4/04/18
Agency	Corrections	Decision Date	6/07/19
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Daniel Stralka		

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 4-1 THE MOTION ADOPTED TO PARTIALLY REVERSE THE FINDINGS OF FACT AND PARTIALLY REVERSE THE CONCLUSIONS OF LAW OF THE PROPOSAL FOR DECISION AND MODIFY THE RECOMMENDATION THAT DISCHARGE IS THE APPROPRIATE LEVEL OF DISCIPLINE TO A 60-DAY SUSPENSION PLUS THE DURATION OF HIS SUSPENSION PENDING DISCHARGE FOR THE REASONS SET FORTH IN THE SIGNATURE SHEET.

**SICKMEYER YES FINCH YES
LUECHTEFELD YES ROBINSON NO
URLACHER YES**

DA-14-19

Employee	Sharona Mondy	Appeal Date	1/04/19
Agency	Human Services	Decision Date	6/05/19
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL OF THE ADMINISTRATIVE LAW JUDGE THAT THE PARTIALLY PROVEN CHARGES WARRANT DISCHARGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION DATED JUNE 5, 2019.

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

XII. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

S-30-19

Employee	James E. High	Appeal Date	5/24/19
Agency	Transportation	Decision Date	6/06/19
Appeal Type	Suspension	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
URLACHER	YES		

XIII. REVIEW OF CLOSED MEETING MINUTES PURSUANT TO OPEN MEETINGS ACT

Assistant Executive Director Barris reported that after review of the Closed Meeting Minutes, the need for confidentiality still exists as to all those Minutes.

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 THAT AFTER REVIEW OF CLOSED MEETING MINUTES PURSUANT TO THE OPEN MEETINGS ACT, THE NEED FOR CONFIDENTIALITY STILL EXISTS AS TO ALL THOSE MINUTES.

XIV. STAFF REPORT

Executive Director Daniel Stralka reported that the Fiscal Year 2020 budget passed.

XV. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held at 11:00 a.m. on Thursday, July 18, 2019 in the Chicago and Springfield offices of the Commission by interactive video conference.

XVI. MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 12:45 P.M.