

June 21, 2018

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
JUNE 21, 2018

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

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD MAY 17, 2018

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD MAY 17, 2018?**

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

**MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.**

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

**A. Report on Exempt Positions from Central Management Services**

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Abraham Lincoln Presidential Library & Museum	68	13
Aging	138	19
Agriculture	367	18
Arts Council	12	2
Capitol Development Board	31	0
Central Management Services	854	66
Children and Family Services	2,596	53
Civil Service Commission	3	0
Commerce & Economic Opportunity	247	66
Commerce Commission	58	0
Corrections	12,152	110
Criminal Justice Authority	47	7
Deaf and Hard of Hearing Comm.	2	1
Developmental Disabilities Council	7	1
Emergency Management Agency	63	8
Employment Security	1,066	29
Environmental Protection Agency	602	18
Financial & Professional Regulation	376	48
Gaming Board	147	5
Guardianship and Advocacy	100	8
Healthcare and Family Services	1,580	26
Human Rights Commission	14	2
Human Rights Department	118	10
Human Services	12,628	80
Illinois Torture Inquiry Relief Commission	3	1
Independent Tax Tribunal	1	0
Innovation and Technology	1,267	60
Insurance	211	17
Investment Board	3	2
Juvenile Justice	922	28
Labor	73	11
Labor Relations Board Educational	9	3
Labor Relations Board State	13	2
Law Enforcement Training & Standards Bd.	23	3
Lottery	136	8
Military Affairs	132	3
Natural Resources	1,168	34
Pollution Control Board	18	2
Prisoner Review Board	19	1
Property Tax Appeal Board	31	1
Public Health	1,106	40
Racing Board	2	1
Revenue	1,383	45
State Fire Marshal	125	11
State Police	920	10
State Police Merit Board	7	2
State Retirement Systems	93	3
Transportation	2,136	0
Veterans' Affairs	1,259	10
Workers' Compensation Commission	115	11
<b>TOTALS</b>	<b>44,451</b>	<b>899</b>

**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. Illinois Department of Central Management Services – proposed exemption**

Position Number	40070-37-00-030-00-01 <sup>A</sup>
Functional Title	Deputy Director, Bureau of Administrative Hearings
Incumbent	Katy L. Straub
Supervisor	Director
Location	Cook County

**CMS Recommendation:** “This position still meets the reporting criteria of the Commission Rules and considering the similarities of the requested position with those of other 4d(3) exempt positions, I recommend sustaining the 4d(3) exemption.”

**D1. Illinois Department of Innovation and Technology<sup>B</sup> – proposed exemption**

Position Number	40070-28-12-014-00-01
Functional Title	Manager of Human Capital Management
Incumbent	Vacant
Supervisor	ERP Program Director who reports to the Secretary
Location	Sangamon County

**D2. Illinois Department of Innovation and Technology – proposed exemption**

Position Number	40070-28-12-114-00-01
Functional Title	Manager of Change Management
Incumbent	Vacant
Supervisor	ERP Program Director who reports to the Secretary
Location	Sangamon County

**D3. Illinois Department of Innovation and Technology – proposed exemption**

Position Number	40070-28-12-214-00-01
Functional Title	Manager of Work Management
Incumbent	Greg Easterly
Supervisor	ERP Program Director who reports to the Secretary
Location	Sangamon County

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<sup>A</sup> This position was granted 4d(3) exemption on June 16, 2017 for a period of one year.

<sup>B</sup> The nine proposed exemptions for Illinois Department of Innovation and Technology were granted 4d(3) exemption in August 2015 and August 2016 for periods expiring August 2018.

**D4. Illinois Department of Innovation and Technology – proposed exemption**

Position Number	40070-28-12-314-00-01
Functional Title	Manager of Technical and Quality Management
Incumbent	Carl Try
Supervisor	ERP Program Director who reports to the Secretary
Location	Sangamon County

**D5. Illinois Department of Innovation and Technology – proposed exemption**

Position Number	40070-28-12-414-00-01
Functional Title	Manager of Business Intelligence Development
Incumbent	Vacant
Supervisor	ERP Program Director who reports to the Secretary
Location	Sangamon County

**D6. Illinois Department of Innovation and Technology – proposed exemption**

Position Number	40070-28-12-514-00-01
Functional Title	Manager of Resource Management
Incumbent	Vacant
Supervisor	ERP Program Director who reports to the Secretary
Location	Sangamon County

**D7. Illinois Department of Innovation and Technology – proposed exemption**

Position Number	40070-28-12-614-00-01
Functional Title	Manager of Issues and Risk Management
Incumbent	Barbara Piwowarski
Supervisor	ERP Program Director who reports to the Secretary
Location	Cook County

**D8. Illinois Department of Innovation and Technology – proposed exemption**

Position Number	40070-28-12-714-00-01
Functional Title	Manager of Contract and Policy Management
Incumbent	Christ Balich
Supervisor	ERP Program Director who reports to the Secretary
Location	Cook County

**D9. Illinois Department of Innovation and Technology – proposed exemption**

Position Number	40070-28-12-814-00-01
Functional Title	Manager of Legacy System Management
Incumbent	Mark Dean
Supervisor	ERP Program Director who reports to the Secretary
Location	Sangamon County

**CMS Recommendation:** “These positions do meet the responsibility and reporting criteria of the Commission Rules, and I recommend extension of the 4d(3) exemption.”

**E. State Retirement Systems – proposed exemption**

Position Number	40070-50-74-000-00-04
Functional Title	General Counsel
Incumbent	Vacant
Supervisor	Executive Secretary
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?**

**C: Deputy Director, Bureau of Administrative Hearings (CMS)**

**D1: Manager of Human Capital Management (DoIT)**

**D2: Manager of Change Management (DoIT)**

**D3: Manager of Work Management (DoIT)**

**D4: Manager of Technical and Quality Management (DoIT)**

**D5: Manager of Business Intelligence Development (DoIT)**

**D6: Manager of Resource Management (DoIT)**

**D7: Manager of Issues and Risk Management (DoIT)**

**D8: Manager of Contract and Policy Management (DoIT)**

**D9: Manager of Legacy System Management (DoIT)**

**E: General Counsel (SRS)**

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.

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

B. Arson Investigations Trainee  
Arson Investigator I  
Arson Investigator II

**Classification Analysis:** “The Office of the Illinois State Fire Marshal (OSFM) requested a change to the Arson Investigations Trainee class specification to eliminate the investigative experience component of the Desirable Requirements. Thus, a pathway to qualifying via any combination of education and experience deemed "equivalent to the completion of four years of college ... " is established. Also, a pathway requiring possession of an Associate of Applied Science degree in Fire Science is created to aid the OSFM in reaching education-specific candidates. The trainee period is extended, ranging from 12-24 months, replacing the current range of 6-12 months; this change will ensure candidate readiness for Arson Investigator target title positions. The proposed revisions to the Arson Investigations Trainee class specifications' education and experience requirements are designed to grant the OSFM flexibility to reach a larger pool of candidates. The extended trainee period allows for thorough, supervised training, enriching and enhancing the integrity of arson investigations and the OSFM in general. Additional minor revisions and updates have been rendered for purposes of clarification and contemporary relevance.

To enhance a standard of uniformity for the classes of the Arson Investigator Series, the Arson Investigator I and II class specifications were also revised and updated to modernize language and further clarify the requirements and duties of each class. Unique and exclusive to the Arson Investigator II class are canine handler duties. A significantly expanded discussion regarding canine handlers and Accelerant Detection Canines, their roles, and job duties are included in the proposed Arson Investigator II class specification.”

**C. Civil Engineer Trainee**

**Civil Engineer I**

**Civil Engineer II**

**Civil Engineer III**

**Civil Engineer IV**

**Classification Analysis:** “The Illinois Department of Natural Resources (IDNR) expressed a need to the Department of Central Management Services (DCMS), Bureau of Personnel, Division of Technical Services, to revise the education requirements on the current class specifications for the Civil Engineer Trainee, Civil Engineer I, Civil Engineer II, Civil Engineer III and Civil Engineer IV classes from accepting only civil engineering bachelor's degrees to accepting all engineering bachelor's degrees from colleges or universities accredited by the Accreditation Board for Engineering and Technology. The IDNR felt that revising this aspect of the Education and Experience section of the class specifications for these classes would enhance their recruiting abilities. The class specifications and the corresponding allocated positions have also been reviewed to clarify and revise the content of the specifications to reflect the most current position functions utilized at each level within the user agencies. The certification requirement stated on the Civil Engineer IV class specification under the Education and Experience section was also updated to reflect the current use of licensure language by the Illinois Department of Financial and Professional Regulation. The results are attached in class specification amendment format as part of this proposal.”

**WILL THE COMMISSION APPROVE THE REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE JULY 1, 2018?**

**B. Arson Investigations Trainee**

**Arson Investigator I**

**Arson Investigator II**

**C. Civil Engineer Trainee**

**Civil Engineer I**

**Civil Engineer II**

**Civil Engineer III**

**Civil Engineer IV**

**WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED 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**

**WILL THE COMMISSION DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?**

VIII. MOTION 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, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?**

IX. RECONVENE THE REGULAR OPEN MEETING

X. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period, 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. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	4/30/18	5/31/18	5/31/17
Aging	1	1	0
Agriculture	0	6	1
Arts Council	0	0	0
Central Management Services	1	2	3
Children and Family Services	1	1	1
Commerce and Economic Opportunity	1	0	3
Corrections	1	1	0
Employment Security	2	1	0
Financial and Professional Regulation	1	1	1
Guardianship & Advocacy	1	0	1
Healthcare and Family Services	4	7	6
Human Rights Department	1	2	0
Human Services	16	18	13
Innovation & Technology	6	8	0
Insurance	1	2	0
Juvenile Justice	0	0	1
Labor Relations Board-Educational	1	1	1
Lottery	0	0	1
Natural Resources	9	28	10
Property Tax Appeal Board	3	4	1
Public Health	5	5	0
Revenue	1	1	1
State Fire Marshal	1	1	2
State Police	7	10	1
State Retirement Systems	0	0	1
Veterans' Affairs	1	1	2
Workers' Compensation Commission	0	0	0
<b>Totals</b>	65	101	50

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

**DA-31-18**

Employee	Michael B. Caraker	Appeal Date	3/05/18
Agency	Human Services	Decision Date	6/08/18
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**RV-14-18**

Employee	Andre' R. Mayberry II	Appeal Date	9/06/17
Agency	Central Management Services	Decision Date	5/18/18
Appeal Type	Rule Violation	Proposal for Decision	Violation.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**RV-18-18**

Employee	Monica Barry	Appeal Date	9/29/17
Agency	Central Management Services	Decision Date	5/17/18
Appeal Type	Rule Violation	Proposal for Decision	No violation.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

XII. APPEALS TERMINATED WITHOUT DECISIONS ON THE MERITS

**DA-46-17**

Employee	Angelia D. Bolton	Appeal Date	5/30/17
Agency	Employment Security	Decision Date	5/16/18
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Daniel Stralka		

**DA-33-18**

Employee	Keyonna R. Randle	Appeal Date	3/28/18
Agency	Human Services	Decision Date	5/17/18
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Daniel Stralka		

**DA-41-18**

Employee	Erica D. Wren	Appeal Date	4/25/18
Agency	Veterans' Affairs	Decision Date	5/31/18
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

**DA-45-18**

Employee	Kiley M. Brown	Appeal Date	5/10/18
Agency	Healthcare & Family Svcs.	Decision Date	6/06/18
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Daniel Stralka		

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

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

**AFTER REVIEW OF THE CLOSED MEETING MINUTES PURSUANT TO THE OPEN MEETINGS ACT, WILL THE COMMISSION AGREE THAT THE NEED FOR CONFIDENTIALITY STILL EXISTS?**

XIV. STAFF REPORT

XV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held at 11:00 a.m. on Thursday, July 19, 2018 by interactive video conference in the Springfield and Chicago offices of the Commission.**

XVI. MOTION TO ADJOURN