

June 21, 2018

REGULAR MEETING MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
June 21, 2018

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:04 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, David Luechtefeld, Jane Ryan, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director, Andrew Barris, Assistant Executive Director, and Sabrina Johnson, Exemption Monitor; Katy Straub, Sherry Campbell, John Logsdon, Chris Nichols and Mark Mierzejewski, Illinois Department of Central Management Services; Barb Piwowarski, Kevin O'Toole, Christina Griffin, and Beth Duesterhaus, Illinois Department of Innovation and Technology; and Tim Blair, State Retirement Systems.

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

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD MAY 17, 2018.

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.

June 21, 2018

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	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
TOTALS.....	44,451	899

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)

* * *

C. Requests for 4d(3) Exemption

Exemption Monitor Sabrina Johnson reported the following:

- As to Item C, this request is for a Deputy Director of the Bureau of Administrative Hearings at the Department of Central Management Services, a position that reports to the Director. Based on the June 2016 monthly meeting, the Civil Service Commission granted exemption to this position for one year as a pilot program. Based on Executive Order 2016-06, the Civil Service Commission extended the first request for an additional 12 months, expiring June 2018. Central Management Services is requesting continued exemption for this position on a permanent basis based on the Executive Order 2017-04 which indicates “The Bureau shall continue to exist within CMS indefinitely, unless discontinued by subsequent Executive Order, administrative rule, or Public Act.” This position’s duties and responsibilities remain the same. Staff recommended granting 4d(3) exemption on a permanent basis.

Katy Straub concurred with the Staff presentation. She added that though her appointment may not have been in technical compliance with the Executive Order, it was in the spirit of the Executive Order. She noted how she had been working closely with the Bureau of Administrative Hearings all along including chairing the Professional Development Committee even while at the Department of Financial and Professional Regulation.

- As to Items D1-D9, these requests are for nine Enterprise Resource Planning (ERP) Divisions at the Department of Innovation and Technology (DoIT). The positions report to the ERP Program Director who reports to the Secretary of DoIT. Based on the August 2015 Minutes, the Civil Service Commission granted exemption for a period of 36 months for seven positions. Then two additional positions were granted exemption for 24 months to coincide with the same expiration date as the initial seven positions. DoIT is requesting exemption for these positions for an additional 48 months. DoIT has indicated the positions are still critical to the ongoing development and implementation of various facets of the ERP Program. The nine positions’ duties and responsibilities remain the same. Staff recommended granting exemption for an additional 48 months.

Kevin O’Toole concurred with the Staff presentation. Commissioner Ryan inquired why three of these positions were never filled. O’Toole replied that the ERP was so engrossed in the financial phase of the program implementation that it was decided to simply put off all other aspects. Commissioner Luechtefeld asked about the current status of the three vacancies and Kevin O’Toole replied that they are recruiting for all the vacant positions right now. Commissioner Ryan noted that the Human Capital Development phase was now coming up for implementation so that position would need to be filled and would need another four years for these programs. O’Toole agreed with Commissioner Ryan. Chairman Sickmeyer asked Kevin O’Toole to confirm that this was the first time these positions would be filled, which he did confirm. O’Toole reiterated that it was decided to pull back

from other program phases until after the financial phase was complete. Chairman Sickmeyer then asked why the agency needed another four years for this program. Kevin O'Toole replied that the ERP implementation will take at least that long as they keep adding agencies and programs.

- As to Item E, this request is for a General Counsel of the Office of the Executive Secretary at the State Retirement Systems (SRS), a position that reports to the Executive Secretary. This position is responsible for providing legal advice to the Board of Trustees, the Executive Secretary and staff regarding litigation, contract interpretation and negotiation. It is also responsible for development and implementation of statewide policies and procedures along with reviewing drafts of legal agreements, administrative orders, legislation, rules and regulations. It will serve as the liaison to the Attorney General's Office, the Governor's Office of Legal Affairs, CMS and private attorneys for litigation involving SRS. Staff recommended approval of this exemption request.

Tim Blair indicated he had nothing to add to the Staff presentation.

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

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

E: General Counsel (SRS)

IT WAS MOVED BY COMMISSIONER RYAN, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO GRANT 4d(3) EXEMPTION FOR THE FOLLOWING POSITIONS FOR A PERIOD OF 48 MONTHS:

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)

The following positions were granted 4d(3) exemption on June 21, 2018:

D. Illinois Department of Central Management Services

Position Number	40070-37-00-030-00-01 ¹
Functional Title	Deputy Director, Bureau of Administrative Hearings
Incumbent	Katy L. Straub
Supervisor	Director
Location	Cook County

E. State Retirement Systems

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

The following positions were granted 4d(3) exemption on June 21, 2018 for a period of 48 months:

D1. Illinois Department of Innovation and Technology²

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

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

¹ This position was granted 4d(3) exemption on June 16, 2017 for a period of one year.

² 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.

D3. Illinois Department of Innovation and Technology

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

D4. Illinois Department of Innovation and Technology

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

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

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

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

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

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

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

C. Civil Engineer Trainee

Civil Engineer I

Civil Engineer II

Civil Engineer III

Civil Engineer IV

- Regarding Item B, Assistant Executive Director Barris noted that the Personnel Code prohibits employees from serving a probationary period longer than 12 months. However, employees in a training program are specifically excluded from Jurisdiction B of the Personnel Code and a training program can last longer than 12 months. As such, the proposed revisions to the Arson Investigator Trainee class could effectively put the employee in a situation without civil service protection for longer than 12 months which seems to go against the intent of the Personnel Code prohibition referenced above. Barris inquired why the training program needed to be extended longer than 12 months and/or what kind of training was necessary that would take longer than 12 months. Barris inquired as to the other classes that extended training periods longer than 12 months. Chris Nickols, CMS Technical Services, explained that a second pathway into the program (aside from an equivalency to four years of college) was created to capture potential graduates with an AAS Fire Science degree (two years) and put them to work in an apprenticeship style program in which there is a lot of training to accomplish. John Logsdon, CMS Technical Services, provided a list of training programs contained within class specifications, including 18 classes with training programs longer than 12 months.

- Regarding Item C, Assistant Executive Director Barris spoke to Chris Nickols, CMS Technical Services, about the need for the revisions and the history of the Civil Engineer classes. Barris noted that the classes had not been revised since the 1970's and inquired if that was the primary need for the revisions. Nickols acknowledged that it was part of the reason and also explained that the use of the classes by agencies had also changed. Nichols explained that there were originally two groups of Engineers used at the Department of Transportation (DOT) and the Department of Natural Resources (DNR) but the Engineers at DOT subsequently were moved to DNR. As a result, persons who had engineering degrees and qualified for the Civil Engineer Trainee class at DOT could not qualify for the targeted Civil Engineer class at DNR because their degree was only in engineering as opposed to civil engineering. Nickols summed up the nature of a civil engineer as someone who focused on urban issues such as building codes and street configuration while an engineering degree could cover a wide array of fields such as water resource engineering. John Logsdon, CMS Technical Services, explained that an engineer in water resource allocation was what was used when DNR was created as a state agency. Nickols noted that the positions were originally non-Code and in different bargaining units. Commissioner Luechtefeld asked if the revisions would create any new jobs and Nickols explained that they would not.

The revisions identified in Items B and C were agreed to through collective bargaining.

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 5-0 TO 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**

IT WAS MOVED BY COMMISSIONER RYAN, SECONDED BY COMMISSIONER URLACHER, 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 LUECHTEFELD, SECONDED BY COMMISSIONER RYAN, 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.

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VIII. MOTION TO CLOSE A PORTION OF THE MEETING

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER URLACHER, 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	RYAN	YES
URLACHER	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 160 N. LaSalle Street, Suite S-901, Chicago, IL and 607 E. Adams Street, Suite 801, Springfield, IL by interactive video conference at 11:33 a.m.

PRESENT

Chairman Timothy D. Sickmeyer; G.A. Finch, David Luechtefeld, Jane Ryan, and Casey Urlacher, Commissioners; and Daniel Stralka, Executive Director, Andrew Barris, Assistant Executive Director, and Sabrina Johnson, Exemption Monitor.

X. NON-MERIT APPOINTMENT REPORT

Executive Director Daniel Stralka informed the Commissioners that this report was being removed from upcoming agendas due to ongoing concerns over the data it purports to present. The plan is to work on correcting the deficiencies later this summer.

Agency	4/30/18	5/31/18	5/31/17
Aging	1	1	0
Agriculture	0	6	1
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
Totals	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		

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER RYAN, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL OF THE ADMINISTRATIVE LAW JUDGE TO UPHOLD THE DISCHARGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION DATED JUNE 8, 2018.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	RYAN	YES
URLACHER	YES		

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		

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER RYAN, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL OF THE ADMINISTRATIVE LAW JUDGE THAT THE AGENCY IS TO COME INTO COMPLIANCE WITH THE PERSONNEL CODE AND RULES BY GRADING THE PETITIONER'S APPLICATION BASED UPON THE CLASS SPECIFICATION IN EFFECT AS OF AUGUST 7, 2017 AND SUCH GRADING SHALL OCCUR BY JUNE 30, 2018.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	RYAN	YES
URLACHER	YES		

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		

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL OF THE ADMINISTRATIVE LAW JUDGE THAT THE PETITIONER HAS NOT PROVEN BY A PREPONDERANCE OF THE EVIDENCE THAT A VIOLATION OF THE PERSONNEL CODE OR PERSONNEL RULES OCCURRED AS ALLEGED. THE APPEAL IS DENIED.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	RYAN	YES
URLACHER	YES		

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		

IT WAS MOVED BY COMMISSIONER RYAN, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSALS OF THE ADMINISTRATIVE LAW JUDGES TO DISMISS THE APPEALS AS THEY WERE WITHDRAWN.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	RYAN	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 RYAN, 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 Stralka reported that:

- The Department of Central Management Services executed the renewal for the Commission’s Springfield office at the current location.
- The recently enacted appropriation bills included a supplemental fiscal year 2018 appropriation of \$140,000 for the Commission. This will allow it to pay all outstanding fiscal year 2016, 2017 and 2018 invoices. The Commission also received a fiscal year 2019 appropriation of \$446,200 which is what the Commission’s request was.
- There was a recent Office of Executive Inspector General (OEIG) Final Report on positions in the Central Management Services Bureau of Property Management (BOPM). On May 18 the OEIG released a redacted Final Report on an investigation it conducted on the CMS Bureau of Property Management Regional Client Manager positions. A link to this report was previously forwarded to Commissioners. This investigation apparently started in November 2015 when the OEIG learned the position location for one of the

Regional Client Managers was St. Clair County while the Commission's records indicated that the position was located in Sangamon County. The initial focus of the investigation was whether CMS had notified the Commission by clarification of the position description form that the position had been moved. CMS had not. The OEIG investigation broadened to include reviewing the work these seven employees were doing as not being in accordance with the duties set forth in their position description forms. The end result was that the OEIG concluded that the employees were not performing the job duties as set forth in the most recent position description for each of them nor did they report to the Deputy Director of the BOPM as the position descriptions indicated. The OEIG also concluded that the work the Regional Client Managers were performing would not warrant a principal policy exemption. The employees ended up all being laid off this past December 31 and the positions subsequently abolished. The Final Report also found mismanagement on the part of several high-level CMS Deputy Directors and the Director.

This Final Report is of interest to the Commission for three reasons. The first is the nature of the investigation that took place. It appears that the OEIG investigators were conducting position review activities over the 2+ years that will be strikingly similar to the position audits that Sabrina will start performing in the near future as Exemption Monitor.

Secondly, it is worth noting that the Commission staff first raised the issue of the location of these Regional Client Managers back in February 2016. The Region VII Manager was moved from Sangamon County to Champaign County. This was an issue because the Region VII counties were all located far downstate, 3-4 counties south of Champaign. The issue was raised informally with CMS and when there was no satisfactory response the position was put on the Commission's May 2016 agenda for proposed rescission. That started a lengthy series of communications and meetings with CMS representatives that was initially broadened to include the continued eligibility for exemption of the four Transactions positions in the Bureau. After additional back and forth – none of which resolved the Commission's concerns – Commissioner Urlacher in May suggested that Commission staff broaden their inquiry to include the entirety of the Bureau of Property Management. At a later point in time and as the Staff's issues with the BOPM remained unresolved, Chairman Sickmeyer added this issue to the agenda of his Quarterly Director meetings. It was sometime afterwards that the matter essentially resolved itself with the abolishments of the positions in question. It is noteworthy that the Commission staff has recently been advised by CMS that it is undergoing a reorganization of the BOPM which it hoped to have completed in time for the start of the new fiscal year. This will be discussed at our next quarterly meeting with the Director of CMS.

Lastly, the OEIG report references Commission staff and its interactions with CMS on this issue. There is a footnote of the Commission's emails with CMS that the then Deputy Director of Personnel was updating the duties of the Regional Client Managers in the position description forms. That ended up being a bone of contention with the OEIG. There are also references to CMS failing to forward to the Commission all the position description clarifications to these positions for Staff's review.

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- The Commission received the preliminary audit report for fiscal years 2016 and 2017. He was pleased to report there were only two findings, both of which were related to untimely filing of the Commission's FCIAA report and employee performance evaluations. Both these deficiencies have been corrected.

Chairman Sickmeyer reported that SB2707 passed both chambers and awaits the Governor's signature.

Chairman Sickmeyer and Assistant Executive Director Barris reported HB4295 also passed both chambers and awaits the Governor's signature. Commissioner Ryan inquired if this applies to new positions and Barris indicated it did.

Assistant Executive Director Barris reported that he will be forwarding sexual harassment prevention training materials to the Commissioners upon receipt. Commissioner Luechtefeld inquired when the ethics training materials were due. Barris replied the Acknowledgement is due December 31, 2018 and noted he had previously sent the training materials out by email.

XV. ANNOUNCEMENT OF NEXT MEETING

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

XVI. MOTION TO ADJOURN

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