

July 18, 2019

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
July 18, 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

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD JUNE 20, 2019

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD JUNE 20, 2019?

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	76	10
Aging.....	135	15
Agriculture	340	15
Arts Council	14	2
Capitol Development Board.....	34	0
Central Management Services.....	839	46
Children and Family Services.....	2,631	55
Civil Service Commission.....	4	0
Commerce & Economic Opportunity.....	208	39
Commerce Commission	52	0
Corrections	12,917	102
Criminal Justice Authority.....	52	7
Deaf and Hard of Hearing Comm.....	4	1
Developmental Disabilities Council	5	1
Emergency Management Agency.....	69	10
Employment Security	1,080	27
Environmental Protection Agency.....	593	17
Financial & Professional Regulation.....	387	45
Gaming Board	148	9
Guardianship and Advocacy	98	8
Healthcare and Family Services	1,523	29
Human Rights Commission.....	17	2
Human Rights Department	121	12
Human Services.....	12,642	81
Illinois Torture Inquiry Relief Commission	3	1
Independent Tax Tribunal	1	0
Innovation and Technology	1,204	57
Insurance	203	18
Investment Board	3	2
Juvenile Justice.....	922	30
Labor	75	10
Labor Relations Board Educational.....	11	3
Labor Relations Board State.....	14	2
Law Enforcement Training & Standards Bd.	20	3
Lottery	142	7
Military Affairs.....	137	3
Natural Resources.....	1,157	29
Pollution Control Board	15	2
Prisoner Review Board.....	22	1
Property Tax Appeal Board.....	36	2
Public Health	1,117	39
Racing Board.....	3	1
Revenue.....	1,456	47
State Fire Marshal	128	7
State Police.....	947	8
State Police Merit Board	6	2
State Retirement Systems	96	3
Transportation	2,388	3
Veterans' Affairs	1,202	10
Workers' Compensation Commission.....	105	12
TOTALS.....	45,402	835

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 Financial and Professional Regulation – proposed exemption

Position Number	40070-13-00-050-10-01
Functional Title	Human Resources Director
Incumbent	Vacant
Supervisor	Chief of Staff who reports to the Secretary
Location	Sangamon County

D1. Illinois Department of Human Services – proposed exemption

Position Number	40070-10-90-400-00-29
Functional Title	Associate Director, Office of Welcoming Center for Immigrant and Refugee Services
Incumbent	Vacant
Supervisor	Director, Division of Family & Community Services, who reports to the Assistant Secretary who reports to the Secretary
Location	Cook County

D2. Illinois Department of Human Services – proposed exemption

Position Number	40070-10-40-010-00-01
Functional Title	Chief of Staff, Division of Substance Use Prevention & Recovery
Incumbent	Vacant
Supervisor	Director of Div. of Substance Use Prevention & Recovery who reports to the Assistant Secretary, who reports to the Secretary
Location	Sangamon County

D3. Illinois Department of Human Services – proposed exemption

Position Number	40070-10-76-020-00-01
Functional Title	Senior Colbert Administrator
Incumbent	Felicia Gray
Supervisor	Director of Div. of Mental Health who reports to the Assistant Secretary, who reports to the Secretary
Location	Cook County

E. Illinois State Police – proposed exemption

Position Number	40070-21-30-000-00-01
Functional Title	Deputy Director, Division of Forensic Services
Incumbent	Vacant
Supervisor	First Deputy Director who reports to the Director
Location	Sangamon County

CMS recommendation: “As a result of the Shakman litigation and the subsequent review of exempt positions by the Shakman Special Master, OEIG’s Hiring and Employment Monitoring Unit (HEM), and the Department of Central Management Services, the Acting Director is recommending 4d(3) exemption for the positions [above]. The inquiry conducted by DCMS, OEIG’s HEM and the Shakman Special Master revealed that the positions referenced [above] perform duties and exercise sufficient authority that they should be at will”

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

- C: Human Resources Director (FPR)**
- D1: Associate Director, Office of Welcoming Center for Immigrant and Refugee Services (DHS)**
- D2: Chief of Staff, Division of Substance Use Prevention & Recovery (DHS)**
- D3: Senior Colbert Administrator (DHS)**
- E: Deputy Director, Division of Forensic Services (ISP)**

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;

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- 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.

The following class titles were submitted for creation and revision by the Director of the Illinois Department of Central Management Services (CMS):

B. Gaming Licensing Analyst (revise)
Gaming Licensing Specialist (create)

CMS Classification Analysis: “The Illinois Gaming Board has expressed a need to the Illinois Department of Central Management Services (DCMS), Technical Services Division, to develop a new class that would address and clearly define the requirements and work roles for a senior Gaming Licensing Analyst. These positions will be required to serve as a lead worker to new or lower level licensing analysts, to provide technical support to other Gaming staff and licensure applicants, to conduct preliminary investigations that determine if applicants comply with all applicable laws and to prepare analyses and recommendations for each licensure applicant. To appropriately address and accommodate these work roles, a new class has been created: Gaming Licensing Specialist. Since this class has been proposed as a new title, the DCMS Technical Services Class Studies Unit has conducted research within the State of Illinois' classification plan to make comparisons with other classes to determine specific requirements and compensation levels. A review of the official job functions to be utilized at this new level revealed that this type of work warrants the creation of a new class with advanced knowledge and skill levels. The existing Gaming Licensing Analyst class has been updated to incorporate more specific and descriptive language in the class specification.”

WILL THE COMMISSION APPROVE THE CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON AUGUST 1, 2019?

B. Gaming Licensing Analyst (revise)
Gaming Licensing Specialist (create)

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?

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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?

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IX. RECONVENE THE REGULAR OPEN MEETING

X. INTERLOCUTORY APPEAL

LA-21-19

Employee	Peter Obazuaye	Appeal Date	3/18/19
Agency	Human Services	Decision Date	7/05/19
Appeal Type	Layoff	Proposal for Decision	Dismissed subject to approval of Commission; no jurisdiction.
ALJ	Andrew Barris		

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

XI. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-10-19

Employee	Justin B. Watford	Appeal Date	11/01/18
Agency	Human Services	Decision Date	07/03/19
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?

XII. APPEALS TERMINATED WITHOUT DECISIONS ON THE MERITS

S-25-19

Employee	Darius Beck	Appeal Date	5/23/19
Agency	Human Services	Decision Date	7/01/19
Appeal Type	Suspension	Proposal for Decision	Dismissed subject to approval of Commission; settled.
ALJ	Andrew Barris		

DA-28-19

Employee	Tonka Lott	Appeal Date	4/22/19
Agency	Veterans' Affairs	Decision Date	7/03/19
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

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DA-29-19

Employee	Kristopher Martin	Appeal Date	5/23/19
Agency	Human Services	Decision Date	6/28/19
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Andrew Barris		

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

XIII. STAFF REPORT

XIV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held at 11:00 a.m. on Thursday, August 15, 2019 in the Springfield office of the Commission. There will be no interactive video conference.

XV. MOTION TO ADJOURN