

August 17, 2017

REGULAR MEETING MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
August 17, 2017

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, ILLINOIS

II. PRESENT

Chairman Timothy D. Sickmeyer; David Luechtefeld, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director; Andrew Barris, Assistant Executive Director; Chris Nickols and John Logsdon, Illinois Department of Central Management Services; and Tammy Grant, Illinois Department of Children and Family Services. Commissioner G.A. Finch was not present.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD JULY 20, 2017

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 3-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD JULY 20, 2017.

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

At this time, 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.

August 17, 2017

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> |
|--|------------------------|-----------------------------------|
| Aging..... | 137..... | 20 |
| Agriculture | 418..... | 19 |
| Arts Council | 9..... | 2 |
| Capitol Development Board..... | 40..... | 0 |
| Central Management Services..... | 853..... | 73 |
| Children and Family Services..... | 2,615..... | 54 |
| Civil Service Commission..... | 4..... | 0 |
| Commerce & Economic Opportunity..... | 277..... | 69 |
| Commerce Commission | 59..... | 0 |
| Corrections | 12,140..... | 109 |
| Criminal Justice Authority..... | 54..... | 7 |
| Deaf and Hard of Hearing Comm..... | 4..... | 1 |
| Developmental Disabilities Council..... | 7..... | 1 |
| Emergency Management Agency..... | 64..... | 8 |
| Employment Security | 1,086..... | 30 |
| Environmental Protection Agency..... | 650..... | 18 |
| Financial & Professional Regulation..... | 401..... | 49 |
| Financial Institutions | 59..... | 14 |
| Gaming Board | 164..... | 5 |
| Guardianship and Advocacy | 92..... | 8 |
| Healthcare and Family Services | 1,844..... | 27 |
| Historic Preservation Agency..... | 1..... | 0 |
| Human Rights Commission..... | 14..... | 2 |
| Human Rights Department | 119..... | 10 |
| Human Services..... | 12,786..... | 82 |
| Illinois Torture Inquiry Relief Commission | 3..... | 1 |
| Independent Tax Tribunal | 1..... | 0 |
| Innovation and Technology..... | 472..... | 41 |
| Insurance | 233..... | 17 |
| Investment Board | 3..... | 2 |
| Juvenile Justice..... | 828..... | 28 |
| Labor | 80..... | 12 |
| Labor Relations Board Educational..... | 9..... | 3 |
| Labor Relations Board State..... | 13..... | 2 |
| Law Enforcement Training & Standards Bd. | 22..... | 3 |
| Lottery | 145..... | 8 |
| Military Affairs..... | 119..... | 3 |
| Natural Resources..... | 1,364..... | 34 |
| Pollution Control Board | 18..... | 2 |
| Prisoner Review Board..... | 20..... | 1 |
| Property Tax Appeal Board..... | 35..... | 1 |
| Public Health | 1,091..... | 41 |
| Racing Board..... | 2..... | 1 |
| Revenue..... | 1,471..... | 47 |
| State Fire Marshal | 116..... | 12 |
| State Police..... | 978..... | 10 |
| State Police Merit Board | 7..... | 2 |
| State Retirement Systems | 102..... | 3 |
| Transportation | 2,082..... | 0 |
| Veterans' Affairs | 1,278..... | 11 |
| Workers' Compensation Commission..... | 124..... | 12 |
| TOTALS..... | 44,513..... | 905 |

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. None submitted

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. Child Protection Associate Specialist (revise)**
Child Protection Specialist (revise)
Child Protection Advanced Specialist (revise)
Children and Family Service Intern option 1 (revise)
Children and Family Service Intern option 2 (revise)

Assistant Executive Director Andrew Barris inquired as to the name of the Director of the agency referenced in the Classification Analysis section of the Department of Central Management Services (CMS) class study. John Logsdon, CMS Technical Services, indicated that Beverly Walker was the Director of the Department of Children and Family Services (DCFS) referenced in the class study and indicated that it was very quick turnaround between the agency's request and the CMS completion of the class study. Logsdon explained that the revisions were necessary to allow an increase in the number of people who qualified for the job as the Director wanted to get more qualified people working on cases. Commissioner Luechtefeld asked about the nature of the change in requirements and the effect such changes might have on children's safety. Tammy Grant, Director of Human Resources at DCFS, and John Logsdon explained that the education requirements were not changed but only the experience requirements were revised as such revisions would create consistency in qualifications as they would mirror the qualifications for the Child Welfare Associate Specialist and Child Welfare Specialist classes.

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 3-0 TO APPROVE THE REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE SEPTEMBER 1, 2017:

- B. Child Protection Associate Specialist (revise)**
- Child Protection Specialist (revise)**
- Child Protection Advanced Specialist (revise)**
- Children and Family Service Intern option 1 (revise)**
- Children and Family Service Intern option 2 (revise)**

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 3-0 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 URLACHER, AND THE MOTION ADOPTED 3-0 TO DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.

August 17, 2017

VIII. MOTION TO CLOSE A PORTION OF THE MEETING

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE THE MOTION ADOPTED 3-0 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 | |
| LUECHTEFELD | YES | URLACHER | YES |

August 17, 2017

IX. RECONVENE THE OPEN MEETING

Upon due and proper notice, the regular open meeting of the Illinois Civil Service Commission was reconvened at 607 E. Adams Street, Suite 801, Springfield, Illinois at 12:15 p.m.

PRESENT

Chairman Timothy D. Sickmeyer; David Luechtefeld, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director; and Andrew Barris, Assistant Executive Director.

X. NON-MERIT APPOINTMENT REPORT

Set forth below is the number of consecutive non-merit appointments made by each agency as reported by Central Management Services. There has been a meeting with Central Management Services to discuss these reports.

| Agency | 6/30/17 | 7/31/17 | 7/31/16 |
|---------------------------------------|---------|---------|---------|
| Agriculture | 17 | 16 | 3 |
| Central Management Services | 7 | 4 | 6 |
| Children and Family Services | 1 | 0 | 1 |
| Commerce and Economic Opportunity | 2 | 0 | 0 |
| Emergency Management Agency | 0 | 0 | 1 |
| Employment Security | 2 | 1 | 2 |
| Financial and Professional Regulation | 1 | 1 | 1 |
| Guardianship and Advocacy | 2 | 0 | 0 |
| Healthcare and Family Services | 7 | 5 | 5 |
| Historic Preservation Agency | 10 | 10 | 1 |
| Human Rights Department | 0 | 0 | 1 |
| Human Services | 15 | 13 | 9 |
| Insurance | 0 | 0 | 1 |
| Labor Relations Board-Educational | 2 | 1 | 0 |
| Lottery | 1 | 0 | 0 |
| Natural Resources | 57 | 43 | 28 |
| Property Tax Appeal Board | 1 | 1 | 0 |
| Public Health | 2 | 2 | 0 |
| Revenue | 1 | 0 | 0 |
| State Fire Marshal | 1 | 0 | 1 |
| State Police | 4 | 3 | 0 |
| State Retirement Systems | 4 | 4 | 2 |
| Transportation | 1 | 0 | 0 |
| Veterans' Affairs | 2 | 3 | 0 |
| Workers' Compensation Commission | 1 | 1 | 3 |
| Totals | 141 | 108 | 65 |

XI. INTERLOCUTORY APPEAL

S-23-17

| | | | |
|----------|--|-----------------------|---|
| Employee | Tracee M. Clark | Appeal Date | 10/31/16 |
| Agency | Human Services | Decision Date | 08/04/17 |
| Type | Suspension | ALJ | Andrew Barris |
| Issue | Employee's suspension was less than 30 days in a 12-month period | Proposal for Decision | Dismissed for no jurisdiction, subject to approval of Commission. |

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 3-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL BECAUSE NO JURISDICTION EXISTS BECAUSE THE EMPLOYEE'S PREVIOUS SUSPENSION WAS REDUCED FROM 30 DAYS TO A WRITTEN REPRIMAND RESULTING IN THE SUSPENSION THAT IS THE SUBJECT OF THIS APPEAL AMOUNTING TO LESS THAN 30 DAYS WITHIN A 12-MONTH PERIOD.

**SICKMEYER YES FINCH
LUECHTEFELD YES URLACHER YES**

XII. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-5-17

| | | | |
|-------------|-------------------|-----------------------|-------------------|
| Employee | Olajumoke Adubifa | Appeal Date | 7/27/16 |
| Agency | Human Services | Decision Date | 8/04/17 |
| 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 3-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE FINDINGS OF FACT OF SAID PROPOSAL AND PARTIALLY AFFIRM AND ADOPT THE CONCLUSIONS OF LAW OF SAID PROPOSAL WHILE MODIFYING THE RECOMMENDATION TO UPHOLD THE DISCHARGE. THE PARTIALLY PROVEN CHARGES DO NOT WARRANT DISCHARGE CONSIDERING THE NATURE OF THE OFFENSE, THE EMPLOYEE'S PERFORMANCE RECORD INCLUDING DISCIPLINARY HISTORY, AND THE EMPLOYEE'S LENGTH OF CONTINUOUS SERVICE, SPECIFICALLY:

- **CONTINUOUS SERVICE DATE OF NOVEMBER 3, 2003;**
- **LIMITED PRIOR DISCIPLINE WITH ONLY A WRITTEN REPRIMAND. MORE IMPORTANTLY, THE PRIOR DISCIPLINE OCCURRED AFTER MANY OF THE ALLEGATIONS AT ISSUE IN THIS CASE. THE**

EMPLOYEE WAS NOT GIVEN A CHANCE TO TAKE THE PRIOR DISCIPLINE INTO ACCOUNT AND APPLY IT TO HER FUTURE PERFORMANCE. MEANWHILE THE EMPLOYEE WAS DEALING WITH THE DEBILITATING EFFECT OF HEALTH ISSUES AND SUBSEQUENT SURGERY DURING THE RELEVANT TIME PERIOD; AND

- **HISTORY OF POSITIVE PERFORMANCE EVALUATIONS.**

GIVEN ALL OF THE ABOVE, PROGRESSIVE CORRECTIVE DISCIPLINE SHOULD BE IMPOSED FOR THE PARTIALLY PROVEN CHARGES. SECTION 302.626 SPECIFICALLY STATES, "UNLESS GROUNDS CLEARLY ARE PRESENT WARRANTING IMMEDIATE DISCHARGE OR SUSPENSION PENDING DISCHARGE, EMPLOYEES SHALL BE SUBJECT TO CORRECTIVE DISCIPLINE PROGRESSIVELY UTILIZING COUNSELING, WARNINGS, AND/OR SUSPENSION, AS THE FACTS AND CIRCUMSTANCES DICTATE, PRIOR TO DISCHARGE. IF AN EMPLOYEE'S WORK OR WORK-RELATED CONDUCT REMAINS UNACCEPTABLE AFTER THE APPLICATION OF PROGRESSIVE CORRECTIVE DISCIPLINE, SUCH EMPLOYEE MAY BE DISCHARGED IN ACCORDANCE WITH THE APPROPRIATE RULES."

THE EMPLOYEE HAS WORKED FOR THE STATE OF ILLINOIS FOR APPROXIMATELY 13 YEARS WITH ALMOST NO ISSUES REGARDING HER WORK PERFORMANCE WHILE RECEIVING POSITIVE PERFORMANCE EVALUATIONS. ANY ISSUES WITH HER WORK PERFORMANCE NEVER MANIFESTED UNTIL SHE ENCOUNTERED HER OWN PERSONAL HEALTH ISSUES AND WENT ON A LEAVE OF ABSENCE. MOREOVER, SHE WAS NEVER GIVEN A SUBSTANTIAL CHANCE TO IMPROVE HER PERFORMANCE UPON HER RETURN FROM THE LEAVE OF ABSENCE AS SHE WAS ALMOST IMMEDIATELY DISCHARGED AFTER HER RETURN FROM LEAVE.

ALTHOUGH THE CHARGES WERE PARTIALLY PROVEN, IT IS DIFFICULT TO ACCEPT THE EGREGIOUSNESS OF SUCH CHARGES WHEN THE PETITIONER DID NOT SPECIFICALLY INCLUDE IN THE STATEMENT OF CHARGES THE DATE OR TIME PERIOD THE EMPLOYEE HAD A DUTY TO PERFORM A TASK AND THEN FAILED IN THAT DUTY. MOREOVER, THE ORIGINAL STATEMENT OF CHARGES CONTAINED THE SAME TYPE OF ERRORS FOR WHICH THE EMPLOYEE WAS DISCIPLINED, I.E., USING THE WRONG INITIALS TO IDENTIFY A RESIDENT OF SHAPIRO.

FOR ALL THESE REASONS THE PARTIALLY PROVEN CHARGES DO NOT RISE TO THE LEVEL WHICH SOUND PUBLIC OPINION RECOGNIZES AS GOOD CAUSE FOR THE EMPLOYEE TO NO LONGER HOLD THE POSITION. THE PROVEN CHARGES WARRANT A 90-DAY SUSPENSION PLUS THE DURATION OF THE SUSPENSION PENDING DISCHARGE.

| | | | |
|--------------------|------------|-----------------|------------|
| SICKMEYER | YES | FINCH | |
| LUECHTEFELD | YES | URLACHER | YES |

DA-31-17

| | | | |
|-------------|----------------------------|-----------------------|-------------------|
| Employee | James A. Leeds | Appeal Date | 1/11/17 |
| Agency | Children & Family Services | Decision Date | 8/04/17 |
| 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 3-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE FINDINGS OF FACT OF SAID PROPOSAL AND PARTIALLY AFFIRM AND ADOPT THE CONCLUSIONS OF LAW OF SAID PROPOSAL WHILE MODIFYING THE RECOMMENDATION TO UPHOLD THE DISCHARGE. THE PARTIALLY PROVEN CHARGES DO NOT WARRANT DISCHARGE CONSIDERING THE NATURE OF THE OFFENSE, THE EMPLOYEE'S PERFORMANCE RECORD INCLUDING DISCIPLINARY HISTORY, AND THE EMPLOYEE'S LENGTH OF CONTINUOUS SERVICE, SPECIFICALLY:

- **16 YEARS OF CONTINUOUS SERVICE;**
- **NO PRIOR DISCIPLINE;**
- **POSITIVE PERFORMANCE EVALUATIONS;**
- **OTHER THAN THE CHARGES AT ISSUE, THE EVIDENCE INDICATES THE EMPLOYEE HELPED OUT FELLOW WORKERS WHO NEEDED ASSISTANCE IN ADDITION TO ADDRESSING HIS OWN CASELOAD;**
- **DCFS CLIENTS AT ISSUE SPECIFICALLY TESTIFIED THAT LEEDS WAS A GOOD EMPLOYEE ON THEIR BEHALF; AND**
- **DCFS CLIENTS AT ISSUE SPECIFICALLY TESTIFIED THAT LEEDS' CONDUCT WAS IN NO WAY DETRIMENTAL TO THEIR FAMILIES.**

GIVEN ALL OF THE ABOVE, PROGRESSIVE CORRECTIVE DISCIPLINE SHOULD BE IMPOSED FOR THE PARTIALLY PROVEN CHARGES. SECTION 302.626 SPECIFICALLY STATES, "UNLESS GROUNDS CLEARLY ARE PRESENT WARRANTING IMMEDIATE DISCHARGE OR SUSPENSION PENDING DISCHARGE, EMPLOYEES SHALL BE SUBJECT TO CORRECTIVE DISCIPLINE PROGRESSIVELY UTILIZING COUNSELING, WARNINGS, AND/OR SUSPENSION, AS THE FACTS AND CIRCUMSTANCES DICTATE, PRIOR TO DISCHARGE. IF AN EMPLOYEE'S WORK OR WORK-RELATED CONDUCT REMAINS UNACCEPTABLE AFTER THE APPLICATION OF PROGRESSIVE CORRECTIVE DISCIPLINE, SUCH EMPLOYEE MAY BE DISCHARGED IN ACCORDANCE WITH THE APPROPRIATE RULES."

ALTHOUGH THE PREPONDERANCE OF THE EVIDENCE INDICATES THE EMPLOYEE MADE SERIOUS MISTAKES IN VIOLATION OF DCFS RULES, THE EVIDENCE INDICATED THAT THE EMPLOYEE WAS A LONG-TERM, ENTHUSIASTIC, AND EXCEPTIONAL EMPLOYEE WHO GENUINELY CARED

ABOUT THE CLIENTS HE SERVED AND HE PUT OUT SIGNIFICANT EFFORT IN HELPING BOTH HIS CLIENTS AND HIS FELLOW WORKERS. MOREOVER, THERE WAS NO EVIDENCE THAT THE CLIENTS AT ISSUE WERE ACTUALLY EXPOSED TO ANY RISKS AND/OR DETRIMENTAL EFFECTS DUE TO HIS MISTAKES. WHILE LEEDS MAY HAVE INTENTIONALLY MISPRESENTED THE LOCATIONS OF THE CONTACTS, THE EVIDENCE INDICATES THAT HE HAD SUBSTANTIAL, CONSISTENT AND ENGAGED CONTACT WITH THE CLIENTS DURING THE RELEVANT TIME FRAMES AND HIS ACTIONS GENUINELY HELPED THE CLIENTS AT ISSUE.

THE CIVIL SERVICE COMMISSION UNDERSTANDS THE IMPORTANCE FOR THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES TO ENSURE ITS EMPLOYEES ARE AWARE THAT FALSIFICATION OF ENTRIES INTO THE SACWIS SYSTEM WILL NOT BE TOLERATED. SUCH CONDUCT MAY CERTAINLY WARRANT THE IMPOSITION OF THE ULTIMATE DISCIPLINE – DISCHARGE – AT TIMES. CONSIDERING THE MULTITUDE OF FACTS NOTED ABOVE, IT WOULD NOT BENEFIT THE STATE TO IMPOSE SUCH A DRASTIC PENALTY GIVEN THESE PARTICULAR FACTS AND CIRCUMSTANCES. RATHER, PROGRESSIVE CORRECTIVE DISCIPLINE SHOULD BE UTILIZED BASED UPON THE EMPLOYEE’S LONG HISTORY OF SERVICE WITH THE STATE OF ILLINOIS, HIS POSITIVE PERFORMANCE EVALUATIONS, AND HIS LACK OF PRIOR DISCIPLINE.

FOR ALL THE ABOVE REASONS THE PROVEN CHARGES DO NOT RISE TO THE LEVEL WHICH SOUND PUBLIC OPINION RECOGNIZES AS GOOD CAUSE FOR THE EMPLOYEE TO NO LONGER HOLD THE POSITION. THE PROVEN CHARGES WARRANT A 90-DAY SUSPENSION PLUS THE DURATION OF THE SUSPENSION PENDING DISCHARGE IN LIEU OF DISCHARGE.

**SICKMEYER YES FINCH
LUECHTEFELD YES URLACHER YES**

S-38-17

| | | | |
|-------------|-----------------|-----------------------|--|
| Employee | Tracee M. Clark | Appeal Date | 3/03/17 |
| Agency | Human Services | Decision Date | 8/04/17 |
| Appeal Type | Suspension | Proposal for Decision | 10-day suspension reduced to 5-day suspension. |
| ALJ | Andrew Barris | | |

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 3-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL OF THE ADMINISTRATIVE LAW JUDGE THAT THE PARTIALLY PROVEN CHARGES WARRANT A 5-DAY SUSPENSION FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION DATED AUGUST 4, 2017.

**SICKMEYER YES FINCH
LUECHTEFELD YES URLACHER YES**

August 17, 2017

XIII. STAFF REPORT

Chairman Sickmeyer updated the Commissioners on the status of replacing the vacant Exemption Monitor/Human Resources Manager position. It is presently contemplated this will occur sometime around January 1.

XIV. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held on Thursday, September 21, 2017 at 11:00 a.m. in the Chicago and Springfield offices by interactive video conference.

XV. MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 3-0 TO ADJOURN THE MEETING AT 12:22 P.M.