

August 20, 2020

REGULAR MEETING MINUTES  
ILLINOIS CIVIL SERVICE COMMISSION  
August 20, 2020

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

II. ROLL CALL AND CONFIRMATION OF A QUORUM

Chairman Timothy D. Sickmeyer (by telephone); G.A. Finch (by telephone), David Luechtefeld (by telephone), Teresa C. Smith (by telephone), and Vivian Robinson (by telephone), Commissioners; Thomas Klein, Executive Director, Andrew Barris, Assistant Executive Director and Sabrina Johnson, Exemption Monitor; Vernon Jakoby (by telephone) and Sarah Kerley (by telephone), Illinois Department of Central Management Services; Christian Perry (by telephone) and Zina Smith (by telephone), Illinois Criminal Justice Information Authority; Brandon Purcell (by telephone), Michael Morthland (by telephone), and Tyler Hanners (by telephone), Illinois Department of Financial and Professional Regulation; Amanda Thomet (by telephone), Office of the Executive Inspector General; and Glenn Ryback (by telephone), Village of Wadsworth.

Executive Director Klein confirmed there was a quorum in light of the Governor's Emergency Declaration and Chairman Sickmeyer's determination that it is neither practical nor prudent to have an in-person meeting.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD JULY 16, 2020

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD JULY 16, 2020. COMMISSIONER SMITH ABSTAINED.**

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 Thomas Klein offered an opportunity for any person to address members of the Commission.

Sarah Kerley introduced Vernon Jakoby, Chief Compliance Officer, for Central Management Services Bureau of Personnel. Ms. Kerley explained that the plan is to hire five compliance officers who will report to Mr. Jakoby.

Hearing no further response, the meeting proceeded to the next agenda item.

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

**A. 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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**B. Requests for 4d(3) Exemption**

- Exemption Monitor Sabrina Johnson indicated that Item B was a request for a Community Engagement Liaison at Criminal Justice Information Authority (CJIA), a position that reports to the Chief of Staff, who reports to the Executive Director. This position serves as the manager of the Restore, Renew and Reinvest (R3) program with duties to develop and implement strategic planning and serve as liaison with the Governor’s office, legislators and state and federal officials relating to this program. This position is the agency spokesperson for the R3 program. Staff recommended this exemption request be granted. Neither CJIA nor current incumbent, Mr. Perry, had comments to add regarding this position.

Exemption Monitor Ms. Johnson indicated that Items C1 and C2 are positions within the Department of Financial and Professional Regulation (FPR) in the Cannabis Regulation Oversight Office.

- Item C1 was a request for a Deputy Officer for Communication and Coordination, a position that reports to the Cannabis Regulation Oversight Officer, who reports to the Secretary. This position serves as the spokesperson for this Office and is responsible for drafting, developing, implementing and administrating the communications and coordination policies and procedures. This position is a statewide public affairs and community outreach spokesperson and serves as a liaison with internal and external stakeholders involved in legislation, proposed policy, and outreach and education program. Staff recommended this exemption request be granted.
- Item C2 was a request for a Deputy Officer for Legislation and Rules, a position that reports to the Cannabis Regulation Oversight Officer, who reports to the Secretary. This position is responsible for developing and implementing policy and procedures, representing the Office with multiple agency cannabis bureaus with professional committees/boards and discussing new legislative proposals and rules. This position makes managerial decisions relating to the strategy for the passage and implementation of legislation and rules affecting the Office’s policy. Staff recommended this exemption request be granted.

Commissioner Luechtefeld inquired if both positions are currently vacant and if so, will FPR be hiring soon. Michael Morthland, Chief of Staff with FPR, indicated that both positions are currently vacant and FPR is in the process of getting both positions filled. Sarah Kerley, Senior Policy Advisor with the Department of Central Management Services, indicated the Cannabis Regulation Oversight Officer is a non-code, Senate appointment position and appointment was made August 10, 2020. Ms. Kerley indicated FPR will be moving on both positions very soon.

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

- B: Community Engagement Liaison (CJIA)**
- C1: Deputy Officer of Communication and Coordination (FPR)**
- C2: Deputy Officer of Legislation and Rules (FPR)**

**B. Illinois Criminal Justice Information Authority**

Position Number	37015-50-05-000-00-02
Functional Title	Community Engagement Liaison
Incumbent	Christian Perry
Supervisor	Chief of Staff who reports to the Executive Director
Location	Sangamon County

**C1. Illinois Department of Financial & Professional Regulation**

Position Number	37015-13-30-200-00-01
Functional Title	Deputy Officer of Communication and Coordination
Incumbent	Vacant
Supervisor	Cannabis Regulation Oversight Officer who reports to the Secretary
Location	Sangamon County

**C2. Illinois Department of Financial & Professional Regulation**

Position Number	37015-13-30-300-00-01
Functional Title	Deputy Officer of Legislation and Rules
Incumbent	Vacant
Supervisor	Cannabis Regulation Oversight Officer 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; and
- f) The relation of the class specifications to any applicable collective bargaining agreement.

B. **None submitted**

**IT WAS MOVED BY COMMISSIONER LUECHTEFELD, 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.

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**B. None submitted**

**IT WAS MOVED BY COMMISSIONER SMITH, 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 FINCH, SECONDED BY COMMISSIONER LUECHTEFELD, 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.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>YES</b>	<b>ROBINSON</b>	<b>YES</b>
<b>SMITH</b>	<b>YES</b>		

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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 607 E. Adams Street, Suite 801, Springfield, IL at 11:30 a.m.

ROLL CALL AND CONFIRMATION OF A QUORUM

Chairman Timothy D. Sickmeyer (by telephone); G.A. Finch (by telephone), David Luechtefeld (by telephone), Teresa C. Smith (by telephone), and Vivian Robinson (by telephone), Commissioners; Thomas Klein, Executive Director, Andrew Barris, Assistant Executive Director and Sabrina Johnson, Exemption Monitor; and Glenn Ryback (by telephone), Village of Wadsworth.

X. INTERLOCUTORY APPEAL

DA-42-20

Employee	Shanell M. King	Appeal Date	6/08/20
Agency	Juvenile Justice	Decision Date	8/05/20
Appeal Type	Discharge	Proposal for	Dismissed subject to approval of Commission; no jurisdiction.
ALJ	Andrew Barris	Decision	

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER SMITH, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>YES</b>	<b>ROBINSON</b>	<b>YES</b>
<b>SMITH</b>	<b>YES</b>		

XI. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-23-19

Employee	Diana M. Craig	Appeal Date	3/28/19
Agency	Juvenile Justice	Decision Date	8/05/20
Appeal Type	Discharge	Proposal for	Charges not proven; employee to be reinstated.
ALJ	Thomas Klein	Decision	

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**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 5-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.**

<b>SICKMEYER</b>	<b>YES</b>	<b>FINCH</b>	<b>YES</b>
<b>LUECHTEFELD</b>	<b>YES</b>	<b>ROBINSON</b>	<b>YES</b>
<b>SMITH</b>	<b>YES</b>		

XII. STAFF REPORT

Executive Director Thomas Klein welcomed Commissioner Smith and informed the Commission that interviews for the soon to be vacant Executive Secretary III position had been conducted.

XIII. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held at 11:00 a.m. on Thursday, September 17, 2020 in the Springfield office of the Commission.

XIV. MOTION TO ADJOURN

**IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 11:35 A.M.**