

September 17, 2021

REGULAR MEETING MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
September 17, 2021

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:02 A.M. AT 607 E. ADAMS STREET, SUITE 801, SPRINGFIELD, IL

II. ROLL CALL AND CONFIRMATION OF A QUORUM

Timothy D. Sickmeyer, Chairman; G.A. Finch (by video), David Luechtefeld, Vivian Robinson, and Teresa C. Smith, Commissioners; Thomas Klein, Executive Director, Andrew Barris, Assistant Executive Director, Sabrina Johnson, Exemption Monitor, and Alexandra Myers, Executive Secretary; Chris Nickols (by telephone), Central Management Services; Amanda Thomet (by telephone), Office of Executive Inspector General; and Darren Herman.

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO ALLOW COMMISSIONER FINCH TO JOIN THE MEETING BY VIDEO.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD AUGUST 19, 2021

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER SMITH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD AUGUST 19, 2021.

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.

Hearing no 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. 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; and
- f) The relation of the class specifications to any applicable collective bargaining agreement.

**B. Chaplain 1 (revise)
Chaplain 2 (revise)**

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER ROBINSON, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO APPROVE THE REVISIONS OF THE FOLLOWING CLASS SPECIFICATIONS TO BE EFFECTIVE OCTOBER 1, 2021:

**B. Chaplain 1 (revise)
Chaplain 2 (revise)**

C. Residential Care Worker Trainee (revise)

Regarding the Residential Care Worker Trainee revision, Assistant Executive Director Andrew Barris inquired from Chris Nickols at CMS Technical Services about the effect of the training program's extension to 18 months and the potential delay to the employees' ability to become certified. Nickols stated that employees' certifications would not be delayed as they would become certified as soon as they complete training, i.e., if they complete training in 12 months they become certified immediately and do not need to wait 18 months.

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER SMITH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO APPROVE THE REVISION OF THE FOLLOWING CLASS SPECIFICATION TO BE EFFECTIVE OCTOBER 1, 2021:

C. Residential Care Worker Trainee (revise)

- D. Pension and Death Benefits Technician I (abolish)
Pension and Death Benefits Technician II (abolish)
Retirement System Benefits Technician I (establish)
Retirement System Benefits Technician II (establish)**

Regarding the Retirement System Benefits Technician I and II class, Assistant Executive Director Andrew Barris asked why an abolishment and creation was utilized as opposed to simply a revision to the existing Pension and Death Benefits Technician I and II classes. Nickols stated that classification coding requirements necessitated the creation of a new class with new classification codes as opposed to a revision with the existing codes. Nickols confirmed that Title Code 38321 and 38322 were the codes for the Retirement System Benefits Technician classes.

According to the CMS Classification Plan Review Report, all of the proposed revisions, abolishments, creations of the classes were agreed to through collective bargaining.

IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER ROBINSON, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO APPROVE THE ABOLISHMENT AND CREATION OF THE FOLLOWING CLASS SPECIFICATIONS TO BE EFFECTIVE OCTOBER 1, 2021:

- D. Pension and Death Benefits Technician I (abolish)
Pension and Death Benefits Technician II (abolish)
Retirement System Benefits Technician I (establish)
Retirement System Benefits Technician II (establish)**

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER LUECTEFELD, AND BY ROLL CALL VOTE 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 ROBINSON, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE 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 ROBINSON, SECONDED BY COMMISSIONER SMITH, 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	ROBINSON	YES
SMITH	YES		

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IX. APPROVAL OF MINUTES OF THE CLOSED PORTION OF THE REGULAR MEETING HELD AUGUST 19, 2021

IT WAS MOVED BY COMMISSIONER LUECHTEFELD, SECONDED BY COMMISSIONER ROBINSON, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO APPROVE THE MINUTES OF THE CLOSED PORTION OF THE REGULAR MEETING HELD AUGUST 19, 2021.

X. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-20-21

Employee	Conner C. Kirkwood	Appeal Date	04/02/2021
Agency	Dept. of Corrections	Decision Date	09/02/2021
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus suspension pending discharge
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER ROBINSON, 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.

**SICKMEYER YES FINCH YES
LUECHTEFELD YES ROBINSON YES
SMITH YES**

RV-26-21

Employee	Carlos Ocampo	Appeal Date	05/12/2021
Agency	Dept. of Revenue	Decision Date	09/02/2021
Appeal Type	Rules Violation	Proposal for Decision	No violation.
ALJ	Thomas Klein		

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER ROBINSON, 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.

**SICKMEYER YES FINCH YES
LUECHTEFELD YES ROBINSON YES
SMITH YES**

RV-28-21

Employee	R.C. Wiggs	Appeal Date	06/10/2021
Agency	Illinois State Police	Decision Date	09/02/2021
Appeal Type	Rules Violation	Proposal for Decision	No violation.
ALJ	Thomas Klein		

IT WAS MOVED BY COMMISSIONER ROBINSON, 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 FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
SMITH	YES		

DA-1-22

Employee	Darin W. Herman	Appeal Date	07/06/2021
Agency	Dept. of Healthcare & Family Services	Decision Date	09/02/2021
Appeal Type	Discharge	Proposal for Decision	Employee reinstated
ALJ	Thomas Klein		

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.

SICKMEYER	YES	FINCH	YES
LUECHTEFELD	YES	ROBINSON	YES
SMITH	YES		

XI. STAFF REPORT

Executive Director Thomas Klein announced that he is speaking at the Illinois Association of Hispanic State Employees conference in October.

Assistant Executive Director Andrew Barris inquired if IL Department of Innovation and Technology (DoIT) has been in contact with the Commissioners to set up e-mails for training purposes. The Commissioners stated that they have not received correspondence from DoIT.

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XII. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held at 11:00 a.m. on Thursday, October 21, 2021 in the Springfield office of the Commission. Chairman Sickmeyer has a conflict for this date, and the meeting date was rescheduled for Thursday, October 28, 2021 at 11:00 a.m.

XIII. MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER ROBINSON, SECONDED BY COMMISSIONER SMITH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 5-0 TO ADJOURN THE MEETING AT 11:26 A.M.