

September 20, 2018

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
SEPTEMBER 20, 2018

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 AUGUST 16, 2018

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD AUGUST 16, 2018?

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	89	13
Aging	138	20
Agriculture	707	18
Arts Council	14	2
Capitol Development Board	31	0
Central Management Services	862	60
Children and Family Services	2,653	53
Civil Service Commission	3	0
Commerce & Economic Opportunity	240	66
Commerce Commission	54	0
Corrections	12,448	110
Criminal Justice Authority	46	7
Deaf and Hard of Hearing Comm	3	1
Developmental Disabilities Council	6	1
Emergency Management Agency	63	9
Employment Security	1,087	29
Environmental Protection Agency	617	18
Financial & Professional Regulation	390	48
Gaming Board	150	6
Guardianship and Advocacy	98	8
Healthcare and Family Services	1,571	26
Human Rights Commission	14	2
Human Rights Department	117	10
Human Services	12,574	80
Illinois Torture Inquiry Relief Commission	3	1
Independent Tax Tribunal	1	0
Innovation and Technology	1,283	60
Insurance	207	17
Investment Board	3	2
Juvenile Justice	896	28
Labor	71	11
Labor Relations Board Educational	12	3
Labor Relations Board State	13	2
Law Enforcement Training & Standards Bd.	22	3
Lottery	144	8
Military Affairs	135	3
Natural Resources	1,386	33
Pollution Control Board	16	2
Prisoner Review Board	21	1
Property Tax Appeal Board	32	1
Public Health	1,128	40
Racing Board	2	1
Revenue	1,372	45
State Fire Marshal	122	12
State Police	929	10
State Police Merit Board	6	2
State Retirement Systems	98	3
Transportation	2,161	0
Veterans' Affairs	1,251	10
Workers' Compensation Commission	112	11
TOTALS	45,383	896

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 Gaming Board – proposed exemption

Position Number	37015-50-69-300-00-01
Functional Title	Human Resources Manager
Incumbent	Geny Chiaradonna
Supervisor	Illinois Gaming Board Administrator
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Property Tax Appeal Board – proposed exemption

Position Number	37015-50-48-400-00-51
Functional Title	Chief Fiscal Officer/Human Resources Manager
Incumbent	James Moffat
Supervisor	Executive Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E. Illinois Department of Agriculture – proposed exemption

Position Number	40070-11-07-000-00-01 ^A
Functional Title	Bureau Chief, Medicinal Plants
Incumbent	Jeffrey Cox
Supervisor	Deputy Director who reports to the Director
Location	Sangamon County

CMS Recommendation: “This position does meet the responsibility and reporting criteria of the Commission Rules and I recommend continuance/extension of the 4d(3) exemption.”

^A This position was granted 4d(3) exemption on October 18, 2013 for the period ending January 1, 2018.

F. Illinois Department of Financial and Professional Regulation – proposed exemption

Position Number	40070-13-40-800-00-01 ^B
Functional Title	Medical Cannabis Deputy Director
Incumbent	Tara K. Byrne
Supervisor	Director
Location	Cook County

CMS Recommendation: “This position does meet the responsibility and reporting criteria of the Commission Rules and I recommend continuance of the 4d(3) exemption.”

G. Illinois Department of Public Health – proposed exemption

Position Number	40070-20-31-000-00-01 ^C
Functional Title	Medical Cannabis Division Chief
Incumbent	John A. Campbell
Supervisor	Deputy Director of Health Promotion who reports to the Director
Location	Sangamon County

CMS Recommendation: “This position does meet the responsibility and reporting criteria of the Commission Rules and I recommend continuance/extension of the 4d(3) exemption.”

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

C: Human Resources Manager (Gaming Board)

D: Chief Fiscal Officer/Human Resources Manager (Prop. Tax Appeal Board)

E: Bureau Chief, Medicinal Plants (Agriculture)

F: Medical Cannabis Deputy Director (Financial and Professional Regulation)

G: Medical Cannabis Division Chief (Public Health)

^B This position was granted 4d(3) exemption on October 18, 2013 for the period ending January 1, 2018.

^C This position was granted 4d(3) exemption on January 17, 2014 for the period ending January 1, 2018

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.

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

B. Educator Aide (revision)

Classification Analysis: “Pursuant to changes to the Illinois School Code (105 ILCS 5/21 B-20), effective July 1, 2013, the Illinois State Board of Education (ISBE) transitioned educators and school personnel from a certification system to a licensure system, in an effort to simplify and clarify understanding of credentials within its purview. The proposed class specification revisions attached essentially replace obsolete “certification” language with corresponding new licensure and endorsement language. The system changeover reduces numerous certifications to three licenses. They are:

- Professional Educator License (PEL)
- Educator License with Stipulations (ELS)
- Substitute Teaching License (STL)

Positions of the Educator Aide class provide instructional support to Educators. At one time, “Teacher's Aide” was the common and professionally appropriate term for positions of this type, and ISBE granted certificates as such. The current ISBE credentials that satisfy the requirements for positions in this class are Educator License with Stipulations

endorsed for Paraprofessional, and, State-Approved Paraprofessional Revisions were made to this class specification to update and clarify the role, duties and requirements of the class, and to reflect credential language necessitated by ISBE's transition to a licensure system from a certification system. The class specification is comprised of two options: Option A and Option B.

Option A is available to individuals holding a current State-Approved Paraprofessional approval, which is valid only for programs with funding sources other than Title I, Part A. ISBE stopped issuing new State-Approved Paraprofessional approvals, effective July 1, 2013, because the approval requirements are not aligned with the No Child Left Behind Act of 2001 (NCLBA); however, approvals issued prior to that date will remain active indefinitely, per ISBE. Paraprofessionals holding that credential are authorized to continue to work in programs with funding sources other than Title I, Part A of the Elementary and Secondary Education Act, as amended by the NCLBA, as long as the approval is active and current.

Option B is available to individuals meeting NCLBA requirements, and in possession of an ELS endorsed for Paraprofessional. Upon ISBE's transition to the Licensure system July 1, 2013, NCLBA (only) paraprofessional approvals were exchanged for ELS's endorsed for Paraprofessional. Holders of this license, appropriately endorsed, may provide paraprofessional instructional support in programs supported by Title I, Part A. Revising the Educator Aide class specification accomplishes two major objectives. The revisions align the class specification language pertaining to licensure and credentialing with that of other classes requiring compliance with ISBE-related rules and statutes; also, the revisions update and clarify the current requirements to qualify for the class, and further identify knowledges, skills, and abilities expected of class incumbents.”

C. Gaming Shift Supervisor (revision)
Gaming Unit Supervisor (revision)
Gaming Operations Supervisor (revision)

Classification Analysis: “The Illinois Gaming Board (IGB) requested changes to the class specifications of the Gaming Shift Supervisor, Gaming Unit Supervisor and Gaming Operations Supervisor classes. The IGB seeks assistance to recruit experienced personnel. The Department of Central Management Services (DCMS), Bureau of Personnel, Division of Technical Services, Class Studies Unit has examined the relevant issues and consulted with the IGB to determine the appropriate modifications to make to these class specifications to improve the effectiveness of the agency's recruitment efforts. It is vital to the mission of the IGB that Gaming Shift Supervisor, Gaming Unit Supervisor and Gaming Operations Supervisor positions be populated by professional investigators familiar with the specialized operations of the IGB. It is also an objective of the IGB to have advancement opportunities available to investigators already employed by the IGB in classes such as Gaming Special Agent and Gaming Senior Special Agent.

The agency is willing to hire new employees that possess related experience obtained from outside law enforcement agencies, but would prefer they enter IGB employment at the level of Gaming Special Agent Trainee, Gaming Special Agent or Gaming Senior Special

Agent. This approach will ensure that the investigators are well trained and capable of handling additional responsibilities as incumbents rise through the ranks toward supervisory positions. Currently, the Gaming Shift Supervisor, Gaming Unit Supervisor and Gaming Operations Supervisor require ‘... experience as a sworn peace officer in criminal or regulatory law enforcement or investigations.’ The agency wishes to change the relevant sections of each class specification to read ‘... experience as a Gaming Senior Special Agent in enforcement or investigations with the Gaming Board.’

Additionally, the Gaming Shift Supervisor, Gaming Unit Supervisor and Gaming Operations Supervisor specifications all present a distinction between Investigations responsibilities and Enforcement responsibilities by referring to them as ‘Options.’ This was intended as an administrative tool for human resources and classification staff, and not to set boundaries on career advancement within the agency. In order to alleviate potential confusion in the hiring and grading processes for these classes, we propose that the references to ‘Options’ in these class specifications be removed.”

**D. Housekeeper (creation)
Housekeeper II (abolishment)**

Classification Analysis: “The Department of Corrections will be occupying a wing of the Elgin Mental Health Center to house mentally ill offenders. In other Corrections facilities, offenders are responsible for cleaning and janitorial duties of the facilities. Since the offenders/patients at this new facility have been diagnosed as mentally ill, it is necessary to hire staff to perform the cleaning and janitorial duties. Discussions between the Department of Central Management Services and the Department of Corrections led to the identification of the existing Housekeeper II classification as the potential class to meet this need. The Housekeeper II was used as the foundation to develop a new class called Housekeeper that is a working level class and not a supervisory or advanced level class as depicted in the Housekeeper II.

The Housekeeper I and Housekeeper II class specifications were established April 1, 1970 as a series, and the working level Housekeeper 1 class was abolished in 1990. The Housekeeper II has been kept active but has not been updated since its inception and has been vacant (i.e., has not had an incumbent employee allocated to the class) since July 1, 1993. Prior to this study, the Housekeeper II class specification was on a list of class specifications scheduled to be abolished in the near future.

It is necessary due to the limitations of the state personnel data systems to abolish the Housekeeper II class specification and create the Housekeeper class specification as a new class as opposed to simply revising the Housekeeper II class specification. Therefore, we recommend that the Housekeeper II class specification be abolished and recommend that the new Housekeeper class specification be established to accommodate the needs of the Department of Corrections and other state agencies that may in the future demonstrate a need for a class such as this.”

E. Public Information Officer I (abolishment)
Public Information Officer II (abolishment)
Public Information Coordinator (revision)
Public Information Officer III (revision)
Public Information Officer IV (revision)

Classification Analysis: “The Department of Central Management Services (DCMS), Bureau of Personnel, Division of Technical Services, has instituted procedures to examine each of the class specifications currently active in the State of Illinois Classification Plan. In the interest of fulfilling the mandate to administer the Position Classification Plan found in Title 80, Subchapter B, Chapter I, Part 320 of the Illinois Administrative Code, the DCMS Class Studies Unit has launched a comprehensive update strategy for all classes and the feature objectives are to: a) reduce the number of class specifications that have lain dormant or disused (i.e., classes with no incumbents for at least two years or classes without established positions) by abolishing the classes that are identified as such; and b) systematically bring up-to-date all content of each class specification under the Personnel Code that is in use by various state agencies.

Utilizing the guidelines specified above, the DCMS Division of Technical Services Class Studies Unit has reviewed the Public Information Officer III, Public Information Officer IV and Public Information Coordinator class specifications and proposes that the revised versions be implemented. The Public Information Coordinator became effective April 21, 1961. The Public Information Officer series became effective August 1, 1970 replacing the Informational Representative series. These class specifications and all corresponding allocated positions have been reviewed in consultation with the user agencies to clarify the contents and reflect the most current functions, requirements and terminology.

The Public Information Officer I class has not been used since August 7, 2001, and the Public Information Officer II class has not been used since February 28, 2008. The user agencies have confirmed that they have no plans to use these two classes. Consequently, the Public Information Officer I and the Public Information Officer II class specifications are recommended to be abolished.”

F. Reproduction Service Technician I (revision)
Reproduction Service Technician II (revision)
Reproduction Service Technician III (revision)
Reproduction Service Supervisor I (revision)
Reproduction Service Supervisor II (abolishment)

Classification Analysis: “The Illinois Commerce Commission has requested that the Department of Central Management Services carry out a class study of the Reproduction Service Technician I, Reproduction Service Technician II, Reproduction Service Technician III, Reproduction Service Supervisor I and Reproduction Service Supervisor II class specifications which were created/last updated on April 16, 1989. The classes are used by numerous agencies.

The job descriptions have been updated periodically over the years, and today accurately describe the functions and responsibilities of the positions allocated to these classes. However, the content of the class specifications has not evolved along with the positions. The currently effective class specifications reference modes of operation and equipment that are no longer valid. Therefore, the class specification drafts will reconcile the class specifications with the official position descriptions describing with improved clarity the work and deployment of public administration technology.

The Reproduction Services Supervisor II class specification has not been used by a state agency since September 2002 and none of the agencies consulted during this study has expressed a plan to use this title in the future. Therefore, we recommend it be abolished from the Illinois State Classification Plan.”

WILL THE COMMISSION APPROVE THE ABOLISHMENT, CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON OCTOBER 1, 2018?

- B. Educator Aide (revision)**
- C. Gaming Shift Supervisor (revision)**
 - Gaming Unit Supervisor (revision)**
 - Gaming Operations Supervisor (revision)**
- D. Housekeeper (creation)**
 - Housekeeper II (abolishment)**
- E. Public Information Officer I (abolishment)**
 - Public Information Officer II (abolishment)**
 - Public Information Coordinator (revision)**
 - Public Information Officer III (revision)**
 - Public Information Officer IV (revision)**
- F. Reproduction Service Technician I (revision)**
 - Reproduction Service Technician II (revision)**
 - Reproduction Service Technician III (revision)**
 - Reproduction Service Supervisor I (revision)**
 - Reproduction Service Supervisor II (abolishment)**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED 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

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?

September 20, 2018

IX. RECONVENE THE REGULAR OPEN MEETING

X. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-11-18

Employee	Gladis M. Strozier	Appeal Date	8/17/17
Agency	Human Services	Decision Date	9/07/18
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Daniel Stralka		

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

DA-30-18

Employee	Jeremiah Ringo	Appeal Date	3/05/18
Agency	Human Services	Decision Date	9/05/18
Appeal Type	Discharge	Proposal for Decision	40-day suspension.
ALJ	Andrew Barris		

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

DA-49-18

Employee	Jovonna Pryor-Gathing	Appeal Date	6/13/18
Agency	Human Services	Decision Date	9/06/18
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

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

RV-37-18

Employee	LaVanda J. Wheeler	Appeal Date	4/17/18
Agency	Human Services	Decision Date	8/07/18
Appeal Type	Rule Violation	Proposal for Decision	No violation.
ALJ	Andrew Barris		

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

September 20, 2018

XI. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

RV-46-18

Employee	Janis J. Hand	Appeal Date	5/15/18
Agency	Human Services	Decision Date	9/07/18
Type	Rule Violation	Proposal for Decision	Dismissed subject to approval of Commission; settled.
ALJ	Andrew Barris		

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

XII. MEETING SCHEDULE FOR 2019

Thursday, January 17	Thursday, July 18
Thursday, February 21	Thursday, August 15 (No interactive video; meeting in Springfield office.)
Thursday, March 21	Thursday, September 19
Thursday, April 18	Thursday, October 17
Thursday, May 16	Thursday, November 21
Thursday, June 20	Thursday, December 19

Unless otherwise scheduled, the meetings will be held by interactive video conference beginning at 11:00 a.m. at the Commission offices in Chicago and Springfield.

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, October 18, 2018 in the Chicago and Springfield offices of the Commission by interactive video conference.

XV. MOTION TO ADJOURN