

September 21, 2017

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
SEPTEMBER 21, 2017

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 N. LASALLE ST., SUITE S-901, CHICAGO, IL AND 607 E. ADAMS ST., SUITE 801, SPRINGFIELD, IL BY INTERACTIVE VIDEO CONFERENCE

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD AUGUST 17, 2017

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD AUGUST 17, 2017?**

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>
Aging.....	144.....	20
Agriculture .....	515.....	18
Arts Council .....	8.....	2
Capitol Development Board.....	38.....	0
Central Management Services.....	857.....	73
Children and Family Services.....	2,601.....	54
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	281.....	68
Commerce Commission .....	59.....	0
Corrections .....	12,055.....	109
Criminal Justice Authority.....	54.....	7
Deaf and Hard of Hearing Comm.....	4.....	1
Developmental Disabilities Council.....	7.....	1
Emergency Management Agency.....	65.....	8
Employment Security .....	1,079.....	30
Environmental Protection Agency.....	626.....	18
Financial & Professional Regulation.....	392.....	49
Financial Institutions .....	59.....	14
Gaming Board .....	157.....	5
Guardianship and Advocacy .....	94.....	8
Healthcare and Family Services .....	1,815.....	27
Human Rights Commission.....	14.....	2
Human Rights Department.....	120.....	10
Human Services.....	12,696.....	82
Illinois Torture Inquiry Relief Commission .....	3.....	1
Independent Tax Tribunal .....	1.....	0
Innovation and Technology.....	503.....	44
Insurance .....	230.....	17
Investment Board .....	3.....	2
Juvenile Justice.....	805.....	28
Labor.....	78.....	12
Labor Relations Board Educational.....	9.....	3
Labor Relations Board State.....	13.....	2
Law Enforcement Training & Standards Bd. ....	22.....	3
Lottery .....	144.....	8
Military Affairs.....	119.....	3
Natural Resources.....	1,370.....	33
Pollution Control Board .....	16.....	2
Prisoner Review Board.....	19.....	1
Property Tax Appeal Board.....	34.....	1
Public Health.....	1,086.....	41
Racing Board.....	2.....	1
Revenue.....	1,483.....	47
State Fire Marshal .....	118.....	12
State Police.....	973.....	10
State Police Merit Board .....	7.....	2
State Retirement Systems .....	99.....	3
Transportation .....	2,064.....	0
Veterans' Affairs .....	1,256.....	11
Workers' Compensation Commission.....	124.....	12
<b>TOTALS.....</b>	<b>44,325.....</b>	<b>905</b>

**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. Highway Maintainer (revise)**

**CMS Classification Analysis:** “The Department of Transportation (DOT), in its effort to ensure safe driving conditions throughout the year, cleans and maintains Illinois roadways. This work requires a full-time staff, but also includes hiring many seasonal employees to fill Highway Maintainer positions - especially during fall and winter driving times. These Highway Maintainer positions are utilized as drivers of various equipment and/or operators of various tools and equipment - ranging from snow plows and cinder spreaders to compressors and shovels.

One of the present requirements for the Highway Maintainer is for each incumbent of the class to possess a Class A commercial driver's license (CDL) with appropriate endorsements, including air brakes. In the past, DOT has experienced difficulty in hiring seasonal candidates for Highway Maintainer positions who possess the required Class A CDL and there is no reason to believe that this problem will disappear in the near future. To assist in ameliorating the scarcity of prospective seasonal employees who have the Class A CDL, DOT proposes to allow successful candidates - for seasonal positions only - to possess a valid Class B CDL. However, DOT also would require that by three years subsequent to the initial hire date of a seasonal Highway Maintainer incumbent, that employee must possess a current valid Class A CDL. The attached draft Highway Maintainer class specification has been modified to include the DOT suggested revisions.

Also, 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 for accuracy and contemporary relevance. 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 job classes and the featured objectives of this proposal are a) to bring up-to-date all content of each class specification under the Personnel Code that is currently in use by various state agencies, and b) to establish a universal minimum standard of educational attainment for employment in state government.

The DCMS Class Studies Unit proposes to add the statement ‘Requires knowledge, skill and mental development equivalent to the completion of four years of high school’ to the class specifications of all job classes in the State of Illinois Classification Plan that currently contain either no educational requirement or an educational requirement that is less than the equivalency of the completion of four years of high school. The Highway Maintainer class specification currently requires education and experience equivalent to completion of eight years of elementary school.

Establishing a universal minimum standard of educational attainment improves all aspects of personnel management including the equitable classification of positions and compensation assignments; it provides an agreed upon basis from which we can design measures of classification or compensation progression.

The Department of Transportation has been consulted to clarify the contents of the Highway Maintainer class specification and reflect the most current functions, requirements and terminology. DOT has affirmed that the attached revision is complete and current, and accurately describes the work of positions allocated to the class at the time of the publication of this proposal. The results are attached in class specification amendment format as part of this proposal.”

**C. Corrections Treatment Senior Security Supervisor (revise)**

**CMS Classification Analysis:** “During the application review process to hire individuals into the Corrections Treatment Senior Security Supervisor class, it was discovered that applicants generally lacked the supervisory background necessary to perform the functions of the class. A review of the experience requirements listed in the class specification revealed that work experience as a Corrections Treatment Officer or Correctional Officer would not provide the requisite background necessary to adequately serve as a Corrections Treatment Senior Security Supervisor. Accordingly, the experience has now been changed to ‘supervisory experience.’

Similarly, requiring the supervisory work experience to be gained solely in a correctional facility eliminates other acceptable backgrounds (e.g., parole office jobs, work in a forensic mental health facility, etc.) which could potentially enable a person to perform the duties of a Corrections Treatment Senior Security Supervisor. Therefore, the area of supervisory experience is expanded to pertain to ‘a related institutional setting.’

Other minor changes pertaining to the clientele (offenders) and a typographical error have also been addressed in this class specification revision.”

**WILL THE COMMISSION APPROVE THE REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON OCTOBER 1, 2017?**

- B. Highway Maintainer (revise)**
- C. Corrections Treatment Senior Security Supervisor (revise)**

**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?**

IX. RECONVENE THE REGULAR OPEN MEETING

X. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	7/31/17	8/31/17	8/31/16
Agriculture	16	<b>15</b>	2
Central Management Services	4	<b>5</b>	3
Children and Family Services	0	<b>0</b>	1
Commerce and Economic Opportunity	0	<b>1</b>	0
Emergency Management Agency	0	<b>0</b>	1
Employment Security	1	<b>0</b>	0
Financial and Professional Regulation	1	<b>1</b>	1
Healthcare and Family Services	5	<b>7</b>	3
Historic Preservation Agency	10	<b>10</b>	1
Human Rights Department	0	<b>0</b>	1
Human Services	13	<b>14</b>	8
Innovation & Technology	0	<b>3</b>	0
Insurance	0	<b>0</b>	1
Labor Relations Board-Educational	1	<b>1</b>	0
Natural Resources	43	<b>49</b>	21
Property Tax Appeal Board	1	<b>2</b>	0
Public Health	2	<b>2</b>	0
Revenue	0	<b>1</b>	0
State Fire Marshal	0	<b>0</b>	1
State Police	3	<b>4</b>	1
State Retirement Systems	4	<b>4</b>	1
Transportation	0	<b>1</b>	1
Veterans' Affairs	3	<b>1</b>	0
Workers' Compensation Commission	1	<b>1</b>	3
<b>Totals</b>	108	<b>122</b>	50

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

**DA-20-17**

Employee	Baneika Holeyfield	Appeal Date	10/18/16
Agency	Revenue	Decision Date	09/01/17
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?**

**DA-34-17**

Employee	Daniel W. Stowell	Appeal Date	1/30/17
Agency	Historic Preservation	Decision Date	8/31/17
Appeal Type	Discharge	Proposal for Decision	Written warning and 20-day suspension.
ALJ	Andrew Barris		

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

**DA-40-17**

Employee	Andrea Torres	Appeal Date	4/11/17
Agency	Employment Security	Decision Date	8/25/17
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Daniel Stralka		

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

**DA-45-17**

Employee	Tashun Martin	Appeal Date	5/22/17
Agency	Human Services	Decision Date	8/30/17
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?**



**S-47-17**

Employee	Kelly C. Lim	Appeal Date	6/02/17
Agency	Human Services	Decision Date	8/30/17
Appeal Type	Suspension	Proposal for Decision	Suspension upheld.
ALJ	Andrew Barris		

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

XII. STAFF REPORT

XIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held at 11:00 a.m. on Thursday, October 19, 2017 by interactive video conference in the Springfield and Chicago offices of the Commission.**

XIV. MOTION TO ADJOURN