

May 15, 2003

MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
May 15, 2003

I. OPENING OF MEETING AT 10:30 A.M. AT 425½ SOUTH FOURTH STREET, SPRINGFIELD, ILLINOIS

II. PRESENT

George E. Richards, Chairman; John M. Dorgan, Dan P. Fabrizio, Ray W. Ewell, and Barbara J. Peterson (via phone), Commissioners; Daniel Stralka, Governor's Office; Mike Grady, HR Director, DCEO; Marianne Armento and Tricia Pineda, CMS.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 17, 2003 AND RECONVENED MEETING HELD APRIL 18, 2003

IT WAS MOVED BY COMMISSIONER FABRIZIO, SECONDED BY COMMISSIONER DORGAN, AND THE MOTION UNANIMOUSLY ADOPTED TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD APRIL 17, 2003 AND THE RECONVENED MEETING HELD APRIL 18, 2003.

IV. APPEALS TERMINATED WITHOUT DECISION

Listed below for the record is a summary of appeals in which termination was achieved by action other than formal decision by the Commission. All records pertaining to the appeals are a matter of record in the Commission files.

Dismissals

<u>Name</u>	<u>Title</u>	<u>Department</u>
Kyle Kirts	Public Service Administrator	Commerce & Economic Opportunity

Request for hearing filed: February 7, 2003

RESULTS: Petitioner and Respondent have settled all claims and appeals related to Respondent's employment, and severance of such employment, by Petitioner. Stipulation filed with the Commission April 30, 2003. Case closed by letter dated May 2, 2003.

May 15, 2003

IV. APPEALS TERMINATED WITHOUT DECISION (continued)

Megan Ornellas Sr. Public Service Administrator Public Aid

Request for hearing filed: January 29, 2003

RESULTS: Petitioner and Respondent have settled all claims and appeals related to

Respondent's employment, and severance of such employment, by
Petitioner. Stipulation filed with the Commission April 30, 2003. Case
closed by letter dated May 2, 2003.

**IT WAS MOVED BY COMMISSIONER FABRIZIO, SECONDED BY
COMMISSIONER DORGAN, AND THE MOTION UNANIMOUSLY ADOPTED
TO CONCUR WITH THE STAFF DECISIONS IN THE ABOVE MATTERS.**

V. COURT DECISIONS ON ADMINISTRATIVE REVIEW

Circuit Court – Dismissal

Department of Children & Family Services v. CSC and James Young

The Honorable Nancy J. Arnold, Judge of the Circuit Court of Cook County, entered a judgment order on February 26, 2003, affirming the June 21, 2001 decision of the CSC, reducing discipline imposed against respondent, James Young, from discharge to a 90-day suspension. DCFS has filed an appeal with the Appellate Court of Illinois, First Judicial District.

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

A. Report on Exempt Positions

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging	102	6
Agriculture	517	10
Arts Council.....	22	1
Banks and Real Estate.....	261	2
Central Management Services	1,147	15
Children and Family Services.....	3,522	29
DCEO	417	22
Corrections.....	14,102	104
Deaf and Hard of Hearing Comm.....	8	1
Developmental Disabilities Council ...	14	1
Elections Board.....	49	1
Emergency Management Agency	54	1
Employment Security	1,918	10
EPA.....	1,149	4
Financial Institutions.....	85	4
Guardianship and Advocacy	117	6
Historic Preservation Agency	191	2
Human Rights Commission	10	2
Human Rights Department	137	4
Human Services	15,638	40
Industrial Commission.....	151	8
Insurance.....	333	5
Investment Board.....	4	1
Labor.....	86	7
Labor Relations Board Educational ...	22	2
Labor Relations Board State	23	2
Law Enf. Trng. & Standard Bd.....	24	1
Liquor Control Commission	71	3
Lottery.....	232	7
Medical District Commission	5	1
Natural Resources.....	1,623	23
Pollution Control Board.....	30	3
Professional Regulation	263	8
Property Tax Appeal Board	39	2
Public Aid	2,372	15
Public Health.....	1,130	16
Revenue	1,987	30
State Fire Marshal.....	125	4
State Police	1,533	4
State Police Merit Board.....	5	1
State Retirement Systems	79	1
Veterans Affairs.....	1,123	2
TOTALS	50,720	411

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

B. Governing Rule - Jurisdiction B Exemptions

- a) Before a position shall qualify for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the position shall be directly responsible to:
1. The Governor, or
 2. A departmental director or assistant director appointed by the Governor, or
 3. A board or commission appointed by the Governor, or
 4. The head of an agency created by Executive Order, or the director or assistant director of an agency carrying out statutory powers, whose offices are created by the Governor subject to legislative veto under Article V, Section 11, of the Constitution of 1970, which agency head, director, or assistant director may themselves be subject to exemption under Section 4d(3), or
 5. In an agency having a statutory assistant director, a deputy director exercising full line authority under the director for all operating entities of the agency, provided the statutory role of assistant director is vacant or is assigned clearly distinct and separate duties from the deputy director and as a colleague to him, or
 6. A line position organizationally located between the director and/or assistant director and a subordinate statutorily exempt position(s), provided the position proposed for exemption has line authority over the statutory exempt position(s), or
 7. The elected head of an independent agency in the executive, legislative, or judicial branch of government.
- b) If a position meets the above criterion, it must, in addition, be responsible for one or more of the following before it shall be approved as exempt:
1. Directs programs defined by statute and/or departmental, board, or commission policy or possess significant authority when acting in the capacity of a director of programs to bind the agency.
 2. Makes decisions in exercising principal responsibility for the determination or execution of policy which fix objectives or state the principles to control action toward operating objectives of one or more divisions, such decisions being subject to review or reversal only by the director, assistant director, board or commission.
 3. Participates in the planning and programming of departmental, board, or commission activities, integrating the plans and projections of related divisions, and the scheduling of projected work programs of those agencies.

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

The Department of Agriculture has **withdrawn** its request for 4d(3) exemption for the following position, listed in May's agenda as Item No. VIII. J:

Position Title: Senior Public Service Administrator
Position Number: 40070-11-01-600-00-01
Division: Executive Office
Incumbent: Vacant
Supervisor: Director of Agriculture
Location: Springfield

IT WAS MOVED BY COMMISSIONER DORGAN, SECONDED BY COMMISSIONER FABRIZIO, AND THE MOTION UNANIMOUSLY ADOPTED TO APPROVE THE REQUEST FOR 4D(3) EXEMPTION FOR THE FOLLOWING POSITIONS:

Agency: Department of Natural Resources
Position Title: Public Service Administrator
Position Number: 37015-12-00-600-00-01
Division: Director's Office
Incumbent: Vacant
Supervisor: Director
Location: Springfield

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-00-060-00-01
Division: Director's Office/Office of Human Resources & Labor Relations
Incumbent: Vacant
Supervisor: Director
Location: Sangamon County

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-00-300-00-01
Division: Director's Office/Office of Financial Management
Incumbent: Vacant
Supervisor: Director
Location: Sangamon County

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

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-00-500-00-01
Division: Director's Office/Information Technology Management
Incumbent: Marsha A. Leckrone
Supervisor: Director
Location: Sangamon County

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-00-600-00-01
Division: Director's Office/Management Operations
Incumbent: Nancy F. Lane
Supervisor: Director
Location: Sangamon County

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-25-000-05-01
Division: Bureau of Tourism
Incumbent: Vacant
Supervisor: Deputy Director, SPSA 40070-42-25-000-00-01
Location: Cook County

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-35-000-05-01
Division: Bureau of Business Development
Incumbent: Vacant
Supervisor: Deputy Director, SPSA 40070-42-35-000-00-01
Location: Cook County

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-50-000-05-01
Division: Bureau of Community Development
Incumbent: Vacant
Supervisor: Deputy Director, SPSA 40070-42-50-000-00-01
Location: Cook County

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

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-60-000-05-01
Division: Bureau of Technology & Industrial Competitiveness
Incumbent: Vacant
Supervisor: Deputy Director, SPSA 40070-42-60-000-00-01
Location: Cook County

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-70-000-05-01
Division: Bureau of Energy & Recycling
Incumbent: Vacant
Supervisor: Deputy Director, SPSA 40070-42-70-000-00-01
Location: Cook County

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Public Service Administrator
Position Number: 37015-42-00-000-02-01
Division: Director's Office
Incumbent: Vacant
Supervisor: Director
Location: Sangamon County

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-00-000-03-01
Division: Director's Office
Incumbent: Vacant
Supervisor: Director
Location: Cook County

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Public Service Administrator
Position Number: 37015-42-00-000-15-01
Division: Director's Office
Incumbent: John C. Glazier
Supervisor: Director
Location: Sangamon County

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

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-00-071-00-02
Division: Director's Office
Incumbent: Mona B. Martin
Supervisor: Senior Public Service Administrator 40070-42-00-070-00-01
Location: Sangamon County

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-00-073-00-01
Division: Director's Office/Bureau of Policy Development Planning & Research
Incumbent: Vacant
Supervisor: Senior Public Service Administrator 40070-42-00-070-00-01
Location: Sangamon County

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-00-074-00-01
Division: Director's Office/Bureau of Policy Development Planning & Research
Incumbent: Vacant
Supervisor: Senior Public Service Administrator 40070-42-00-070-00-01
Location: Sangamon County

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-00-094-00-01
Division: Illinois Trade Office
Incumbent: Vacant
Supervisor: Senior Public Service Administrator 40070-42-00-090-00-01
Location: Cook County

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-00-095-00-01
Division: Director's Office
Incumbent: Vacant
Supervisor: Senior Public Service Administrator 40070-42-00-090-00-01
Location: Cook County

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

Agency: Dept. of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-00-400-10-01
Division: Director's Office/Coal Development & Marketing
Incumbent: Vacant
Supervisor: Senior Public Service Administrator 40070-42-00-400-00-01
Location: Sangamon County

Agency: Department of Revenue
Position Title: Senior Public Service Administrator
Position Number: 40070-25-45-100-00-01
Division: Human Resource Management
Incumbent: Vacant
Supervisor: Director
Location: Sangamon

Agency: Department of Commerce & Economic Opportunity
Position Title: Senior Public Service Administrator
Position Number: 40070-42-60-200-00-01
Division: Office of High Performance Workplace
Incumbent: Vacant
Supervisor: Director
Location: Cook County

Agency: Department of Insurance
Position Title: Administrative Assistant II
Position Number: 00502-14-00-000-00-02
Division: Executive
Incumbent: Vacant
Supervisor: Assistant Director of Insurance
Location: Cook County

Agency: Department of Natural Resources
Position Title: Senior Public Service Administrator
Position Number: 40070-12-00-800-00-01
Division: Director's Office
Incumbent: Vacant
Supervisor: Director
Location: Sangamon

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

Agency: Environmental Protection Agency
Position Title: Senior Public Service Administrator
Position Number: 40070-46-00-400-00-01
Division: Director
Incumbent: Vacant
Supervisor: Director
Location: Sangamon County

Agency: Department of Public Health
Position Title: Senior Public Service Administrator
Position Number: 40070-20-30-000-00-81
Division: Health Promotion
Incumbent: Mark Schmidt
Supervisor: Director
Location: Cook

Agency: Children & Family Services
Position Title: Senior Public Service Administrator
Position Number: 40070-16-00-500-00-01
Division: Director's Office
Incumbent: Vacant
Supervisor: Director Samuels
Location: Cook County

Agency: Central Management Services
Position Title: Senior Public Service Administrator
Position Number: 40070-37-10-000-01-01
Division: Communication & Computer Services
Incumbent: James A. Burgard
Supervisor: Associate Director
Location: Sangamon

Agency: Central Management Services
Position Title: Senior Public Service Administrator
Position Number: 40070-37-80-000-01-01
Division: Information Services
Incumbent: Kathy Maple
Supervisor: Administrator of the Office of Public Affairs
Location: Sangamon

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

Agency: Central Management Services
Position Title: Senior Public Service Administrator
Position Number: 40070-37-70-000-01-01
Division: Legal Services
Incumbent: Vacant
Supervisor: Chief of Operations
Location: Sangamon

Agency: Central Management Services
Position Title: Senior Public Service Administrator
Position Number: 40070-37-60-000-01-02
Division: Property Management
Incumbent: Vacant
Supervisor: Associate Director
Location: Sangamon

Agency: Central Management Services
Position Title: Senior Public Service Administrator
Position Number: 40070-37-40-000-01-02
Division: Support Services
Incumbent: Robert Kirk
Supervisor: Assistant Director
Location: Sangamon

Agency: Central Management Services
Position Title: Senior Public Service Administrator
Position Number: 40070-37-30-000-01-01
Division: Bureau of Benefits
Incumbent: Vacant
Supervisor: Associate Director
Location: Sangamon

Agency: Central Management Services
Position Title: Senior Public Service Administrator
Position Number: 40070-37-20-000-01-01
Division: Bureau of Personnel
Incumbent: Dawn DeFraties
Supervisor: Chief of Staff
Location: Sangamon

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

Agency: Central Management Services
 Position Title: Senior Public Service Administrator
 Position Number: 40070-37-03-000-01-01
 Division: Internal Audits
 Incumbent: Shelly Martin
 Supervisor: Director
 Location: Sangamon

Agency: Central Management Services
 Position Title: Senior Public Service Administrator
 Position Number: 40070-37-04-000-01-01
 Division: Business Enterprise Program/Asst. Director's Office
 Incumbent: Sondra Phillips
 Supervisor: Assistant Director
 Location: Cook

VII. 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. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services consecutive non-merit report as of April 30, 2003.

	<u>3/31/03</u>	<u>4/30/03</u>
Agriculture	0	2
Central Management Services	4	0
DCEO	2	1
Corrections	2	2
Employment Security	1	1
Human Services	3	3
Labor Relations Board Educ.	1	1
Military Affairs	1	0
Natural Resources	5	4
Professional Regulation	3	3
Public Health	4	4
State Police	1	1
State Retirement Systems	1	1
Transportation	<u>19</u>	<u>0</u>
	47	23

May 15, 2003

MOTION TO GO INTO EXECUTIVE SESSION

IT WAS MOVED BY COMMISSIONER EWELL, SECONDED BY COMMISSIONER FABRIZIO, AND THE MOTION UNANIMOUSLY ADOPTED TO HOLD AN EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTERS OF THE COMMISSION.

RECONVENE MEETING

Present: George E. Richards, Chairman; John M. Dorgan, Dan P. Fabrizio, Ray W. Ewell, and Barbara J. Peterson (via phone), Commissioners.

IT WAS MOVED BY COMMISSIONER DORGAN, SECONDED BY COMMISSIONER FABRIZIO, AND THE MOTION UNANIMOUSLY ADOPTED TO SUSPEND, PENDING DISCHARGE, ROBERT B. POWERS AND SARAJANE A. WRIGHT.

ANNOUNCEMENT OF NEXT MEETING

Announcement of the next regular meeting to be held on Thursday, June 19, 2003 at 9:00 a.m. in the Commission's Chicago Office.

MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER EWELL, SECONDED BY COMMISSIONER PETERSON, AND THE MOTION UNANIMOUSLY ADOPTED TO ADJOURN THE MEETING.