



State Universities Civil Service System

1717 Philo Road, Suite 24

Urbana, IL 61802

217/278-3150

Agenda for the Human Resource Directors Advisory Committee Meeting

Date: April 29, 2016

Time: 10:00 a.m.

- 1. Welcome and Introductions**
- 2. Update on proposed rulemaking to sections 250.30 and 250.50 of the Code (80 Ill. Adm. Code §250.30 and §250.50)**
Update on the status of the proposed rulemaking to sections 250.30 and 250.50 of the Code.
- 3. Update on Emergency rule to sections 250.110 and 250.120 of the Code (80 Ill. Adm. Code §250.110 and §250.120)**
July 29, 2016 end date for emergency rule
- 4. Discussion and update on proposed rulemaking adding a new section, 250.119 of the Code regarding furloughs**
Discussion and update on the proposed rulemaking to sections 250.119 regarding furloughs.
- 5. Discussion on proposed rulemaking to section 250.110 of the Code (80 Ill. Adm. Code §250.110)**
Discussion regarding proposed rulemaking to sections 250.110 regarding discharge.
- 6. Discussion regarding proposed procedure manual changes**
 - *Salary procedures*
 - *Rule of Three procedures*
 - *Out-of-State procedures*
- 7. Discussion regarding possible statute changes**
 - *Out-of-State recruitment*
 - *HB 6129 -- Veterans preference*
- 8. Biennial Audit Program – Review of Recent Activities**
Update on the current biennial audit activities, including a review of recent final audit reports issued.
- 9. Update on Supported Employees Program New Tracking System**
Update regarding new tracking system for supported employees
- 10. Discussion of custom classes**
- 11. FLSA changes as related to Merit Board Policy Relating to Employee Benefits**

- University System Office will provide draft policy regarding vacation accrual. This topic is in response to the potential change in FLSA exempt designation for positions/employees.

12. Applicant Information from E-Test

13. Specialty Factors Approval at Campus Level

- Review of designated Specialty Factors that can be designated at the campus level. This will be in addition to the Specialty Factors already associated with the Custom Classifications.

14. Salary Data System Update

- Per the January 7, 2016, update on discussion and potential changes to the salary data system and submission policies.

15. Work/Study Committees

16. Report of the Executive Director – Jeff Brownfield

- a. Open Meeting Act requirement for the Administrative Advisory Committee and the Human Resource Directors Advisory Committee*
- b. Errors and Omissions Insurance Policy for Merit Board members*
- c. FY 2016 and FY 2017 Budget Updates*
- d. Classification/Examination Update*
- e. Customer Satisfaction Management Plan*
- f. Goals, Objectives and Executive Director Performance Review*
- g. Staff Changes*

17. Other Items as presented

- Next Meeting – July 29, 2016

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NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE A: MERIT EMPLOYMENT SYSTEMS
CHAPTER VI: STATE UNIVERSITIES CIVIL SERVICE SYSTEM

PART 250
STATE UNIVERSITIES CIVIL SERVICE SYSTEM

Section	
250.5	Definitions
250.10	Purpose, Adoption, and Amendment of Rules
250.20	The State Universities Civil Service System and its Divisions
250.30	The Classification Plan
250.40	Military Service Preference, Veterans Preference
250.50	Examinations
250.60	Eligible Registers
250.70	Nonstatus Appointments
250.80	Status Appointments
250.90	Probationary Period
250.100	Reassignments and Transfers
250.110	Separations and Demotions
250.119	Furloughs
250.120	Seniority
250.130	Review Procedures
250.140	Delegation of Authority and Responsibilities
250.150	Training
250.160	Suspension of Rules

AUTHORITY: Implementing and authorized by the State Universities Civil Service Act [110 ILCS 70].

SOURCE: Rules: State Universities Civil Service System, approved January 16, 1952, effective January 1, 1952; amended at 3 Ill. Reg. 13, p. 68, effective April 1, 1979; amended at 4 Ill. Reg. 10, p. 262, effective February 25, 1980; amended at 6 Ill. Reg. 2620, effective February 22, 1982; amended at 6 Ill. Reg. 7236, effective June 3, 1982; amended at 8 Ill. Reg. 4948 and 4950, effective March 29, 1984; codified at 8 Ill. Reg. 12936; amended at 8 Ill. Reg. 24732, effective December 6, 1984; amended at 9 Ill. Reg. 17422, effective October 23, 1985; amended at 11 Ill. Reg. 8942, effective May 8, 1987; amended at 12 Ill. Reg. 3457, effective February 1, 1988; amended at 12 Ill. Reg. 17079, effective October 7, 1988; amended at 13 Ill. Reg. 7324, effective May 1, 1989; amended at 13 Ill. Reg. 19427, effective February 6, 1990; amended at 18 Ill. Reg.

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1901, effective January 21, 1994; amended at 20 Ill. Reg. 4440, effective February 29, 1996; amended at 30 Ill. Reg. 17384, effective October 23, 2006; amended at 31 Ill. Reg. 15848, effective November 13, 2007; amended at 32 Ill. Reg. 17268, effective October 16, 2008; amended at 33 Ill. Reg. 11644, effective July 22, 2009; amended at 36 Ill. Reg. 6014, effective April 6, 2012; amended at 37 Ill. Reg. 419, effective December 26, 2012; amended at 39 Ill. Reg. 13504, effective December 1, 2015; amended at 40 Ill. Reg. 3105, effective January 26, 2016; emergency amendment at 40 Ill. Reg. 3772, effective March 1, 2016, for a maximum of 150 days; amended at 40 Ill. Reg. _____, effective_____.

Section 250.119 Furloughs

- a) Furlough. A furlough is the placement of an employee in a temporary non-duty, non-pay status for a continuous or non-continuous period of time due only to a lack of funds. A furlough is not considered a layoff or a reduction in action, and therefore not subject to section 250.110(d) of this Part.
- b) Voluntary or Mandatory Furlough Program. A furlough can be either voluntary or mandatory. A voluntary or mandatory furlough program may be inclusive of all employees at a designated employer or within a division, or program, regardless of employment status, source of funds, or location. Except for those positions/employees who have mandated funding, such as a grant or other source or whose absence would jeopardize the funding for a position/employee or department. Employees in positions considered essential to the critical mission of an employer, such as those related to health and welfare, or public safety, may be excluded from participation in a furlough program. Uniform participation and selection criteria shall be developed by the employer and consistently applied. This section shall only apply to employees who are designated within the employer's furlough program in accordance with subsections (c) through (n).
- c) Notification of Furlough Program to Employees. Once an employer plans to implement a furlough program, the employer shall notify all employees that a furlough program is being implemented. The process the employer chooses to notify employees is a product of an employer's discretion but must conform to the employer's policies related to contacting employee for official business.
- d) Furlough Work Status. An employee who is furloughed shall not be at work, on standby, or on-call and shall not perform any work during his/her scheduled furlough time.

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- e) Employee Benefits
 - 1) Employees who are furloughed are not permitted to use vacation, sick leave, personal leave, “floating” holidays, or any other compensable time or similar benefit for time which the employee is being furloughed.
 - 2) Notwithstanding any other rule in this Part, or the fact that an employee’s work hours or pay is reduced by the requirement to take a furlough, all furlough time is considered creditable time for all purposes as if the furloughed employee was in pay status except benefits under the State Universities Retirement System or other similar retirement system or where otherwise prohibited by statute.
 - 3) Furloughed employees shall be entitled to the same benefits, such as continued accumulation of vacation and sick leave, holiday benefits under this Part, and as established by the Merit Board Policy Relating to Employee Benefits Policy as approved by the Merit Board and by the Governing Boards of the universities and agencies served by the University System, to which the employee was entitled on the paid workday immediately preceding the furlough.
 - 4) Such benefits shall continue as if the employee was in pay status for a maximum of 30 work days.
- f) Length of a Furlough Program. A furlough program shall only be instituted for a maximum of 30 work days in any fiscal year which runs from July 1 through June 30.
- g) Employer’s Tracking of Furlough Days. In order for an employee to continue under the State of Illinois Group Insurance Program, the employer is required to appropriately track designated furlough days. Employees are only allowed 30 furlough days in any fiscal year which runs from July 1 through June 30.
- h) Accumulation of Seniority during a Furlough Status. An employee shall continue to accrue seniority during any and all furloughs not exceeding a total of 30 work days within any fiscal year which runs from July 1 through June 30.
- i) Furlough Order. Furloughs shall first be determined by status and then by service and seniority. Employees shall be furloughed in the following order:

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- 1) employees on temporary appointments;
 - 2) employees on temporary upgrading assignments, unless the temporary upgrade is required due to a collective bargaining agreement, public safety or health and welfare;
 - 3) provisional employees;
 - 4) extra help employees, unless the appointment is required based on public safety or health and welfare;
 - 5) newly hired employees serving an initial probationary period;
 - 6) intern appointments; and then
 - 7) status employees.
- j) Military Leave during a Furlough Program. An employee on paid military leave or other unpaid leave shall not be scheduled for furlough during the leave and may be scheduled for furlough upon return to work if a furlough program remains in effect.
- k) Furlough Program Stipulations. A Furlough program shall not be used by an employer for the following reasons:
- 1) permanent shut-down;
 - 2) as a substitute for permanent part-time employment; or
 - 3) as a disciplinary measure.
- l) Collective Bargaining Agreements. Implementation of furloughs for employees covered under a collective bargaining agreement are subject to applicable state/federal labor laws, and regulations. The provisions contained in this section are not intended to circumvent or supersede other state/federal labor laws and/or regulations as applicable in this respect.
- m) Notification of Furlough Program to the Executive Director. An employer may institute a voluntary or mandatory furlough program upon notification to the

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Executive Director at least 15 calendar days prior to implementation of any employee being furloughed and of such a program. The employer shall include in the notification the following:

- 1) whether the program is for the entire employer or a designated division(s) or a designated program(s);
 - 2) what considerations have been contemplated or invoked to other employees, such as those listed in section 36e of the State Universities civil Service Act [110 ILCS 70/36e];
 - 3) an explanation of the facts related to the temporary nature of the event causing the furlough;
 - 4) the funding deficit related to the affected work areas;
 - 5) the approximate number of employees affected by the program; and
 - 6) the beginning date and ending date of the program.
- n) This section shall be repealed on October 1, 2017.

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amended at 30 Ill. Reg. 17384, effective October 23, 2006; amended at 31 Ill. Reg. 15848, effective November 13, 2007; amended at 32 Ill. Reg. 17268, effective October 16, 2008; amended at 33 Ill. Reg. 11644, effective July 22, 2009; amended at 36 Ill. Reg. 6014, effective April 6, 2012; amended at 37 Ill. Reg. 419, effective December 26, 2012; amended at 39 Ill. Reg. 13504, effective December 1, 2015; amended at 40 Ill. Reg. 3105, effective January 26, 2016; emergency amendment at 40 Ill. Reg. _____, effective March 1, 2016, for a maximum of 150 days.

Section 250.110 Separations and Demotions

- a) Resignation. An employee having a nonstatus or status appointment, as described in Sections 250.70 and 250.80, may resign by presenting a signed resignation to his/her employer or by demonstrating to the employer by other means his/her intent to separate from employment. Upon receipt of a signed resignation or other evidence of intent to separate from employment, the employee will be separated from his/her employment. ~~The Executive Director shall be notified promptly by the employer of all resignations.~~
- b) Leave of Absence
 - 1) Leave of Absence for Classification Changes. A status employee who accepts a position that represents a promotion in a class outside his/her promotional line shall be granted a leave of absence from a position of his/her former class for the duration of any intern appointment, provisional appointment, and/or probationary period in the new class.
 - 2) Leave of Absence for Disciplinary Actions. An employee placed on a Disciplinary Suspension or on a Suspension Pending Discharge shall be placed on a leave of absence from his/her position without pay.
 - 3) Leave of Absence for Disability Leave
 - A) If an employee is no longer able to perform the duties and responsibilities of his/her position in the class due to a disability as determined by the employer's medical and/or psychological evaluation procedures, and/or in accordance with State and federal law, the employee will be required to take disability leave in accordance with subsection (b)(3)(B).

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- B) A status employee who becomes eligible for disability benefits to be paid by the employer or, as later determined, by the Illinois State retirement system to which the employee contributed, or becomes eligible for payment benefits as defined by the Workers' Compensation Act [820 ILCS 305], the Illinois Occupational Diseases Act [820 ILCS 310], or a State self-insurance program, shall be granted a disability leave. The disability leave shall be the period for which the employee applies for such benefits, until the time of the expiration of the benefits or a final administrative decision denying or terminating the benefits, including any gap in benefit payments between the expiration of institutional benefits and those available under the approving authority.

- C) The employer may require an employee to take a medical and/or psychological examination prior to returning to work after a disability leave. The examination shall be conducted by a licensed practitioner selected by the employer to determine the physical and/or mental capability to perform the essential duties of the employee's position. The employer may supply the examining practitioner with facts relating to the employee's difficulty or inability to perform the essential functions of the job and may supply additional information, including but not limited to physical and mental requirements of the employee's position, duty statement, job classification specification, and position description. The employee may also present an alternative opinion provided by a licensed practitioner to be selected and paid for by the employee. If there is a difference of opinion, a third outside practitioner shall be selected by the two physicians. The employer shall pay for all examinations, except those initiated by the employee.

- D) An employee's refusal to submit to an examination as described in subsection (b)(3)(C), the unexcused failure to appear for such an examination, or the refusal to release the results of the examination may be deemed by the employer as an acknowledgement that the employee is not fit for duty and may subject the employee to termination actions as defined in subsection (c).

- E) A disability leave may be revoked by the employer upon evidence that the cause for granting the leave was misrepresented.

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- F) At the expiration of all disability benefits, an employee shall be entitled to return to a position in his/her class without any loss of status due to the disability leave, providing that he/she returns upon the expiration of all disability benefits to which entitled.
- G) Reemployment
 - i) If an employee does not return to work at the expiration of all disability benefits and is terminated in accordance with subsection (c)(2), the employee may, within one year following the expiration of all disability benefits, request reinstatement and, upon approval of the Executive Director, the employee's name may be placed on the reemployment register in the class in which he/she was employed at the time the disability leave was granted and in accordance with total seniority earned.
 - ii) If, within one year following the expiration of all disability benefits, the employee requests reinstatement, but, because of his/her disability, is deemed unable to perform the duties in the class, the employee may be required to pass physical or other tests to determine employability under the University System.
- 4) Military Leave of Absence. An employee shall be granted a Military Leave of Absence in accordance with State and federal law and regulations.
- 5) Notification. The employer may select to notify the ~~The~~ Executive Director ~~shall be notified promptly by the employer~~ of all leaves of absence, including military, disability, or any other leave otherwise granted or may maintain these records for inspection upon request by the Executive Director or designee during the on-site audit program or other specified time. The notification shall include the beginning and ending dates of leaves that exceed 30 calendar days of non-pay status.
- c) Termination

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- 1) An employee having a non-status appointment, as described in Section 250.70 of this Part, may be terminated by his/her employer at any time during the training period and/or upon completion of the work assignment, ~~except for those status employees eligible for a leave of absence as defined in subsection (b)(1).~~
- 2) An employee on disability leave, as defined in subsection (b)(3), who has exhausted all of his/her disability benefits and is unable to resume the duties and responsibilities of a position in his/her class may be terminated from employment, ~~in accordance with subsection (c)(5). Unless~~ ~~unless~~ the employer and employee have agreed upon employment in a more suitable classification. The alternative employment options shall be subject to standard civil service employment protocols.
- 3) An employee who fails to report for duty after a disability leave of absence has expired or has been denied, disapproved, revoked, or canceled by the approving authority, or any other failure to report for duty as scheduled after a disability leave of absence, may be terminated from employment in accordance with subsection (c)(5).
- 4) An employee who fails to report for duty after they have exhausted benefits under the Family Medical Leave Act may be terminated from employment in accordance with subsection (c)(5).
- 54) Appropriate notification shall be provided to an employee, as specifically reference in subsection (c)(2), (c)(3), and (c)(4), which will include the notification provisions outlined in subsection (c)(5)(A) through (c)(5)(C) inclusive. This notification and review process shall only apply to subsection (c)(2) and (c)(3).
 - A) The employer shall notify the employee that he/she will be terminated from the employer's service to become effective ~~715~~ calendar days from the date of mailing of the notification to the employee. The notification must be ~~sent, by certified mail or~~ ~~by~~ sent by an overnight delivery service that requires signature upon receipt, to the most recent address of the employee as shown on the employer's records.
 - B) At any time prior to the effective date of termination, the employee

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shall have the opportunity to provide to the employer evidence of the reason for the unauthorized absence. The employer shall revoke the termination if the employee provides satisfactory evidence of the reason for the unauthorized absence. If the employer determines that the evidence is not satisfactory, the employer shall notify the employee immediately that the termination will remain in effect.

C) ~~Pursuant to Section 250.130 of this Part, the employee may request a review of the employer's final notice Within 15 calendar days from the original date of notification of termination, the employee may request a review of the termination decision pursuant to Section 250.130 of this Part.~~ The review is limited to a determination of whether this Section has been properly applied and whether the employer's decision is deemed arbitrary or capricious. In the event a review is not requested within the allotted timeframe, the employee's termination from service shall be effective 7 days after the original notification.

~~5) The employer shall notify the Executive Director promptly of all terminations of employment, setting forth the reason for the termination.~~

d) Job Abandonment (No Call/No Show)

1) An employee who fails to report to work for three consecutive regularly scheduled work days will be placed in a no call/no show status and may be terminated at any point following the third day of failing to report to work pursuant to an employer making a reasonable attempt with supporting documentation to ~~make~~ contact with the employee using the employee's last known address, phone contact, email, or any similar contact information.

2) Pursuant to Section 250.130 of this Part, the employee may request a review of the employer's final notice of termination. The review is limited to a determination of whether this section has been properly applied and whether the employer's decision is deemed arbitrary or capricious. In the event a review is not requested within the allotted timeframe, the employee's termination from service shall be effective 7 days after the original notification.

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~~ed~~) Layoff

- 1) A layoff is defined as a stoppage of work required by management, a discontinuance of employment, or the permanent termination of employment of an employee for business reasons, such as the decision that certain positions are no longer necessary or a business slow-down or interruption in work.
- 21) The Executive Director shall be notified promptly of all employees on layoff status, together with the dates of the beginning of layoff and of return to employment from layoff status, when the layoff exceeds 30 consecutive work days. A status employee shall receive a written notice, at least 30 calendar days in advance of the effective date of layoff, when the layoff exceeds 30 consecutive work days; however, the effective date of layoff may be extended up to 15 days without the requirement of further notice.
- 32) Whenever it becomes necessary to lay off one or more employees, except as provided in subsection ~~(d)(4)(d)(3)~~, the employee who has the least amount of service in the class shall be laid off first, and additional layoffs shall be made in the ascending order of the place of the employee on the service and seniority lists for that class.
- 43) An employee who is the incumbent of a position for which the Executive Director has authorized specialized certification under Section 250.60(d)(9), or who is the incumbent of a position that has previously been identified as requiring specialized training or experience as required by the position in accordance with minimum acceptable qualifications for the class, may not be bumped by another employee with greater seniority unless the employee with greater seniority possesses the special and identified qualifications authorized for the incumbent's position.
- 54) Whenever it becomes necessary to reemploy one or more employees in a class, the employee last laid off by seniority shall be reemployed first, and further reemployment shall be made in the order of seniority until the reemployment register for that class is exhausted. Work of short duration requiring reemployment of one or more employees will not require a new written 15 day advance notice of layoff if the work period is to be 5

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consecutive working days or less and the work is emergent in nature.

~~65~~) A status employee who is subject to layoff from a part-time position may bump an employee in a full-time status position, providing the part-time employee's equivalent full-time accrued seniority based on hours in pay status is greater than that of the least senior employee in a full-time position. A full-time status employee who is subject to layoff may bump the least senior full-time employee, who then may bump the part-time employee having the highest percent-time appointment, providing the full-time employee has more accrued seniority.

~~76~~) Names of employees laid off during their probationary periods shall be returned to the register from which they were certified to their position in accordance with service in a status appointment earned as of the date of layoff.

~~f~~e) Disciplinary Suspension. An employer may suspend an employee as a disciplinary measure for not more than 30 calendar days.

- 1) The employer will discuss the specific problem pertaining to contemplated suspension with the employee and the Campus Human Resource Director or his/her designee before a suspension notice is served. The employee will be told at that time that suspension is being considered.
- 2) In imposing a disciplinary suspension, the employer shall serve a written suspension notice on the employee showing reason for the suspension, and shall immediately report the suspension to the Executive Director and shall send a copy of the notice served on the employee, along with proof of service, to the Executive Director.
- 3) Causes justifying suspension, not for discharge as provided for in subsection ~~(g)~~(2), shall include, but are not limited to: unauthorized and unexcused absence; leaving work without authority; failure to ring in or out on time card; habitual lateness; punching other time cards; key duplication and/or unauthorized possession of keys; misrepresentation of absence; falsification of records; refusal to do work assigned; failure to follow work schedules; failure to follow time schedules; insolence; failure to adhere to departmental regulations of appearance; smoking in prohibited areas; disregard of safety regulations; careless workmanship

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resulting in spoilage, waste, or delay; unauthorized use of institutional property; gambling on institutional property; creating or contributing to unsanitary conditions; horseplay or scuffling; fighting; sleeping during working hours; unauthorized visiting; and "loafing on the job".

AGENCY NOTE: It is to be noted that an employee's allegation that a Disciplinary Suspension was unfairly imposed is subject to the grievance procedure established by the employing institution, but is not reviewable by the State Universities Civil Service System.

gf) Discharge Proceedings and Effective Date of Discharge

1) Pre-discharge Proceedings

A) Prior to initiating any proceedings before the Merit Board for the discharge of an employee, the employer shall notify the employee in writing, served upon the employee in person if the employee is present on the job or, ~~otherwise, by certified mail or by otherwise~~ by an overnight delivery service that requires signature upon receipt to the most recent address of the employee as shown on the employer's records, of the employer's intention to initiate the proceedings. The notification shall advise the employee of the substance of the charges proposed to be filed in sufficient detail to inform the employee of the nature of the conduct on which the proposed charges are based. The notification shall also advise the employee that either or both of the following options are available to the employee:

- i) within 3 work days after service of the employer's notification, the employee may notify the employer of his/her decision to require the employer to hold a conference with the employee or his/her representative for the purposes of responding to the matters contained in the notification and of attempting to achieve a reconciliation or understanding; and
- ii) within 3 work days after service of notification, the employee may deliver to the employer a written response to the matters contained in the employer's notification;

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provided that, if the employee elects to require the conference identified in subsection (gf)(1)(A)(i), at that conference the employee may request and receive an opportunity to respond further in writing within 3 work days after the conclusion of the conference.

B) Employer's Decision

i) Within 7 work days after compliance with the provisions of subsection (gf)(1)(A), the employer shall either:

- notify the employee that no further action will be taken to initiate discharge proceedings with the Merit Board against the employee based solely on the matters contained in the employer's notification; or
- initiate proceedings before the Merit Board under this subsection (gf) seeking discharge of the employee based solely on the matters contained in the employer's notification.

ii) The employer's election not to initiate discharge proceedings with the Merit Board shall not preclude the employer from imposing a suspension in accordance with subsection (e) or some lesser penalty.

C) An employee who has been served with an employer's notification as provided in subsection (gf)(1)(A) may be placed on excused absence with pay during all or any part of the period covered by this subsection (gf)(1) to provide the employer an opportunity to investigate serious charges.

2) Actual Discharge Proceedings

A) Proceedings before the Merit Board seeking the discharge of an employee shall be initiated by the employer completing and filing a Written Charges for Discharge form with the Merit Board or the University System, employee, legal counsel for employer, and

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employer, setting forth the causes for discharge in sufficient detail to inform the employee of the nature of the conduct on which the charges are based. The Written Charges for Discharge form shall be set forth in separately numbered charges. The Written Charges for Discharge form shall also contain the dates, names of persons, places, and facts necessary to properly allege cause for discharge. If a breach of duty, statute, or rule of the employer is alleged, the statute, law, or rule shall be cited in connection with the charge.

- B) The Written Charges for Discharge form shall be accompanied with a certification by the employer that all procedures set forth in subsection (g)(1) have been followed and that there has been full compliance with any options elected by the employee. At the time the Written Charges for Discharge and the certification are filed with the Merit Board or the University System, the employer shall serve copies upon the employee in person if the employee is present on the job; otherwise, service shall be ~~by certified mail or~~ by an overnight delivery that requires signature upon receipt to the most recent address of the employee as shown on the employer's records, and the employer shall file a proof of the service with the Merit Board.
- C) At any time prior to commencement of the hearing, the Executive Director may direct or authorize the Written Charges for Discharge to be amended to correct technical defects or to set forth additional facts or allegations related to the subject matter of the original charges. The amendments shall relate back to the original date of service of the Written Charges for Discharge form. The employer shall serve copies of the Amended Written Charges for Discharge upon the employee in person if the employee is present on the job; otherwise, service shall be ~~by certified mail or~~ by an overnight delivery that requires signature upon receipt to the most recent address of the employee as shown on the employer's records, and the employer shall file a proof of the service with the Merit Board.
- D) An employee who has been served with Written Charges for Discharge in accordance with subsections (g)(2)(A) and (B) may be suspended without pay by the employer during all or any part of the period that the discharge proceeding is pending, and until final

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disposition, if the employer is of the opinion that the employee's presence on the job might constitute a substantial risk of injury to life or property, or might cause a disruptive effect on employer's operations. Any suspension without pay shall become effective on the date the employer serves the Suspension Notice Pending Discharge upon the employee, which may be served with the Written Charges for Discharge or on any date thereafter. Service shall be upon the employee in person if the employee is present on the job; otherwise, service shall be ~~by certified mail or~~ by an overnight delivery that requires signature upon receipt to the most recent address of the employee as shown on the employer's records, and the employer shall file with the Merit Board a copy of the Suspension Notice Pending Discharge and proof of service.

3) Hearing Request

- A) An employee who has been served with Written Charges for Discharge may request a hearing by filing a written request for hearing with the Secretary for the Merit Board within 15 calendar days from the "Proof of Service on Employee" section on the Written Charges for Discharge form which is either after the date of personal delivery or mailing of the Written Charges for Discharge to the employee. The Secretary for the Merit Board shall immediately notify the employer of the filing of the written request by the employee for a hearing. Thereafter, further proceedings shall be as provided in this subsection (~~g~~) and any discharge shall be effective on the date of the discharge order of the Merit Board, unless otherwise expressly stated in the order.
- B) If the employee does not file a written request for hearing with the Secretary for the Merit Board within 15 calendar days from the "Proof of Service on Employee" section on the Written Charges for Discharge form, the employee's discharge shall become effective at the end of the 15-day period without further action by the Merit Board. The Secretary for the Merit Board shall promptly notify the employer of the employee's failure to file a timely written request for hearing.

4) Hearing Proceedings

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- A) Upon receipt of the employee's written request for hearing on the Written Charges for Discharge, the Merit Board or University System shall promptly appoint a Hearing Board or Hearing Officer to hear the charges and the employee's response. All hearings relating to discharge proceedings shall be convened by and conducted under the control of the Executive Director or his/her authorized representative. The Executive Director, the Hearing Board or Hearing Officer, the employee and the employer shall all make good faith efforts to commence the hearing within 10 calendar days after receipt of the employee's written request for hearing, but in no event shall the hearing commence later than 45 days after service of the Written Charges for Discharge, unless a continuance is granted pursuant to subsection (g)(19)(B). Dilatory tactics or actions will not be permitted and the Executive Director, the Hearing Board or Hearing Officer, the employee and the employer shall all make good faith efforts to conduct the hearings in no more than three hearing days, unless justice, due process, and fundamental fairness require otherwise. All hearings shall be open to the public unless, upon motion of either party, the Hearing Board or Hearing Officer finds it necessary to close the hearing or parts of the hearing in instances where personal safety is of concern or when confidential testimony/exhibits are to be referenced or revealed. There shall be a presumption that hearings will be closed only under extraordinary circumstances. A transcript of the hearing, including exhibits, shall be made and shall be filed with the Secretary for the Merit Board as soon as possible following conclusion of the hearings.
- B) Within 15 calendar days after receipt of the transcript from the Secretary for the Merit Board, the Hearing Board or Hearing Officer shall file its findings of fact and any other recommendations with the Secretary for the Merit Board, unless that time is extended by the Executive Director for good cause shown. For the purpose of this Section, good cause shall include, but not be limited to: sickness, attendance at court proceedings, death, weather conditions that prevent the members from meeting. If by that time the findings of fact have not been received by the Secretary for the Merit Board, the Executive Director will either

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appoint another approved Hearing Board or Hearing Officer that will then review the record and submit findings of fact within 10 calendar days after the appointment, or the Executive Director will give written notice to all Hearing Board members or the Hearing Officer and to all parties to the proceeding that he or she will, within 10 calendar days, discontinue the hearing and commence a new hearing and the present Hearing Board or Hearing Officer will be dismissed without pay. Within this 10-day period following the Executive Director's notice, the Hearing Board or Hearing Officer can appeal to the Executive Director by showing cause why time should be extended.

- C) The Executive Director shall certify as the Hearing Record the Written Charges for Discharge, the Suspension Notice Pending Discharge, the employee's request for hearing, the transcript and exhibits, the Hearing Board's or Hearing Officer's findings of fact and other recommendations, and other documents that have been filed.
- D) Upon certification by the Executive Director, the Secretary for the Merit Board ~~shall, by certified mail or by~~ shall by an overnight delivery that requires signature upon receipt, immediately forward a copy of the Hearing Record, along with notice that the Hearing Record has been certified, to all parties of record. Any objections to the form or contents of the Hearing Record, or briefs, abstracts, or excerpts from the Hearing Record, or arguments, motions, or recommendations, relating to the hearing proceedings or the Hearing Record, or requests for further hearing or for permission to supplement further the Hearing Record by other evidence, must be filed with the Secretary for the Merit Board within 14 calendar days after the date of the postmark of the certified mail notice or the mailing date of the overnight delivery that the Hearing Record has been certified, with proof of service on all parties. No answer or reply briefs and arguments in response to these filings will be permitted unless expressly authorized by the Executive Director or the Merit Board or its Chair.
- E) A party requesting oral argument before the Merit Board in cases of discharge must file an appropriate motion with the Secretary for

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the Merit Board with notice to all parties within 14 calendar days after the date of the postmark of the certified mail notice or the mailing date of the overnight delivery of the certified hearing record, with proof of service on all parties. The motion must specifically state the issues and any relevant law that will be the subject of argument. The Merit Board will grant or deny the motion at the Merit Board meeting at which oral argument is requested. Oral argument in cases of discharge will generally not be allowed unless novel or precedent setting questions of law or policy are at issue.

5) Conduct of Hearing

A) Pre-hearing Conference. In all hearings, it is recommended that the Hearing Board or Hearing Officer hold a pre-hearing conference immediately preceding the hearing on the day of the hearing. The Hearing Board or Hearing Officer will give the parties an opportunity to discuss issues and share information at the pre-hearing conference that will allow them to present their cases in a fair, efficient, and timely manner. Generally, the Hearing Board or Hearing Officer will conduct the pre-hearing conference for the purpose of achieving one or more of the following points, as determined by the Hearing Board or Hearing Officer on a case by case basis:

- i) defining and simplification of the issues;
- ii) negotiating admissions or stipulations of fact to avoid unnecessary proof;
- iii) reviewing each party's witness and exhibit list;
- iv) limiting redundant witness testimony or duplication of evidentiary material, if necessary;
- v) determining the length of time each party will need to present its case;
- vi) exchanging exhibits; and

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- vii) discussing any matter that may aid in the efficient and timely disposition of the case.
 - B) Following the Pre-hearing Conference. The Hearing Board or Hearing Officer shall enter into the record any action taken and any agreements made by the parties as to the matters considered. The length and scope of the pre-hearing conference is at the discretion of the Hearing Board or Hearing Officer, but should generally be concluded within a one hour timeframe.
- 6) Order of Hearing
 - A) The Executive Director, or authorized representative, shall open and convene the hearing.
 - B) The Executive Director, or authorized representative, shall request all persons who have been asked to serve as witnesses, other than a party or employer representative, to be excluded from the hearing room while the hearing is in process, except during their own testimony and cross-examination. Except as he/she might intervene, or be requested to intervene, the Executive Director, or authorized representative, shall empower the Hearing Board or Hearing Officer to proceed with the hearing in such a manner as to provide the employer and the employee a full opportunity to present their positions to the Hearing Board or Hearing Officer.
 - C) The parties may make a brief opening statement at the beginning of the hearing. The employer will proceed first, followed by the employee. Opening statements may be waived or may be reserved and presented at the commencement of the party's case-in-chief.
 - D) The employer shall first present its case-in-chief, with an opportunity for the employee to cross-examine the employer's witnesses. The employee may be called as an adverse witness during the course of the hearing.

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- E) The employee shall then present his/her case-in-chief, with an opportunity for the employer to cross-examine the employee's witnesses.
 - F) Each party may call rebuttal witnesses if found to be necessary by the Hearing Board or Hearing Officer.
 - G) At the conclusion of the hearing, each party may make an oral closing argument. The employer may be permitted a brief rebuttal at the end of the employee's closing argument.
 - H) The hearing shall be closed when the employer and the employee have had a fair and reasonable opportunity to present their positions to the Hearing Board or Hearing Officer.
 - I) In addition, each party may submit written arguments, summary statements, and/or briefs within 10 calendar days after conclusion of the hearing. A copy of the written closing arguments must be provided to all parties of record and filed with the Executive Director, with proof of service included. Only written materials submitted within the 10 calendar day timeframe will be forwarded with the transcript of evidence and considered by the Hearing Board or Hearing Officer, unless otherwise extended by the Executive Director.
- 7) Evidence and Motions
- A) As a general matter, the rules of evidence and privilege as applied in civil cases in the circuit courts of the State of Illinois shall be followed. However, evidence not admissible under those rules may be admitted (except where precluded by statute) if it is of a type commonly relied upon by reasonably prudent persons in the investigation and conduct of serious matters of this nature. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded.
 - B) All testimony shall be presented under oath or affirmation. Objections to testimony or evidentiary offers shall be noted in the record. Consistent with these requirements and in order to

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expedite the hearing, any part of the evidence may be received in written form, provided the interests of the parties are not jeopardized.

- C) The standard of proof applied by the Hearing Board or Hearing Officer when evaluating the charges will be the preponderance of the evidence.
 - D) The Hearing Board or Hearing Officer may, on its own motion or upon motion of one of the parties, take notice of matters of which the circuit courts of the State of Illinois take judicial notice.
 - E) The Hearing Board or Hearing Officer has the authority to rule on all motions that do not dispose of the proceedings. Examples of motions that can be ruled on by the Hearing Board or Hearing Officer are motions in limine or motions to suppress evidence. Motions directed at the Hearing Board or Hearing Officer shall be presented at the pre-hearing conference, if possible, and actions taken by the Hearing Board or Hearing Officer shall be entered into the record.
 - F) Motions that dispose of the proceedings must be directed to the Merit Board. Examples of motions that are to be directed to the Merit Board are motions to dismiss, motions to decide a proceeding on the merits, or motions claiming lack of jurisdiction. Motions must be filed with the Secretary for the Merit Board within 14 calendar days after the date of the postmark of the certified Hearing Record. Motions will be ruled on by the Merit Board at the Merit Board meeting in which the case is being considered. The filing of a motion of this nature shall not be allowed to cause any delay in the proceedings.
 - G) Performance records of the employee or past disciplinary records are admissible and relevant for the purpose of mitigation or aggravation, except if otherwise excluded by a local employer policy or collective bargaining agreement.
- 8) Stipulations. Parties may agree by stipulation upon any facts involved in the hearing. The facts stipulated shall be considered as evidence in the

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hearing. It is the policy of the Merit Board to encourage stipulation of facts whenever practicable.

- 9) Evidence Depositions. Upon request to the Executive Director and upon good cause shown (which shall include, but is not restricted to, potential unavailability of a witness at the time the hearing is scheduled, scheduling or travel arrangement considerations, or agreement of the parties) any party may request a deposition of any witness to be taken for evidence in a hearing. If desired, subpoenas may be requested upon application to the Executive Director in a manner consistent with this Part. The deposition shall proceed in the manner provided by law for depositions in civil actions in the circuit courts of the State of Illinois.
- 10) Subpoenas. Requests for subpoenas shall be directed to the Executive Director at least five work days before the hearing, unless an exception is granted by the Executive Director. Subpoena requests may be granted if reasonably designed to produce or lead to the production of evidence related to the alleged charges and the terms of compliance are reasonable given the time frames and other circumstances. The party requesting the subpoenas shall be responsible for service and costs related to the subpoena of a witness. The fees of the witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit courts of the State of Illinois. Subpoenas are effective throughout the course of the proceedings. Requests for subpoenas must be submitted in writing and include the following:
 - A) The name and address of the witnesses sought;
 - B) Any specific documents the witnesses will be required to bring; and
 - C) A brief statement of the relevant facts or testimony that the witnesses will be providing.
- 11) Request for Documents. At least three working days prior~~Prior~~ to the hearing, each party shall serve upon the other party and file a copy with the Secretary for the Merit Board, to be submitted to the Hearing Board or Hearing Officer, the following information, to the extent available at that time:

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- A) A list of the names and addresses of the witnesses the party proposes to call; and
 - B) All documents the party proposes to offer in its case-in-chief.
- 12) Failure to Appear. Failure of a party to appear on the date set for hearing may result in findings of fact unfavorable to that party and may result in a loss of rights by default.

A) Failure to Appear by Employee

- i) A “Notice of Convening of Hearing” will be sent to all parties of record confirming the date, time, and place of the hearing. If an employee or his/her representative is not present at the designated hearing date, the employer will try to make a reasonable contact with the employee. If within a reasonable time on the hearing date, the employer is unable to contact the employee, the hearing will commence.
- ii) The Executive Director or his/her authorized representative will commence the hearing by opening the hearing with an opening statement. At the conclusion of the opening statement, if the employee or his/her representative has failed to appear, the hearing will be suspended for 3 work days. During this 3 work days period following the opening of the hearing, the Executive Director or his/her authorized representative will continue to try to make contact with the employee using the last known address, phone, email, or any similar method as shown on the Written Charges for Discharge form.
- iii) If the employee cannot be reached within this 3 work day period or the employee is unable to produce a reasonable explanation for failure to attend the hearing, the hearing will be closed and the employee’s discharge shall become effective at the end of the 15-day period of the “Proof of Service on Employee” as found on the Written Charges for

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Discharge form without further action by the Merit Board. The Merit Board or University System shall notify the parties of record immediately of the action.

iv) If the employee has a reasonable explanation for not attending the hearing, the Executive Director or his/her authorized representative shall reschedule the hearing. A new "Notice of Convening of Hearing" will be issued to the parties of records and Executive Director or his/her authorized representative will appoint either the previous Hearing Board or Hearing Officer or appoint a new Hearing Board or Hearing Officer to conduct the hearing.

v) Reasonable explanations can include, but is not limited to: injury on the day or preceding day of scheduled hearing, traffic accident, death or significant injury of a family members, or other cause that is deemed reasonable by the Executive Director or his/her authorized representative. In any event, the employee is required to demonstrate that there was reasonable effort made to contact his/her employer or the Merit Board or University System.

B) Failure to Appear by Employer. If the employer fails to appear without reasonable cause as determined by the Executive Director or his/her authorized representative, the employee will be reinstated to their position without loss of compensation as of the date of filing the Written Charges for Discharge.

- 13) Disqualification of Assigned Hearing Board or Hearing Officer. A Hearing Board or Hearing Officer may be disqualified on grounds of bias or conflict of interest. An adverse ruling, or the fact that a Hearing Board or Hearing Officer has had contact with the University System, by itself, shall not constitute bias or conflict of interest. Whenever any party believes a Hearing Board or Hearing Officer should be disqualified from conducting an assigned proceeding, that party may file a request with the Executive Director to disqualify the Hearing Board or Hearing Officer, setting forth by affidavit the alleged grounds for disqualification, with proof of service on all parties. The Executive Director shall rule and make the final determination on all requests for disqualification.

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- 14) Ex Parte Communications
 - A) Except in the disposition of matters they are authorized by law to entertain or dispose of on an ex parte basis, the Merit Board, the Executive Director, employees of the University System Office, and the assigned Hearing Board or Hearing Officer shall not, after Notice of Convening of Hearing has been issued, communicate, directly or indirectly, with any party or the party's representative regarding any issue of fact or with any person or party in connection with any other issue regarding the case, except upon notice and opportunity for all parties to participate. However, the Merit Board, the Executive Director, employees of the University System, and the Hearing Board or Hearing Officer may communicate with each other. Also, members of the Merit Board and the Hearing Board or Hearing Officer may have the aid and advice of one or more personal assistants.
 - B) Communications regarding procedure, including interpretation and application of Section 360 of the Act, subsection (f), and related procedures, are not considered ex parte communications.
- 15) Role and Responsibilities of the Hearing Board or Hearing Officer. The Hearing Board or Hearing Officer shall be responsible for the following activities:
 - A) Conduct the pre-hearing conference;
 - B) Facilitate the timely completion of the hearing process, taking necessary steps to avoid delay;
 - C) Establish reasonable limits on the duration of witness testimony;
 - D) Limit repetitive or cumulative testimony;
 - E) Rule on motions, objections or evidentiary questions;
 - F) Hear evidence as presented at the hearing by the employer and the employee on behalf of their respective positions (the evidence may

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include matters in aggravation, mitigation and justification, which may pertain to the question of "just cause" for discharge);

- G) Direct questions to witnesses at any time, but restrict questioning to the clarification of the testimony already presented;
 - H) Prepare a signed findings of fact within 15 calendar days after receipt of the transcript of the hearing proceedings to be transmitted to the Merit Board. The findings of fact shall set forth each of the written charges alleged in the Written Charges for Discharge, including an evaluation of the facts presented by the employer and employee with respect to each charge, and based on this evaluation, a determination as to whether the charges are sufficiently supported by the evidence presented. The findings of fact shall be based exclusively on the evidence and on matters officially noticed. The findings of fact presented by the Hearing Board or Hearing Officer are advisory only to the Merit Board. It is not the role of the Hearing Board or Hearing Officer to determine whether just cause for discharge exists. The determination of just cause is the sole province of the Merit Board; and
 - I) Enter any order that further carries out the purpose of this Section.
- 16) Final Decision of the Merit Board. In the course of reaching its decision, the Merit Board may request the Executive Director to make recommendations that he/she deems appropriate with respect to the discharge proceedings. Nothing in subsections (f)(16)(A) and (B) is intended to eliminate or limit the Merit Board's discretion to determine the appropriate disposition on a case-by-case basis. The Merit Board shall enter findings of fact and shall order the following decision and order or any other decision and order it deems appropriate:
- A) Discharge, if just cause is found to exist. No employee shall be discharged except for just cause. Just cause is defined as some substantial shortcoming that renders the employee's continuance in his/her position in some way detrimental to the discipline and efficiency of the service and that the law and sound public opinion recognize as good cause for the employee no longer holding the

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position; or

- B) Reinstatement, if just cause for discharge is found not to exist. An employee shall be reinstated as follows:
 - i) Reinstatement with no loss of compensation when none of the significant charges are proven.
 - ii) Reinstatement with a 60-day suspension when the proven charges do not rise to the level of just cause for discharge, but some disciplinary action is justified based on the severity of the proven charges. If the Merit Board orders reinstatement with a 60-day suspension, any time served while on suspension pending discharge will be applied towards the fulfillment of the 60-day suspension.

- 17) Final Decision and Order of the Merit Board. The Secretary for the Merit Board shall immediately forward copies of all Merit Board orders to the employer and the employee ~~by certified mail or~~ by an overnight delivery that requires signature upon receipt.

- 18) Administrative Review. All final decisions of the Merit Board shall be subject to appeal by the parties to the proceedings under the Administrative Review Law [735 ILCS 5/Art. III]. A complaint for administrative review must be filed and summons issued within 35 days after the date that a copy of the final Merit Board decision has been served upon the party affected. A final decision of the Merit Board shall be deemed served either when personally delivered or when deposited in the United States mail in a sealed envelope or package, with postage paid, addressed to the party affected by the decision at his/her last known residence or place of business.

- 19) Time Period Proceedings
 - A) On the motion of either party with notice to the other party, or by independent action of the Chair of the Merit Board or the Executive Director communicated to both parties, any time period set forth in this subsection (f) may be extended by the Chair of the Merit Board or by the Executive Director for good cause shown.

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- B) No extension may be beyond a period established by statute, except for cases in which a written motion for continuance of a scheduled hearing is filed with the Secretary for the Merit Board at least 48 hours prior to the time scheduled for hearing, unless an exception is granted by the Executive Director. The moving party must set forth emergency grounds for a continuance, which are limited to unforeseen, unavoidable or uncontrollable circumstances, such as an Act of God; the sudden illness or death of the movant, a member of his or her immediate family, or his/her legal counsel; or if the movant is able to demonstrate some other real and compelling need for additional time. If there is an arrest or criminal indictment of any employee that resulted from an employee's conduct in the course of employment duties, the Executive Director, at the request of the employee, may grant a continuance of hearing pending some resolution of the criminal charges. Requests for continuances must be preceded by contacting the opposing party and asking for agreement to the continuance.
 - C) The time periods set forth in this subsection (~~gf~~), except for the 15-day period set forth in subsection (~~gf~~)(3)(B) and except for any time period provided for seeking administrative review of a final decision of the Merit Board, shall be deemed directory and not mandatory; and no failure to comply with any of the time periods set forth in this subsection (f), except for the 15-day period set forth in subsection (~~gf~~)(3)(B) of this Section and except for any time period provided for seeking administrative review of a final decision of the Merit Board, shall cause the Merit Board to lose jurisdiction of any matter.
 - D) If the last date for filing falls on a weekend or legal holiday, the last date for filing is the first business day following that weekend or legal holiday.
- 20) Reason for Discharge. Causes justifying discharge and any suspension during the discharge proceedings shall include, but are not limited to: all those listed as cause for suspension if they become recurring offenses; and, in addition, theft; drinking intoxicating liquors on institutional time or

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property; inability to perform satisfactorily assigned duties as a result of drinking alcoholic beverages; malicious damage to property, tools, or equipment; immoral or indecent conduct that violates common decency or morality; conviction of an offense involving moral turpitude; illegal or excessive use of drugs, narcotics, and/or intoxicants.

- 21) Hearing Expenses. All customary and reasonable court reporter and copying expenses incident to the preparation of the Hearing Record and providing copies to parties to the proceedings shall be paid by the employer. The Merit Board shall pay all expenses of the Hearing Board or Hearing Officer and any legal expenses incurred by a Hearing Board or Hearing Officer, to the extent that those expenses have been approved by the Merit Board or its Executive Director.

hg) Demotion

- 1) Any of the actions described in this subsection (hg)(1) is considered to be a demotion when that action has been initiated by the employer. A demotion may occur when a status employee:
- A) is subject to a reduction in salary in his/her current position, or in a position of the same class to which he/she has been reassigned, except when the reduction in pay results from an overall reduction in pay to persons employed in the same class and/or when the Merit Board, on the basis of supporting evidence, determines that the pay potential should be lowered for a class;
 - B) is subject to a reduction in percentage of time worked;
 - C) is appointed to a position in a lower class in a promotional line;
 - D) is appointed to a position in a class outside a promotional line with a lower pay potential;
 - E) is given a nonstatus appointment.
- 2) None of the actions described in subsection (hg)(1) are considered to be a demotion when the action has been initiated, or willingly accepted, by the employee.

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- A) Evidence of initiation by, or willing acceptance by, an employee shall be: a statement signed by the employee (to be filed by the employer with the notice of employment) indicating that the new appointment is at his/her request and/or is acceptable to him/her, or the employee applied for, and took, the Civil Service examination, upon the results of which the new appointment is based, after the date of certification to his/her most recent position.
- B) Without the evidence indicated in subsection (hg)(2)(A), the action will be considered to have been initiated by the employer and, therefore, will be considered to be a demotion.
- 3) Any classification plan changes authorized and implemented by the University System and/or the Merit Board that may result in a lower pay potential will not be considered a demotion.
- 4) An employer may effectuate a demotion by filing a Notice of Demotion form with the Merit Board and serving a copy of the Notice of Demotion on the employee by certified mail, by overnight delivery that requires signature upon receipt, or by personally serving the employee. The Notice of Demotion shall designate the position and class to which the employee has been demoted and shall factually state the causes justifying demotion. The effective date of the demotion shall be the date of service of the Notice of Demotion upon the employee. A demotion shall be subject to the same hearing and review procedures as are provided an employee in the case of a discharge. (See subsection (gf).) During any hearing and review proceedings, the employee shall be paid the approved rate for the class of the position to which he/she has been demoted, as set forth in the Notice of Demotion.
- 5) A status employee who is demoted to a position in a class in which he/she has never been employed on a status appointment may qualify for the position to which he/she is demoted, if his/her name is not already on an eligible register for that class, by taking the examination given to all other applicants for this class as promptly as possible following demotion to the class. The employee must pass the examination as a condition to retaining his/her appointment.

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- h) Dismissal
 - 1) An employer may dismiss an employee whose name has been certified and who has been subsequently employed in a status position at any time during the probationary period of employment in a class, if the employer determines, pursuant to conditions of Section 250.90(a), that the employee has failed to demonstrate the ability and the qualifications necessary to furnish satisfactory service.
 - 2) The employer shall notify the Executive Director promptly of dismissals, setting forth the reasons for the dismissal.

Section 1 – General Procedures

(Reference 110 ILCS 70/36d(3) of the State Universities Civil Service Act)

1.1 INTRODUCTION

As a matter of operating policy, the Merit Board has historically interpreted Section 36d(3) of the [State Universities Civil Service Act \(Act\) Statute](#) to require the payment of wages to all employees which are generally comparable to the wages paid in the locality, or recruiting area, to employees engaged in work of a similar character. This interpretation, which might be referred to as the “prevailing wage principle”, is not to be confused with the term “prevailing rate”, which is one of four methods the Merit Board has recognized in the establishment of rates and ranges. These four methods are:

- a. **Open range** - Ranges recommended by the [eEmployer](#) based upon one, or a combination, of the following:
 1. ~~◆~~ comparisons of ranges in effect for the same class by other [eEmployers](#) within the [University System](#);
 2. ~~◆~~ pay surveys for like jobs in the recruiting area; and/or
 3. ~~◆~~ comparative skill, effort, responsibility and working conditions with other classes utilized by the [eEmployer](#).
- b. **Negotiated rate or range** - A rate or range determined in accordance with a collective bargaining agreement between the [eEmployer](#) and an employee group represented by a bargaining agent or committee, under the provision of Section 36d(3) of the [Act Statute](#) and other applicable laws.
- c. **Prevailing rate** - A rate of pay generally established in accordance with a local multi-employer craft and trade agreement, or as otherwise determined by the Merit Board.
- d. **Established rate or range** - A rate or range based on a direct tie or relationship to a negotiated or prevailing rate, or to reflect a local market condition unlike that represented by the Open Range salary structure of the Employer.

Prior to implementation by an [eEmployer](#), all rates or ranges must be submitted to the [University System Office](#), with substantiation, for approval.

~~Effective March 15, 2002 all All~~ requests to establish, revise, correct, or delete pay rates or ranges shall be submitted for approval on-line via a secure web site ([see Example 1.1a](#)). ~~hosted by Northern Illinois University and referred to as the Statewide Salary Data Processing System (see Examples 1.1 (a) through (e)). The new system may be accessed through the NIU web site at www.sucss.niu.edu or by clicking a link on the SUCSS home page at www.state.il.us/sucss.~~ The new on-line system will

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(Reference 110 ILCS 70/36d(3) of the State Universities Civil Service Act)

eliminate the need to submit any supporting paper documents in the approval of pay rates and ranges so long as those documents can be submitted within the salary data system by e-mail attachment, or currently exist on employers' web sites; e.g., collective bargaining agreements. Certain basic processing details to be followed when submitting salary requests will remain unchanged; such as:

1. When it becomes necessary to correct a current rate or range (e.g., an approved salary range contained a typographical error), the *correction must be retroactive*; i.e., the effective date of the corrected range must be the same as the effective date of the “incorrect” range.
2. No rates or ranges may be deleted if there are current incumbents in the class or if there are employees on leave from positions currently assigned to the class.
3. On occasions when classes move from “open range” to “negotiated”, please submit a copy of the ~~“Certification of Representation”~~ form upon receipt from the IELRB. However, do not submit a new salary request changing the rate type from “open range” to “negotiated” until such time as rates have been negotiated between the Employer and the exclusive representative.

Example 1.1a

Statewide Salary Data Processing System

The Salary Data System is accessed by logging into the State Universities Civil Service System apps website at apps.sucss.illinois.gov. Approval by the Designated Employee Representative is required before gaining access. In conjunction with designated University System staff, those employees granted access to the Salary Data System will be provided training on the functionality of the system.

The Salary Data System allows the university or agency:

1. Establish new salary ranges
2. Edit or delete existing ranges
3. Access reports
4. Submit salary survey data

~~The Salary Data System new system mayis be accessed by a secure link located at logging in to through the State Universities Civil Service System apps website homepage at wwwapps.sucss.illinois.gov. Approval by the Designated Employee Representative is required before gaining access. The Salary Data System allows the University or Agency: NIU web site at www.sucss.niu.edu or by clicking a link on the SUCSS home page at www.state.il.us/sucss. This online platform e new on line system will eliminates the need to submit any supporting paper documents in the approval of pay rates and ranges so long as those documents can be submitted by e-mail attachment, or currently exist on Employers' web sites; e.g., collective bargaining agreements.~~

- ~~— Establish new salary ranges~~
- ~~— Edit or delete existing ranges~~
- ~~— Access reports~~
- ~~— Submit salary survey data~~

Logging in

- ~~1. Type in your user name and password.~~
- ~~2. Your agency's "home page" should appear, displaying your name, your agency's contact information, classes available for revision or deletion (those currently approved for use by your agency) and classes available for establishment (those currently not approved for use by your agency). [LN1]~~

Example 1.1b**Statewide Salary Data Processing System*****Revising a Salary***

1. ~~From the home page, select the classification for the salary you want to revise and click the *REVISE SALARY* button. A screen will appear showing the currently approved salary information for that classification.~~
2. ~~Input the pertinent information.~~
3. ~~If you would like to use an alternate title, indicate the title in the Alternate Title block.~~
Remember that only Alternate Titles approved by the System Office will be accepted.
~~If you use an Alternate Title that has not been approved, your request will be denied by the System Office.~~
4. ~~In the justification block, provide the necessary information to validate your request.~~
5. ~~Double check your information and send your request to the System Office by clicking the *SEND REQUEST* button.~~

NOTES:

- ~~You will receive verification via e-mail message that your request has been sent.~~
- ~~When the System Office has made their decision, you will receive an e-mail message stating that your request has been approved or denied.~~
- ~~The effective date field will not accept effective dates greater than 60 days.~~
- ~~If you submit a request for a Prevailing Rate or Negotiated class, a reminder message will appear.~~

Example 1.1e

Statewide Salary Data Processing System

Deleting a Salary

1. ~~From the home page, select the classification for the salary you want to delete and click the *DELETE SALARY* button.~~
2. ~~A verification of action screen will appear, to let you know that your action will permanently delete the salary for the selected classification, upon approval by the State Universities Civil Service System.~~
3. ~~Send your request to the System Office by clicking the *SEND REQUEST* button.~~

NOTES:

- ~~You will receive verification via e-mail message that your request has been sent.~~
- ~~When the System Office has made their decision, you will receive an e-mail message stating that your request has been approved or denied.~~

Example 1.1d**Statewide Salary Data Processing System****Establishing a Salary**

1. From the home page, select the classification for the salary you want to establish and click the *ESTABLISH SALARY* button.
2. Input the pertinent information.
3. If you would like to use an alternate title, indicate the title in the Alternate Title block. **Remember that only Alternate Titles approved by the System Office will be accepted.** If you use an Alternate Title that has not been approved, your request will be denied by the System Office.
4. In the justification block, provide the necessary information to validate your request.
5. Double check your information and send your request to the System Office by clicking the *SEND REQUEST* button.

NOTES:

- The System is designed to allow you to establish salaries only for those classifications not currently in use by your agency. The new salary will not appear on your revise or delete class list, until the System Office has approved it.
- If you want to establish a salary for a classification that has been approved by the System Office but the title does not appear in the list of classifications available, use the contact form to e-mail Celeste Latham and she will get the classification added for you.
- You will receive verification via e-mail message that your request has been sent.
- When the System Office has made their decision, you will receive an e-mail message stating that your request has been approved or denied.
- **The effective date field will not accept effective dates greater than 60 days.**
- If you submit a request for a Prevailing Rate or Negotiated class, a reminder message will appear.

Example 1.1e

Statewide Salary Data Processing System

Reports

1. ~~From the home page, click the *REPORTS* button. A screen will appear showing the available Salary Range Reports and Salary Surveys.~~
2. ~~Click on the *VIEW* button of the report you would like to see.~~

NOTES:

- ~~The Salary Range Report is updated every Monday.~~
- ~~A month's worth of Salary Range Reports will be available.~~
- ~~A year's worth of Salary Surveys will be available.~~

Section 2 – Open Ranges and Established Rates

(Reference 110 ILCS 70/36d(3) of the State Universities Civil Service Act)

2.1 SETTING AND ADJUSTING OPEN RANGE SALARY SCHEDULE

Employers shall establish a schedule of salary ranges for all Open Range classes. A salary range for each class shall be submitted to the University System Office for approval. The schedule of salary ranges may be organized and incorporated into a table of salary ~~grades, grades and,~~ may be submitted as verification of university/agency rate/range. Following are general guidelines when submitting salary ranges through the University System Office Salary Data System:-

- ~~Range minimums shall maximums shall~~ generally not exceed ~~an range minimums by more than 8060% difference from the range maximum,; except when authorized by the University System Office.~~
- ~~Employers are not required to submit range updates in the Salary Data System at the time where there is a change to the previously approved rate/range or at least once every four (4) years; unless there is an actual change to the range.~~
- ~~To avoid rounding issues within the Salary Data System, the actual dollar amount of the range should be submitted;;~~
- ~~The schedule of salary ranges shall be reviewed as required on an annual basis by the employer and revised as appropriate.~~ Current salary ranges are subject to review during the biennial audit;;
- ~~When an eEmployer has there are two ranges for the same classification and Employer, i.e., negotiated and open range, the widest range will be submitted in order to capture what is actually compensated for the applicable classification;;~~
- ~~When an eEmployer has two ranges for the same classification, i.e., negotiated and open range, select the Rate Type based ion the predominate number of employees;;~~
- Across-the-board adjustments for all classes shall not require substantiation of individual range changes, other than a statement such as “3% across-the-board adjustment” or “2.5% fiscal year adjustment”.

In accordance with ~~s~~Section 36(d)(3) of the State Universities Civil Service Act, the employer shall identify and analyze valid salary data of wages paid for similar work by other employers within the appropriate recruitment area. Employers are encouraged to utilize one of the following methods to collect valid salary data.

- a. Statistically valid wage data may be obtained through surveys conducted by the employer or through independent sources, such as agencies, consulting firms, professional associations, and local employer groups. A valid survey is one that is current and geographically applicable, contains data on a sufficient number of employees and employers to be a representative sampling of the appropriate market, provides sufficient definition of each job category to

Section 2 – Open Ranges and Established Rates

(Reference 110 ILCS 70/36d(3) of the State Universities Civil Service Act)

assure equitable comparison, and provides median and/or weighted average salaries for each job class.

- b. In the absence of any available valid salary survey data, the University System Office shall consider proposals based on one of the following mathematical calculations:
1. *averaging the minimums of current ranges for the class of all University System employers, and assigning the class to the salary range with the minimum closest to the average; or*
 2. *averaging the midpoints of current ranges for the class of all University System employers, and assigning the class to the salary range with the midpoint closest to the average.*

NOTE: *Ranges used in the above calculation shall have been approved within the preceding 12 months, and the class shall have one or more persons employed at the time of the survey. If method 1 or 2 above is used in developing salary ranges, it shall be the exclusive calculation method used by the employer; i.e., only one method may be used by an employer to determine pay ranges when utilizing this option.*

Significant variations in ranges by employers may indicate differences in application of classes, and shall be discussed with the appropriate employer(s) to verify accuracy of comparisons. When range proposals are submitted, the University System Office may take the following into account:

- Directly related classes which require substantially similar skill, effort, responsibility and working conditions.
- Comparisons may be made with lower and/or higher level classifications in the same series or with those to/from which employees in the proposed class would normally progress.

Note: Whenever possible, the above attachments can be submitted in the Wage Addendum section which allows you to either attach a document, or specify a URL.

Salary proposals returned to the eEmployer without approval will include the reason(s) for non-approval as well as directive action if appropriate.

Section 2 – Open Ranges and Established Rates

(Reference 110 ILCS 70/36d(3) of the State Universities Civil Service Act)

2.2 SETTING AND/OR ADJUSTING ESTABLISHED RATES

To set the pay rate/range of a class ~~as an TO BE DESIGNATED WITH AN~~ Established rate type, the ~~e~~Employer shall provide the following types of justification.

- a. ~~Generally, F~~the basis ~~of reason~~ for recommending an Established pay rate/range includes;
such as:
 1. direct supervision of employees whose rates of pay are Negotiated or Prevailing;
 2. similarity of work to that performed by Negotiated or Prevailing Rate employees of the Employer and/or special pay situation existing in the local community.
- b. The actual relationship which is being set up and how it will be applied, such as:
 1. a supervisory level to be established as a constant dollar amount or percent above the top rate of the class of employees being supervised;
 2. a tandem relationship with one or more specific classes of the ~~e~~Employer and/or jobs of certain outside local employers with such relationship either equal to, above, below, or between.

To adjust the rate or range of a class with an existing Established rate/range, the ~~e~~Employer shall either:

1. a.—provide current wage information for the classes upon which the Established rate/range is based if agreed upon relationship is to be maintained; or
2. b.—provide the same information as in b (1) or (2) above if the relationship is being changed.

Adjustments to existing Established pay rates/ranges shall generally occur at the same time as do adjustments for the classes to which the Established pay rate/range is related, if those classes are internal to the ~~e~~Employer. If the Established pay rate/range is related to pay rates of specific jobs of local Employer(s), adjustments shall generally coincide with the Employer's timing practices of increase for classes on the Open Range salary structure.

Note: Any attachments can be submitted in the Wage Addendum section which allows you to either attach a document or specify a URL.

Section 2 – Open Ranges and Established Rates

(Reference 110 ILCS 70/36d(3) of the State Universities Civil Service Act)

Salary proposals returned to the eEmployer without approval will include the reason(s) for non-approval as well as directive action, if appropriate.

Section 2 – Open Ranges and Established Rates

(Reference 110 ILCS 70/36d(3) of the State Universities Civil Service Act)

2.3 REQUEST FOR SETTING OR CHANGING OPEN RANGES & ESTABLISHED RATES

Requests to establish or revise salary ranges that are either *open range* or *established* rate types shall be submitted electronically through the ~~SUCSS-Statewide~~ Salary Data ~~Processing~~ System. Please see Examples ~~1.1a 1.1 (a) through (e)~~ for the steps involved in accessing and working within the system. In submitting justification for proposed ranges, please be aware of, and take the following into account:

- a. Direct market comparisons shall accompany the request or be available upon request during the regularly scheduled on-site audit, if requested. Information required includes and include the name(s) of the ~~e~~Employer(s) surveyed, the job title used for comparison, and the pay range or the average salary associated with the job.
- b. Proposals based on system-wide salary ranges shall include an average of the minimums or midpoints of current ranges as discussed above.
- c. Range proposals based on ranges in effect for directly related classes shall include supportive data identifying classes and information substantiating relationships used for comparison purposes.

Salary proposals returned to the ~~e~~Employer without approval will include the reason(s) for non-approval as well as -directive action if appropriate.

Section 3 – Negotiated and Prevailing Rates

(Reference 110 ILCS 70/36d(3) of the State Universities Civil Service Act)

3.1 SETTING AND ADJUSTING NEGOTIATED AND PREVAILING RATES

As required by ~~s~~Section 36d of the ~~State Universities Civil Service Act~~Statute, wages agreed upon as a result of negotiation between an ~~e~~Employer and representatives of the employees, shall be recommended to the Merit Board for establishment.

Basic processing details to be followed when submitting salary requests involving *prevailing rates* will remain unchanged; such as:

- a. Existing Prevailing Rate classes and rates and ranges with respect to those classes always remain subject to review and re-determination by the Merit Board and by the ~~Executive~~ Director of the ~~University System~~~~State Universities Civil Service System~~ through delegated powers.
- b. A Prevailing Rate class continues to exist so long as circumstances justify that a Prevailing Rate exists.
- c. A Prevailing Rate review will be conducted by the ~~e~~Employer when requested by the Merit Board, or when known facts and circumstances so warrant, or when a request or complaint is made by an employee or employee representative. ~~The An e~~Employer ~~retains the institution~~ ~~always has the~~ right, as well as the duty, to institute a review of a ~~specific particular~~ Prevailing Rate class at any time and to request such changes as the facts and circumstances may warrant.

Section 3 – Negotiated and Prevailing Rates

(Reference 110 ILCS 70/36d(3) of the State Universities Civil Service Act)

3.2 REQUEST FOR SETTING OR CHANGING NEGOTIATED AND PREVAILING RATES

Requests to establish or revise salary ranges that are either *negotiated* or *prevailing* rate types shall be submitted electronically through the ~~SUCSS~~ ~~Statewide~~ Salary Data ~~Processing~~ System. Please see Examples 1.1a ~~(a) through (e)~~ for the steps involved in accessing and working within the system.

The ~~e~~Employer shall submit requests to establish or revise *negotiated* rates preferably prior to and no later than the date such changes are to be implemented (may be retroactive) by the ~~e~~Employer. In submitting justification for proposed ranges, please ~~be aware of, and remember take the following into account:~~

- a. The wage change request shall be accompanied by a copy of the entire collective bargaining agreement, or a copy of the current wage ~~addendum~~ ~~appendix~~ to previously submitted agreements.
- b. Requests may be submitted for effecting wage changes that are satisfactorily negotiated prior to finalization of other sections of an agreement. A copy of the entire agreement shall be supplied to the University System Office upon finalization.

~~1.c.~~ The group with whom the agreement is in effect shall be noted on the request form.

The ~~e~~Employer shall submit requests to establish or revise prevailing rates that include the following justification:

- a. A copy of the current wage addendum from the collective bargaining agreement of the local craft or trade upon which the proposed wages are based; or
- b. A copy of the Illinois Department of Labor wage certification to the Department of Central Management Services listing the hourly wage rate and effective date; or
- c. Other current wage data in accordance with the Employer's past practice with respect to Prevailing Rate determinations.

Note: Whenever possible, the above attachments can be submitted in the Wage Addendum section which allows you to either attach a document, or specify a URL. ~~to negotiated or prevailing rate requests should be submitted as e-mail attachments directed to the System office. Collective bargaining agreements accessible by a link to employers' web sites are also acceptable. Only when it is impossible to transmit the above information electronically will paper documents be acceptable.~~

Section 3 – Negotiated and Prevailing Rates

(Reference 110 ILCS 70/36d(3) of the State Universities Civil Service Act)

Salary proposals returned to the Employer without approval will include the reason(s) for non-approval as well as- directive action, if appropriate.

Section 1 – Establishment of Registers, Maintenance of Register, and Certification From
Registers

(Reference 80 Ill. Adm. Code §250.60(d))

1.5 CERTIFICATION

Certification is the act of referring candidates from a register for consideration for employment when a vacancy occurs and the date of certification is established (closing of the registers). See Examples 1.5a, and Example 1.5b, and 1.5c.b.

- a. Candidates on the Reemployment register, one at a time, shall be referred first and offered employment on the basis of seniority.
- b. Once the Reemployment register has been processed, the Promotional register shall be processed and then the Original Entry register.
- c. In the absence of a Reemployment register, an employing department shall have the choice of the candidates possessing the top three available scores.
- d. When ties in scores exist, all available candidates with the tied score shall be certified
- e. When certifying multiple vacancies in the same class on the same day, the DER certifies from the register those names that possess the top three scores. If an employing department does not have at least three candidates from the top three scores, the candidates from the next highest score shall be certified. An employing department shall be able to always interview at least three candidates.
- f. A candidate certified to more than one position of more than one class would be required to qualify for certification by being one of the candidates possessing one of the top three scores on the register for each of the classes involved at the time of referral.
- g. The employer shall conduct an interview with and consider all candidates certified from the register prior to making a recommendation for selection. Except that a single selecting official for the employer shall not be required to interview more than once the same candidate, as currently certified from the register, for a position of the same class.
- h. When there are no available candidates on a register, an applicant may be employed provisionally, pending examination. The person provisionally employed shall be given the opportunity to apply for the examination. Should a provisional employee fail the examination, he/she may remain in the position to which assigned providing no candidate becomes available for appointment.

Section 1 – Establishment of Registers, Maintenance of Register, and Certification From
Registers

(Reference 80 Ill. Adm. Code §250.60(d))

- i. Referral dates shall be a matter of record and subject to review during the audit process. Referral action may be recorded by use of a Certification of Appointment form.
- j. Short-term call-backs from Reemployment Registers. In the case of immediate needs for short-term recall (5 days or less) of laid-off employees, inability to contact an individual results in a by-pass, and does not count as one of the three offers of appointment. However, it does permit the employer to pass up a name entitled to be recalled. That is, the employer cannot be held up on call-backs because they cannot reach the individual called within a time span which will meet operational needs.

An employee on layoff should always keep the employer informed if he/she cannot be reached for any extended period of time. Call-backs which occur during this period will not be counted against offers of status employment, but, of course, will permit the name to be by-passed and can result in another employee passing him/her in service or seniority.

[Example 1.5c provides several register examples when referring the top three scores.](#)

Example 1.5cRegister Examples When Referring Top Three Scores**Register One:**

OE Applicant A	100
OE Applicant B	92
OE Applicant C	92
OE Applicant D	90
OE Applicant E	90
OE Applicant F	82
OE Applicant G	82
OE Applicant H	82

Refer A, B, C, D, E**Comment: Standard Top Three Score Referral****Register Two**

OE Applicant A	100
OE Applicant B	92
OE Applicant C	92
OE Applicant D	90
OE Applicant E	87
OE Applicant F	82
OE Applicant G	82
OE Applicant H	82

Refer A, B, C, D**Comment: Standard Top Three Score Referral****Register Three**

PR Applicant X	77
PR Applicant Y	77
OE Applicant A	100
OE Applicant B	92
OE Applicant C	92
OE Applicant D	90
OE Applicant E	90
OE Applicant F	82
OE Applicant G	82

Refer X, Y, A, B, C**Comment: Top Three Score Referral With Promotional Candidates****Register Four**

PR Applicant X	70
PR Applicant Y	80
PR Applicant Z	80
OE Applicant A	95
OE Applicant B	95
OE Applicant C	95
OE Applicant D	95
OE Applicant E	95
OE Applicant F	90

Refer X, Y, Z, A, B, C, D, E**Comment: Top Three Score Referral With Promotional Candidates****Register Five**

Restoral X	2yrs 3 mo. (250.60(j)(5))
OE Applicant A	100
OE Applicant B	92
OE Applicant C	92
OE Applicant D	90
OE Applicant E	90
OE Applicant F	82
OE Applicant G	82
OE Applicant H	82

Refer X, A, B, C**Comment: Restoral X Counts as a Score****Register Six**

PR Applicant Y	95
Restoral X	90 (250.60(j)(1))
PR Applicant Z	90
OE Applicant A	92
OE Applicant B	92
OE Applicant C	90
OE Applicant D	88
OE Applicant E	88
OE Applicant F	85

Refer X, Y, Z, A, B**Comment: Restoral X Counts as a Score**

Example 1.5c

Register Examples When Referring Top Three Scores

Register Seven

Restoral X	2yrs 1 mo. (250.60(j)(4))
Restoral Y	2yrs 3 mo. (250.60(j)(5))
Restoral Z	2yrs (250.60(j)(1))
PR Applicant Z	90
OE Applicant A	92
OE Applicant B	92
OE Applicant C	90
OE Applicant D	88

Refer X, Y, Z

Comment: Each Restoral/Top Three Scores

Register Eight

Lay off During Probation X	4 months 250.60(4)(b)
OE Applicant A	100
OE Applicant B	92
OE Applicant C	92
OE Applicant D	90
OE Applicant E	90
OE Applicant F	82

Refer X, A, B, C

Comment: Restoral by Service Time

Register Nine

OE Applicant A	100
OE Applicant B	92 Spanish Speaking
OE Applicant C	92
OE Applicant D	90 Spanish Speaking
OE Applicant E	87 Spanish Speaking
OE Applicant F	82 Spanish Speaking
OE Applicant G	82
OE Applicant H	82
OE Applicant I	80
OE Applicant J	80

Refer B, D, E

Comment: Top Three Score Referral With Specialty Factors

Register Ten – Hiring 3 positions

PR Applicant X	100
PR Applicant Y	100
PR Applicant Z	100
OE Applicant A	95
OE Applicant B	90
OE Applicant C	88
OE Applicant D	88
OE Applicant E	83

Refer X, Y, Z, A, B

Comment: Top Three Scores/Three Positions (If the score of 100 was selected for each vacancy, there would be no opportunity to move down the register.)

Register Eleven

PR Applicant X	100
PR Applicant Y	95
PR Applicant Z	90
OE Applicant A	92
OE Applicant B	92
OE Applicant C	90
OE Applicant D	80

Refer X, Y, Z

Comment: Top Three Score Referral With Promotional Candidates; Process PR Register Before OE

Register Twelve

PR Applicant X	100
PR Applicant Y	95
PR Applicant Z	90
OE Applicant A	90
OE Applicant B	85
OE Applicant C	80
OE Applicant D	80

Refer X, Y, Z,

Comment: Top Three Score Referral With Promotional Candidates; Process PR Register Before OE

Section 1 – Establishment of Registers, Maintenance of Registers, and Certification from
Registers

(Reference 80 Ill. Adm. Code §250.60(b))

1.2 ORDER OF NAMES ON ACTIVE REGISTERS (by class)

Reemployment* – by total seniority in the class

then by lesser units in the class

Promotional – restoral by total service and/or seniority in the class

then exam score (including those with compensatory qualifications)

Original Entry – restoral by total service to the employer

then restoral by service or seniority in the class

then restoral by service in the class of the employee

if resigned or otherwise separated in good standing and has requested restoral to a former class within 12 months

-- or --

requests transfer from another institution or place of employment in the System

then by exam score (including those with compensatory qualifications)

then by exam score for out-of-state candidates*

~~, with the exception of candidates for positions within the professional (01), semi-professional (02), or managerial (03) occupational areas.~~ * For classes within the professional (01), semi-professional (02), or managerial (03) occupational areas, out-of-state residents may be admitted to examination and equally considered.

NOTE: for classes within the professional (01), semi-professional (02), or managerial (03) occupational areas, out-of-state residents must establish Illinois residency within 180 calendar days after any employment offer or final appointment.

Section 1 – Establishment of Registers, Maintenance of Registers, and Certification from
Registers

(Reference 80 Ill. Adm. Code §250.60(b))

* Through the utilization of specialty factors within the standard classification plan management protocol, a reemployment register must take into account not only the seniority status of the laid off employee, but also must capture the qualification status of the employee at the time of layoff, or any specialty factors the employee possessed at that time. ~~The reemployment register is analogous to a snapshot of the employee's seniority and qualifications at the time of lay-off. Any employment experience, training, schooling, etc. gained during the lay-off or separation period will not affect that employee's snapshot or status regarding their access to the reemployment register for any new vacant positions in that classification. Therefore, an employee's eligibility to be certified from a reemployment register is defined by the qualifications held by the employee at the time of his/her lay-off and is not affected by any specialization or certifications received after the date of lay-off.~~

NOTE: Register cards for candidates with approved waivers shall only be placed on registers indicating that there is no other available candidate and remain on the register until the specific position for which the wavier was approved is filled.

Section 1 – Establishment of Registers, Maintenance of Registers, and Certification from
Registers

(Reference 80 Ill. Adm. Code §250.60(g-j))

1.4 MAINTENANCE OF ACTIVE REGISTERS FOR STATUS APPOINTMENTS

Accurate maintenance and proper use of registers are a fundamental requirement and an essential element in the standardized civil service employment process. This responsibility has been delegated to the DER and is reviewed through the biennial audit process.

All register cards/information are prepared in duplicate; one becomes part of the examination record file of the University System; the other is placed on the appropriate employer's register. Other electronic records and record development processes may be utilized in this respect as well. Specific electronic register maintenance components are required to be maintained in the electronic E-test System.

Transfer, restoral or reemployment information must be recorded and maintained, but is not required to be transmitted to the University System Office.

Names of candidates accepting nonstatus civil service appointments are not removed from active registers.

The University System recommends that the employer utilize a "register clearing" process at regular intervals to remove candidates from the active register in accordance with regulatory guidelines. *Example 1.4b provides a template for informing the candidate of this process.*

Form 1.4c shall be utilized to formally request to close original entry registers accordance with section 250.50(e) of the Illinois Administrative Code (80 Ill. Adm. Code §250.50(e))

a. Reemployment Registers Affected by Specialty Factors

Through the utilization of specialty factors in the standard classification plan management protocols, a reemployment register must take into account not only the seniority status of the laid off employee, but also must capture the qualification status of the employee at the time of layoff, or any specialty factors the employee possessed at that time. ~~The reemployment register is analogous to a snapshot of the employee's seniority and qualifications at the time of lay-off. Any employment experience, training, schooling, etc. gained during the lay-off or separation period will not affect that employee's snapshot or status regarding their access to any new vacant positions in that classification. Therefore, an employee's eligibility to be certified from a reemployment register is defined by the qualifications held by the employee at the time of his lay-off and is not affected by any specialization or certifications received after the date of lay-off.~~

Section 1 – Establishment of Registers, Maintenance of Registers, and Certification from
Registers

(Reference 80 Ill. Adm. Code §250.60(g-j))

~~Even if an applicant did not possess the certification or specialization for a certain position within his/her classification at the time of his/her layoff, he/she can apply for that position. In that scenario, he/she will be treated the same as an original entry applicant.~~

b. **Removal of Candidates from Registers**

Employers are strongly encouraged to develop institutional policies regarding the various permissive options for removal of candidates from registers.

When a candidate is removed from or restored to a register, the date and rule reference must be recorded on the register by the employer. Documentation or other information verifying these register actions shall be maintained in the employer's file.

As indicated in section 250.60(i) of the Illinois Administrative Code (Code) (80 Ill. Code §250.60(i)), candidates whose names are removed from Reemployment, Promotional and/or Original Entry registers shall be notified in writing of such removal in accordance with the Act and Code. *Example 1.4a* provides a basic template for informing the candidate of their removal from a register.

If an employer wishes to remove a current active employee's name from a register pursuant to section 250.60(h)(4) of the Code (80 Ill. Adm. Code §250.60(h)(4)), the employer should also attempt to contact the employee through regular internal business communications protocols.

When defining the classifications to which section 250.60(h)(10) of the Code (80 Ill. Adm. Code §250.60(h)(10)) applies, the University System shall evaluate: occupation area, employment and turnover rates, pre-employment screening protocols utilized, operational needs and trends, and/or other special circumstances and justification. Generally, those classifications contained in the professional, managerial, or semi-professional occupation areas will be considered for inclusion under this specific provision. In accordance with section 250.60(h)(10) of the Code, candidates on the registers for the following classifications may be removed from the register upon the expiration of the designated timeframe outlined in the vacancy posting:

Accounting Associate
Business/Administrative Associate
Human Resource Associate
Information Technology Manager/Administrative Coordinator
Information Technology Technical Associate
Information Technology Support Associate
Program/Student Advisor

Section 4 – Specialized Positions

(80 Ill. Adm. Code §250.60(d)(9))

4.5 OTHER PROCEDURAL IMPLICATIONS

- a. Positions for which specialty factors have been approved shall be reviewed in accordance with Section 2.2 of the Classification Procedures Manual, at least once every three years, to insure that such specialized requirements continue to exist. This review will be subject to audit.
- b. A request for a specialty factor will not be authorized in instances that will lead to the displacement of an incumbent from their current position.
- c. Individuals employed with a defined area of specialization cannot be displaced in the layoff process by someone who does not possess the defined area of specialization.
- d. Through the utilization of specialty factors within standard classification plan management protocols, a reemployment register must take into account not only the seniority status of the laid off employee, but also must capture the certifications or specializations possessed by the employee at the time of layoff. ~~The reemployment register is analogous to a snapshot of the employee's seniority and qualifications at the time of lay-off. Any employment experience, training, schooling, etc. gained during the lay-off or separation period will not affect that employee's snapshot or status regarding their access to the reemployment register for any new vacant positions in that classification. Therefore, an employee's eligibility to be certified from a reemployment register is defined by the qualifications held by the employee at the time of his/her lay-off and is not affected by any specialization or certifications received after the date of lay-off.~~

Section 2 – Admission of Applicants

2.3 VERIFICATION OF EXPERIENCE REQUIREMENTS

The employer is responsible for obtaining a signature from the applicant (i.e., Application form) that the answers on the application are true and correct and that misrepresentation or omission of facts requested on the application may cause rejection of the application.

Disabled Applicant

Each disabled applicant shall be considered on an individual basis; the University System staff shall assist on questions relating to any phase of the examining procedures for these applicants.

The applicant shall be asked to complete as much of the examination as possible. An explanation of the reason for omitting any part of the examination shall be included with the examination material.

The employer is responsible to make any and all reasonable accommodations for a disabled applicant who meets the minimum qualifications for a specific classification in accordance with the Americans With Disabilities Act (ADA), the State Universities Civil Service Act, and 80 Ill. Adm. Code 250.

Out-of-State Applicant

For classes within the professional (01), semi-professional (02), or managerial (03) occupational areas, out-of-state candidates may compete as all other candidates.

Once a final employment offer ~~is completed, or final appointment is made,~~ the out-of-state candidates must establish Illinois residency with 180 calendar days of the start date for the designated position. It is the employer's responsibility to monitor this requirement.

Residency

- Illinois Residency requires proof of a valid Illinois Driver's License or state of Illinois ID Card.
http://www.cyberdriveillinois.com/publications/pdf_publications/dsd_x173.pdf

The responsibility for the implementation and enforcement of this policy shall rest with the DERs of the universities and agencies, subject to periodic review by the Director or his designee.

Penalty

- Failure to produce the required documentation will result in immediate termination of employment.

~~*The responsibility for the implementation and enforcement of this policy shall rest with the DERs of the universities and agencies, subject to periodic review by the Director or his designee.*~~

Section 2 – Admission of Applicants

- ~~Current~~ status employees may be admitted to any examination based on their current status appointment and seniority within their class, irrespective of their current residence.

Pre-graduation Applicant

The DER may permit the recruitment, examination, and commitment for employment prior to actual time of graduation. ~~The candidate is prohibited from beginning employment. It is expected that the candidate will not begin work~~ until the requirements for graduation have been completed. However, employment on a provisional basis ~~is acceptable is not precluded~~ if a standard register does not exist.

Compensatory Qualifications

An applicant who lacks a minimum qualification for examination must have a compensating qualification.

- ◆ ~~Education~~ over and above the minimum required may compensate for lack of the minimum required experience.
- ◆ ~~Experience~~ over and above the minimum required may compensate for lack of the minimum required education.

NOTE: Request for Prior Approval of Compensatory Qualification(s) for Examination form shall list only that education or experience which is being used to compensate for the lacking qualification. In many cases, the applicants may have excess education or experience over and above what was used as a compensating factor for which they might receive additional credit on the score for the examination.

A form for approval of compensatory qualifications is available from the University System Office. See Example 2.3a. A request for Prior Approval of Compensatory Qualification(s) for Examination form shall be submitted in duplicate to the University System Office for approval by the Executive Director. One copy of the form will be returned to the DER.

The University System Office requests the DER to personally sign a Request for Prior Approval of Compensatory Qualification(s) for Examination.

The Executive Director's review of the request will include the total number of available candidates on the register, regardless of whether a candidate's position is being reclassified or reallocated. If the Executive Director does not approve the request, the DER shall notify the applicant.

Prior approval by the Executive Director is required before such applicants are admitted to an examination. No approval of compensatory qualifications will be given by telephone.

Section 2 – Admission of Applicants

The University System Office shall be notified in writing if the examination for which the employer has an approved request is not administered.

Waiver of Qualification(s)

If the Reemployment, Promotional, or Original Entry registers for the classification do not provide a candidate who is interested in employment in a specified position, a Request for Prior Approval of Waiver of Qualification(s) for Examination form shall be used to request the admission of an unqualified applicant for that specific vacancy.

Prior approval by the Executive Director is required before such applicant is admitted to an examination. No approval of a waiver shall be given by telephone.

The University System Office shall require complete justification and recommendation for approval signed by the DER for its use prior to granting approval.

A waiver shall be submitted to the University System Office for approval by the Executive Director. One copy shall be returned to the DER.

The Request for Prior Approval of Waiver of Qualification(s) for Examination form is available from the University System Office. See Example 2.3 b.

If the Executive Director does not approve the waiver, the DER shall notify the applicant. Once the vacancy is filled, all candidates for which a waiver was approved shall be removed. If an applicant rewrites an examination for which a waiver is required, a new waiver must be submitted.

70/36f. Examinations

36f. Examinations. All examinations given under the University System shall be open to all applicants who are citizens of or residents in the State of Illinois and who can qualify by training and experience for the position for which application is made. In examinations for technical positions for which no qualified residents of this State are available the residence requirement may be waived. The examinations shall be practical and shall relate to the classification for which the examination is given. No question in any examination shall relate to political or religious affiliation or racial origins of the examinee.

70/36g. Veterans preference; credit for service in armed forces

36g. For the granting of appropriate preference in entrance examinations to qualified persons who have been members of the armed forces of the United States or to qualified persons who, while citizens of the United States, were members of the armed forces of allies of the United States in time of hostilities with a foreign country, and to certain other persons as set forth in this Section.

(a) As used in this Section:

(1) "Time of hostilities with a foreign country" means any period of time in the past, present, or future during which a declaration of war by the United States Congress has been or is in effect or during which an emergency condition has been or is in effect that is recognized by the issuance of a Presidential proclamation or a Presidential executive order and in which the armed forces expeditionary medal or other campaign service medals are awarded according to Presidential executive order.

(2) "Armed forces of the United States" means the United States Army, Navy, Air Force, Marine Corps, Coast Guard. Service in the Merchant Marine that constitutes active duty under Section 401 of federal Public Law 95-202 shall also be considered service in the Armed Forces of the United States for purposes of this Section.

(b) The preference granted under this Section shall be in the form of points added to the final grades of the persons if they otherwise qualify and are entitled to appear on the list of those eligible for appointments.

(c) A veteran is qualified for a preference of 10 points if the veteran currently holds proof of a service connected disability from the United States Department of Veterans Affairs or an allied country or if the veteran is a recipient of the Purple Heart.

(d) A veteran who has served during a time of hostilities with a foreign country is qualified for a preference of 5 points if the veteran served under one or more of the following conditions:

(1) The veteran served a total of at least 6 months, or

(2) The veteran served for the duration of hostilities regardless of the length of engagement, or

(3) The veteran was discharged on the basis of hardship, or

(4) The veteran was released from active duty because of a service connected disability and was discharged under honorable conditions.

(e) A person not eligible for a preference under subsection (c) or (d) is qualified for a preference of 3 points if the person has served in the armed forces of the United States, the Illinois National Guard, or any reserve component of the armed forces of the United States and the person: (1) served for at least 6 months and has been discharged under honorable conditions or (2) has been discharged on the ground of hardship or (3) was released from active duty because of a service connected disability. An active member of the National Guard or a reserve component of the armed forces of the United States is eligible for the preference if the member meets the service requirements of this subsection (e).

(f) The rank order of persons entitled to a preference on eligible lists shall be determined on the basis of their augmented ratings. When the Director establishes eligible lists on the basis of category ratings such as "superior", "excellent", "well-qualified", and "qualified", the veteran eligibles in each such category shall be preferred for appointment before the non-veteran eligibles in the same category.

(g) Employees in positions covered by this Act who, while in good standing, leave to engage in military service during a period of hostility, shall be given credit for seniority purposes for time served in the armed forces.

(h) A surviving unremarried spouse of a veteran who suffered a service connected death or the spouse of a veteran who suffered a service connected disability that prevents the veteran from qualifying for civil service employment shall be entitled to the same preference to which the veteran would have been entitled under this Section.

(i) A preference shall also be given to the following individuals: 10 points for one parent of an unmarried veteran who suffered a service connected death or a service connected disability that prevents the veteran from qualifying for civil service employment. The first parent to receive a civil service appointment shall be the parent entitled to the preference.

HB6129 Engrossed

LRB099 19353 NHT 43745 b

1 AN ACT concerning education.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The State Universities Civil Service Act is
5 amended by changing Section 36e as follows:

6 (110 ILCS 70/36e) (from Ch. 24 1/2, par. 38b4)

7 Sec. 36e. Coverage. All employees of the Illinois Community
8 College Board, State Community College of East St. Louis
9 (abolished under Section 2-12.1 of the Public Community College
10 Act), Southern Illinois University, Chicago State University,
11 Eastern Illinois University, Governors State University,
12 Illinois State University, Northeastern Illinois University,
13 Northern Illinois University, Western Illinois University,
14 University of Illinois, State Universities Civil Service
15 System, State Universities Retirement System, the State
16 Scholarship Commission, and the Board of Higher Education,
17 shall be covered by the University System described in Sections
18 36b to 36q, inclusive, of this Act, except the following
19 persons:

20 (1) The members and officers of the Merit Board and the
21 board of trustees, and the commissioners of the
22 institutions and agencies covered hereunder;

23 (2) The presidents and vice-presidents of each

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1 educational institution;

2 (3) Other principal administrative employees of each
3 institution and agency as determined by the Merit Board;

4 (4) The teaching, research and extension faculties of

5 each institution and agency;

6 (5) Students employed under rules prescribed by the
7 Merit Board, without examination or certification.

8 Each university is urged to give preference to those
9 applicants for employment in positions not covered by the
10 University System under this Section who are veterans of the
11 United States Armed Forces if the applicant is as qualified as
12 other applicants.

13 (Source: P.A. 97-333, eff. 8-12-11.)

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

BIENNIAL AUDIT PROGRAM REVISION PROPOSAL 2016

April 25, 2016

Outline of Audit Revision Protocols

1. Audit Definition

- An audit is characterized by the concept of independence.
- To obtain evidence related to the system or employer being audited.
- Determine the extent to which the system or employer being audited meets specified criteria
- Conducted in an objective and impartial manner.

2. Audit Concepts, Principles, and Requirements

- Concepts
 - Management Reviews and Self Assessments
 - On-Site Employer Visits
 - Employee Surveys
 - Follow-Up With Respect to Findings/Issues
- Audit Principles
 - Audit Program and Auditor(s) Selection
 - Building Trust Among Employers
 - Audit Basis: Integrity, Fair Presentation, Professional Care and Judgment, Confidentiality, Independence, and Evidence-Based Approach
 - Achieve Consistent Results Regardless of Which Auditor Conducts the Audit
 - Auditor Traits: Objectivity, Impartiality, Competency, Cooperation and Trust, Professionalism, Honesty, Ethics, Confidentiality, and Duty to Report Findings
- Requirements
 - State Universities Civil Service Act, Illinois Administrative Code, and Merit Board Approved Procedures
 - Scope, Frequency, and Schedule of Audits
 - Define and Publish Areas Being Audited
 - Time Frames of Audit from Start to Finish (MB Directed)
 - Reporting and Follow-Up Activities
 - Set Benchmarks for Process Improvements

3. Explanation of the New Audit Process Approach

- Change from Internal Focus to Customer Focus
- Change from Control and Regulation to Quality Management and Improvement Regarding Audit Findings
- Change in Attitude – Quality and Relevance is Sole Purview
- Change from Documentation Driven to Process Management Driven: Rejecting “The Way We’ve Always Done It” Mentality
- “A process is nothing more than a collection of interrelated activities.”

4. Strategies for Auditing a Process-Based System

- Assigning Risk Assessment Values to Process Areas Related to Compliance
- Evaluating Employers Based on Pre-Determined Risk Assessments, History, and Auditor Discretion
- Auditing the Process:
 - Is the process identified and appropriately described?
 - Are responsibilities assigned?
 - Are procedures implemented and maintained?
 - Are the requirements clearly specified and understood?
 - Is the process monitored, and if required, measured?
 - Is the process effective in achieving the required results?
 - Is the process meeting all of its performance objectives?
 - Does the process pose risks of future process problems or non-compliance?
 - Are there redundant or unnecessary activities?
 - Can any of the processes or their activities be combined with other processes for increased effectiveness or efficiency?

5. Distinction Between Auditing for Compliance vs. Performance Improvements

- Auditing for Compliance: Improving system effectiveness simply by identifying instances where the system has broken down or a law, rule, or procedure was not followed. This takes the form of the biennial institutional compliance audit.
- Auditing for Performance Improvements: Typically tied to follow-up activities from a biennial audit, this type of audit determines whether corrective action plans in fact work properly and are being followed. At times, this can be assigned to a mid-low risk audit item.
- Audit Criteria
 - Compliance: Fixed requirements of the standard (laws and procedures); commonly considered as minimums to be met or exceeded.
 - Performance: Implies that the level of desired performance has been specified in some performance criteria, which the Auditor uses to define performance gaps; not assumed to be unchangeable.

- Audit Techniques
 - Compliance: Reviewing and asking questions related to records to substantiate fulfillment of requirements; focus on required activities.
 - Performance: Examining whether results meet expected performance requirements and why they are or are not being met; questioning why activities are conducted at all and in what manner, and whether activity has improvement objectives.
- Expected Audit Output
 - Compliance: Stable, consistent process operations; the output is either good (meets requirements) or through citing “risk based” findings that requirements are not being met.
 - Performance: Expected results include business performance improvements; outputs should include identification of best practices, identification of gaps current processes and possibly improved levels of performance, and identification of major risks observed in the current process.
- Resulting Actions
 - Compliance: Focus on maintaining stability so results either maintain good performance or return performance to a stable state that meets requirements; the common result is a request for corrective action to address noncompliance.
 - Performance: Change is the basic activity to follow this type of audit; in addition to corrective action, changes can include process redesign, implementation of preventive action, or changes in required activities to meet objectives.

6. The Audit Program Charter

- Top Management (Merit Board) is responsible for chartering the program; defining the purpose and objective, directing its implementation and assigning resources to ensure effectiveness.
- Top Management (Merit Board) is responsible for reinforcing the importance of the audit program by being directly involved in reviewing audit outcomes and taking action when performance gaps exist.
- Separate agenda item on Merit Board quarterly meetings for Executive Director’s Report; publishing the biennial schedule, preparing for the next quarter schedule of on-site visits, and discussing possible audit risk topics being audited.
- Decisions must be made with respect to basic objectives, establishing audit boundaries, the relationship of quality auditing process to other compliance activities, and auditor resources.
 - Basic Purpose: To verify that campus human resource operational controls are being administered consistent with current laws, rules, and system procedures.
 - Basic Objective: To conduct in depth institutional audit reviews for both Compliance Assurance and Performance Improvement.
 - Basic Audit Scope: The scope of this audit will include validation of statutory, rule, and procedural compliance, performance improvement and assistance; meeting detailed customer requirements, determining “best practice” programs and services, and maintaining critical liaison services to the Merit Board.

- System Office Scope of Authority/Responsibility: Legal and Compliance Division
- System Office Assignment of an “Audit Boss”: Assistant Legal Counsel to the Merit Board
- Audit Manager selects the processes/areas to be audited based on risk, past performance, and availability of System Office auditors. An individual audit plan is prepared for each employer prior to their on-site visit.

7. Audit Phases (Four)

- Preparation, Performance, Reporting, Closure
- Preparation: Activities necessary to get ready for data gathering. Assigning risk factors to each audit and determining which areas will be reviewed. This phase typically takes about 25% of the total audit time frame.
- Performance: Collection and analysis of data. This phase typically takes about 50% of the total audit time frame.
- Reporting: Consists of presenting information to those outside of the audit team. It includes the informal out-brief conference, the draft audit report, the corrective action plan, and the final audit report.
 - Informal out-brief conference will consist of initial observations and opportunities to address findings prior to issuing a draft report
 - Findings consist of substantive and non-substantive violations, points of law, rule, or procedural references, root-cause analysis, and recommendations
 - Risk assessment and history will be considered when determining the type of finding issued
 - Follow-up schedule (if needed) will be determined at the final audit report stage
- Closure: After the report is completed, delivered, and posted the records are collected and filed. A copy of the final audit report is maintained in the System Office vault.

8. Merit Board Involvement

- Endorsement of the Audit Charter, Objectives, and Scope
- Demonstrated Commitment to Enforcing Audit Finding Recommendations
- Quarterly Briefing/Separate Agenda Item Regarding the Audit Program and the Audit Outcomes
- Administer Sanctions and Follow-Up Activities if Necessary



Supported Employee Program

Supported employment is described as competitive work in integrated work settings for individuals with severe handicaps for whom competitive employment has not traditionally occurred, or for whom it has been interrupted or intermittent as a result of a severe disability and who needs on-going support services to perform such work. Participation in the program is to be based on the assumption that with support, adaptation, or both, a job can be designed to take advantage of the supported employee's special strengths.



Program Participation

	<u>Class Title</u>	<u>Status</u>	<u>Effective Date</u>	<u>Options</u>
Illinois Board of Higher Education Donna Logan	Clerk	Change In Title	02/03/2015	edit

System Updates



System Initialized
The State Universities Civil Service System Supported Employee Program version 1.0 is initially launched.





SEP: Add/Edit Data



University:

Name:

Classification:

Status:

Effective Date:

Comments:

Save Data

Employee Transaction Log

<u>Effective Date</u>	<u>Classification</u>	<u>Status</u>	<u>Updated By</u>	<u>Insert Date</u>
02/03/2015	Clerk	Change In Title	Bob Curry	03/21/2016
06/22/2000	Clerical Assistant	Change In Title	Bob Curry	03/21/2016
01/01/1997	Telephone Operator I	Status Employee	Bob Curry	03/21/2016
06/26/1996	Telephone Operator I	Serving probationary period	Bob Curry	03/21/2016
09/21/1992	Telephone Operator I	Enrolled in training program	Bob Curry	03/21/2016



MERIT BOARD POLICY RELATING TO EMPLOYEE BENEFITS

(as approved by the Merit Board on June 24, 1970 and as Amended)

WHEREAS the Civil Service Statute provides that "the Merit Board shall have the power and duty . . .

. . . To prescribe the range of compensation for each class or to fix a single rate of compensation for employees in a particular class; and to establish other conditions of employment which an employer and employee representatives have agreed upon as fair and equitable. . . .

[to] . . . take into account the rate of compensation generally paid for similar work in the locality in which the work is to be performed. . . .

. . . To recommend to the institutions and agencies . . . standards for hours of work, holidays, sick leave, overtime compensation and vacation for the purpose of improving conditions of employment . . . and . . . insuring conformity with the prevailing rate principle.";

WHEREAS uniformity in benefits among institutions is desirable, and institutional representatives have expressed concurrence with this principle;

THEREFORE, BE IT RESOLVED that it is the judgment of the Merit Board that each of the governing boards, institutions, and agencies specified in Section 36e of the Statute should accord fringe benefits to its employees through adoption of the following benefit policies and develop administrative rules and procedures for uniform application of these policies throughout its organization.

I. HOURS OF WORK

A. Work Schedules

Each institution or agency shall report to the Merit Board the classes of employees for which it changes the hours of workweek. The Merit Board may recommend to the institutions and agencies standards for hours of work. (Amended and reinstated at Seventy-Third meeting of the Merit Board, September 27, 1977.)

B. Overtime Compensation

1. Employees nonexempt from the overtime provisions of the Fair Labor Standards Act will be compensated at time and one-half for all time in a work week in excess of the number of hours of work comprising an established full-time daily or weekly work schedule, whichever is greater, except, that for an employee paid on a prevailing rate basis, the number of hours before daily and/or weekly overtime begins, and the rate of the employee's overtime pay, will depend on the number of hours and the rate being paid locally, pursuant to the appropriate multi-employer area agreement.

II. ELIGIBILITY FOR EMPLOYEE BENEFITS

Except as indicated otherwise below for prevailing wage rate groups, employee benefits will be made available to employees in status appointments. Included in this group will be those in appointments designed to qualify employees for status in the class, e.g., ~~intern~~~~learner~~, ~~trainee~~, apprentice, and, where appropriate, provisional. Employees in other types of nonstatus appointments will not be extended employee benefits. Eligibility for benefits in relation to work, leave, layoff, or absence status shall be determined by each institution or agency. Rules for the uniform administration of each form of employee benefit shall be established by the governing board of each institution or agency or by an official to whom delegation has been made as needed to meet program requirements of the institution or agency.

III. HOLIDAYS

A. Employees other than Prevailing Wage Rate Groups

Eligible employees not in prevailing wage rate groups will be excused with full pay, except for necessary operations, on New Year's Day, Memorial Day (as determined by the Law of the State of Illinois), Independence Day, Labor Day (first Monday in September), Thanksgiving Day, Christmas Day and on five other holidays designated by the governing board of the institution or agency. These five other holidays may differ between institutions and agencies but shall be of commemorative or other significance as nonwork days (e.g., legal holidays in the State of Illinois) and shall result in a reasonable distribution of holidays throughout the year. Days suggested for consideration are Lincoln Day (first Monday in February), Washington Day (third Monday in February), Good Friday, Columbus Day (second Monday in October), Veterans' Day, day after Thanksgiving, full day adjacent to Christmas, full day adjacent to New Year's.

B. Prevailing Wage Rate Groups

Eligible employees in prevailing wage rate groups will be excused from work on the holidays of the institution or agency irrespective of whether the holiday is observed under the appropriate multi-employer area agreement but will be compensated as follows:

1. If the holiday is recognized for other employers under the appropriate multi-employer area agreement the employee will be compensated in accordance with practice under that agreement.
2. If the holiday is not recognized under the appropriate multi-employer area agreement the employee will be excused without pay.
3. Notwithstanding 1 and 2 above, each prevailing rate employee shall be extended the option of charging any unpaid holiday under 1 or 2 above to earned Vacation or Personal Leave accrued to the employee's credit on the date of the holiday.

C. Holiday Work

In the event that work is required of an employee on any holiday recognized by the employing institution or agency:

1. Employees in prevailing wage rate groups will be compensated in accordance with prevailing practice on those holidays designated in the appropriate multi-employer area agreement.
2. Other nonexempt employees, as defined by the Fair Labor Standards Act (including prevailing rate employees for holidays not designated in the appropriate multi-employer area agreement), in addition to regular compensation, will receive additional payment at the rate of time and one-half, or, if mutually agreed to, by time off at the rate of time and one-half.

D. Holiday on Nonwork Day

For employees who normally work a Monday-through-Friday schedule, holidays which fall on a calendar Saturday will be observed on the preceding day, and holidays which fall on a calendar Sunday will be observed on the following day. Employees who normally work other than a Monday-through-Friday schedule, and who are not scheduled to work on a calendar holiday, will receive, as necessary operations permit, either (1) a scheduled work day off within two weeks of the recognized holiday, or (2) an additional day's pay at the regular rate.

IV. PAID LEAVE

A. Initial Probationary Period

That employees' use of earned vacation (either days taken or paid days) during probationary period be permitted. If separation occurs during the probationary period, no penalty is imposed. (Approved by the Merit Board at its Ninety-First meeting, November 10, 1982.)

B. Vacation and Personal Leave

- Each employee who is nonexempt under the Fair Labor Standards Act, and each employee who is exempt as an executive or administrative employee but who (1) is required to work a fixed shift and (2) receives overtime compensation if required to perform overtime shall earn Vacation and Personal Leave at the rate which is shown opposite the employee's service years in Schedule A.

SCHEDULE A

<i>Years of Service Completed</i>		<i>Rate Earned Per Hour of Pay-Status Service (Exclusive of Overtime)</i>	<i>Approximate Leave Days Earned in One Year</i>
<i>At Least</i>	<i>Not More Than</i>		
0	3	.0462	12
3	6	.0577	15
6	9	.0692	18
9	14	.0808	21
14		.0962	25

- Each employee who is (1) an executive, administrative, or professional employee as defined under the Fair Labor Standards Act, (2) not provided with a fixed or rigid daily and weekly schedule, and (3) required to discharge duties, the discharge of which usually requires a certain amount of flexibility in such schedule, shall earn Vacation and Personal Leave at the rate which is shown opposite the employee's service years in Schedule B.

SCHEDULE B

<i>Years of Service Completed</i>		<i>Rate Earned Per Hour of Pay-Status Service (Exclusive of Overtime)</i>	<i>Approximate Leave Days Earned in One Year</i>
<i>At Least</i>	<i>Not More Than</i>		
0	3	.0962	25
3	6	.1000	26
6	9	.1038	27
9		.1077	28

3. Based on a mandated change, such as that contained within the terms of the Fair Labor Standards Act, and as applied to the definition of employees in section IV(B)(1) and (2), Paid Leave, an employer may allow an employee hired prior to the effective date of the mandated change of _____, 2016, the opportunity to continue accruing vacation on the same accrual schedule prior to the mandated change. (Added by the Merit Board at its Two-Hundredth meeting, May 11, 2016.)
43. An employee may accumulate at the employee's then current earning rate an amount of leave equal to that earned in two service years but upon reaching this accumulation will cease to earn leave except as the accumulation is reduced. Employees converting from principal administrative positions to a status civil service position may be allowed to transfer balances greater than the two year accumulation maximum. (Amended by the Merit Board at its Two-Hundredth meeting, May 11, 2016.)
54. Institutions with present Vacation and Personal Leave plans which differ from the above shall move to these schedules after due notice to employees and shall place each present employee on the service year step of the above schedules that will most nearly preserve the employee's present earning rate of Vacation and Personal Leave.
65. Each institution shall issue appropriate rules and administrative procedures to assure that within the total amount of Vacation and Personal Leave accumulated, employer operations permitting, periods of up to one or two days at a time will be granted an employee for personal reasons upon request of the employee and without the need for advance planning. Longer periods of vacation should be planned and scheduled by the institution after taking into account employee preferences.

76. Where there has been a break in service, the service year shall be computed as though all previous State service which qualified for earning of Vacation and Personal Leave benefits is continuous with present service, i.e., service during each separate period of employment, whether institution or other State service, shall be added together to arrive at total service. This provision is effective October 1, 1972. It applies to the future earning rate of eligible employees on the institution's rolls on this effective date as well as to those who enter or reenter institution service after that date. (Amendment approved and added by the Merit Board at its Fifty-Sixth meeting, October 30, 1972.)

C. Sick Leave

1. An eligible employee shall earn credit for Sick Leave with full pay at the rate of one work day for each month (23 days of service (.0462 per hour for each hour of pay-status service). The amount of leave accumulated at the time when illness or injury begins shall be available in full, and additional leave shall continue to accrue while an employee is using that already accumulated.
2. There shall be no limit in the amount of Sick Leave which may be accumulated.
3. An eligible employee may use accumulated Sick Leave only when an employee is ill or injured or obtaining medical or dental consultation or treatment. Each institution shall reserve the right to require acceptable evidence of disability before allowing the use of Sick Leave.
4. Use of Sick Leave shall be limited to illness for employee, spouse and/or children. Exceptions and applications of this policy beyond spouse and children, e.g., members of household, may be granted.
5. A former employee who separates in good standing and returns to employment within two years, shall have former accrued Sick Leave restored. (Paragraphs 4 and 5 approved and added by the Merit Board at its Eighty-Fourth meeting, June 11, 1980.)

D. Funeral Leave

Approval, with pay, will be granted to an eligible employee for a leave of up to three work days for the death of a member of the employee's immediate family, household, in-laws, and/or grandparents of immediate family; and of one day to attend the funeral of a relative outside the employee's immediate family or household.

Immediate family is defined as: father, mother, sister, brother, spouse, and children. In-laws are defined as: mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, and daughter-in-law. (Amended and approved at the Seventy-Third meeting of the Merit Board, September 27, 1977.)

E. Jury Duty

An eligible employee shall be granted a leave of absence without loss of pay when called for Jury Duty service.

F. Military Training

Leave of absence with pay shall be granted in accordance with the Military Leave of Absence Act (5 ILCS 325/1) to an eligible employee for military training who is a member of any reserve component of the United States Armed Forces, including the Illinois National Guard. The length of the leave with pay for training will not exceed standards established by federal or state regulations for training activities required to maintain standing in the above military units. During leaves for military training, the employee shall be eligible for compensation and benefit programs in accordance with applicable state and federal regulations. (Approved by the Merit Board at its One-Hundred and Fifty-Ninth meeting, November 16, 2005.)

G. Mobilized to Active Duty

Leave of absence with pay shall be granted in accordance with the Military Leave of Absence Act (5 ILCS 325/1) and section 36g of the State Universities Civil Service Act (110 ILCS 70/36g) to an eligible employee who is a member of any reserve component of the United States Armed Forces, including the Illinois National Guard or Illinois State Militia who is mobilized to active duty. During leaves for active duty, the employee shall be eligible for compensation and benefit programs in accordance with applicable state and federal regulations. (Approved by the Merit Board at its One-Hundred and Fifty-Ninth meeting, November 16, 2005.)

H. Excused Absence

Rules providing for excused absence with pay shall be issued by the governing board of each institution or agency or by an official to whom delegation has been made as the institution or agency determines to be in its best interest. Reasonable limitations on such excused absences shall be included.

V. EDUCATIONAL BENEFITS

Tuition and fee waiver shall be granted by each institution to an eligible employee of that institution or of any other institution or agency named in Section 36e of the civil service statute who enrolls in courses up to the following maxima in any semester or quarter.

Full-time employee..... 6 hours or 2 courses
 3/4-time employee..... 4 hours
 1/2-time employee..... 3 hours

These maxima are employee benefit limitations and do not apply to enrollment in approved work-related training programs, the purpose of which is to improve University services. The

fees which will be waived include registration fees and admission fees, and, in the case of an institution's own employees, no charge will be made for service type fees such as those imposed to secure revenue for bond retirement, etc. These latter (i.e., service type) fees will not be waived for an employee of another institution. Employees may enroll for class work during regular working hours for only one course and only as approved by their supervisors and then if the course is only offered during working hours. When such permission is granted the employee will make up time (1) working outside of the employee's regularly scheduled hours as approved by the employee's supervisor or (2) deducting the time spent in class from the employee's accumulated Vacation and Personal Leave. A student as defined in Rule 250.70(f)(3) is not eligible for a status appointment and may not be granted tuition or fee waivers as an employee benefit.

VI. TRANSFER OF BENEFIT CREDITS

A current status employee within the System who is selected for employment by another institution within the System and enters on such employment without break in service will be (1) credited by the hiring institution with that amount of accumulated Sick Leave which the employee had credit on the last day of service with their previous System employer and (2) granted eligibility by the hiring institution to earn future Vacation and Personal Leave benefits based upon the employee's total continuous service to a previous System employer as computed by that employer.

The effective date of this Policy shall be July 1, 1970.



Specialty Factor System

All requests for specialty factors must be submitted in advance and approved by the Executive Director, or designee, of the University System Office before any personnel or employment action is taken. Requests for a specialty factor may be submitted for positions that are either currently filled or vacant.



Last 10 Transactions

<u>Agency</u>	<u>Classification</u>	<u>C.S. Position Number</u>	<u>Status</u>	<u>Options</u>
State Universities Civil Service System	Office Manager	03266	Approved	edit
State Universities Civil Service System	Clerical Assistant	CS0000001	Pending	view
State Universities Civil Service System	Construction Laborer Sub-Foreman	C07060	Pending	view

System Updates

No Updates



SFS: Add/Edit

Definition: A *specialty factor* is a special knowledge, skill, ability, or other work characteristic assigned to a position and considered basic to and essential for satisfactory performance in the position. A specialty factor may be assigned to either a vacant or filled position. Specialty factors are also used for screening (in or out) purposes, and must be justified on this form.

Instructions: A comprehensive position must be sent with this form. If the position is vacant, a description of the status of the current register for the classification must also be included. In the appropriate space below, describe each specialty factor. Each specialty factor must be stated in terms of a knowledge, skill, ability, or other work characteristic. In the space provided for justification, indicate in terms of the position duties and responsibilities why each specialty factor is considered necessary for the satisfactory performance in the position.

Employer Information

Submitted by: Bob Curry

Date: 3/22/2016

Employer: State Universities Civil Service System

College/Department: University Police Department

Specialty Factor Information

Classification Title: Office Manager

C.S. Position Number: 03266

Position Status: Vacant Filled

Specialty Factors: 2 selected

Justification:

Per Administrative Code, Section 1240.90; the Agency (EIU) must appoint an employee as the Agency LEADS Coordinator. In order to be qualified as the LEADS Coordinator, the employee must receive specialized training and certification through the LEADS User Certification program. Employee is responsible for collecting, classifying, distributing and reporting of campus crime statistics as required by the Cleary Act. Reporting is done through a LEADS terminal and can only be accessed by someone with the above training and certification.

Attachment:

CA CSS.txt

Browse...

System Office Status

Executive Director, or designee: Bob Curry

Date: 2/18/2016

Status: Approved

Additional Information:

Save Data