



**MINUTES OF THE ONE-HUNDRED-AND-NINETY-FIFTH  
MEETING OF THE UNIVERSITY CIVIL SERVICE MERIT BOARD –  
May 20 and May 26, 2015**

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**State Universities Civil Service System Office  
1717 Philo Road, Suite 24  
Urbana, Illinois 61802  
&  
(Video Conference)  
University of Illinois at Chicago  
College of Pharmacy  
Room 270  
833 South Wood Street  
Chicago, Illinois  
&  
(Video Conference)  
Southern Illinois University Carbondale  
Miles Hall  
Conference Room 003A  
1255 Douglas Drive  
Carbondale, IL**

On **May 20, 2015**, Chair Montgomery called the meeting to order at 10:11 a.m. At the beginning of the meeting, no video conference was available. The only items to be heard would be items with no action until video conference was connected.

Members present at the primary meeting location were: Karen Hasara, representing the University of Illinois; Robert T. Marshall, Jr., representing Northern Illinois University; and Robert D. Webb, representing Eastern Illinois University.

Members present at the Chicago videoconference location were: Chair, James D. Montgomery, representing the University of Illinois; and Lyneir Cole, representing Western Illinois University.

Member present at the Carbondale videoconference location was: Donna Manering, representing Southern Illinois University.

Member present by audio conference was: Jill Smart, representing the University of Illinois.

Members absent were: Michael Curtin, representing Chicago State University; Marvin Garcia, representing Northeastern Illinois University; and Brian Mitchell, representing Governors State University.

Also present were: Lewis T. (Tom) Morelock, Executive Director; Mari Martinelli, Manager, Legal Services and Legal Counsel; Teresa Rademacher, Secretary for the Merit Board; and Andy Small, Chair of the State Universities Civil Service Advisory Committee. Various other university employees and University System office staff were also in attendance.

### ***Call to Order and Roll Call***

Chair Montgomery introduced Jill Smart, representing the University of Illinois, as the new Merit Board member. Ms. Smart replaced Judge Holmes from the University of Illinois. Chair Montgomery gave a brief overview of Ms. Smart's work history and welcomed her to the committee.

### ***Report of the Human Resource Directors Advisory Committee – Maureen Parks***

The Merit Board heard a report from Maureen Parks, representative of the Human Resource Directors Advisory Committee (HRDAC). Ms. Parks stated the committee had last met on May 1, 2015 and the committee was updated on several items that are included on the agenda for this meeting. She stated that Mr. Montgomery had appointed a Sub-Committee of the Merit Board to analyze five recommendations proposed by the HRDAC. She also stated that public hearings were held on March 11 and 13, 2015 regarding the topics of concern. The meetings went very well and were represented by various stakeholders. The five recommendations are:

- 1) removing limiting language from the civil service Exemption Procedures Manual;
- 2) to formalize the civil service audit process and procedures; and to extend the audit cycle from 2 to 3 years at each university;
- 3) to expand the Rule of 3 Demonstration Project;
- 4) find a more efficient way to recruit out of state applicants; and
- 5) a more consistent method of approving specialty factors at the campus level

She further stated that there is still continue concern from the members of the HRDAC on how exemptions are determined on the part of the University System office. This has been an issue

of concern over the last several years and it is important that universities continue to have the authority to approve exemptions as the case has been since the late 1990's.

Ms. Parks also stated that the committee is very happy regarding the proposed legislation change regarding the "Rule of Three" and thanked Representative Ammons and Senator Bennett for sponsoring HB 3102.

She also stated that the committee is pleased with the status of the proposed rule revision to section 250.50 of the Illinois Administrative Code regarding the ability to recruit out-of-state candidates for various positions. This rule change will allow applicants to be placed on the register by test score instead of placing applicants at the bottom of the register.

She stated that the committee still feels very strong with the two item remaining on their list. Moving the audit cycle from two years to three years and the authority for schools to approve specialty factors. She thanked Mr. Morelock for his years of service and wished him well in the future. The committee looks forward to working with the University System's leadership in the future.

### ***Report of the State Universities Civil Service Advisory Committee – Andy Small***

The Merit Board heard a report from Andy Small, Chair of the State Universities Civil Service Advisory Committee (EAC). Mr. Small stated that the committee met on April 15 and 16 at Governors State University (GSU) and thanked Joyce Coleman from GSU for her support. Mr. Small further stated the committee still has some recommendations/concerns regarding the five items of concern. The committee supports the Exemption Procedures Manual and the "Rule of Three" statute change. The majority of EAC continue to accept the rule proposal regarding out-of-state residents and some members have concerns on how and when the 90 day residency requirement will be enforced and the potential missed opportunities for current employees regarding job opportunities.

Mr. Small stated that the item regarding removing limiting language from the civil service Exemption Procedures Manual was a concern and that the statute states all positions are civil service, unless exempted out. He further stated that Specialty Factors could be beneficial to the system if used correctly in order to keep a position as civil service and when used incorrectly it could be used to go around the system and this is a concern of the committee. Mr. Small invited all board members to the committee's next meeting and future meetings and thanked Mr. Morelock for all his years of service.

Due to an emergency at the Chicago video site, the members at the site were evacuated from the building and the meeting was delayed for several minutes. After the members returned to the Chicago video site, Ms. Smart made a motion to reschedule the meeting to Tuesday, May 26, 2015 at 10:00 a.m. at the same locations and to adjourn the meeting. Mr. Cole seconded Ms.

Smart's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried. The meeting adjourned at 11:05 a.m.

On **May 26, 2015**, Chair Montgomery called the meeting to order at 10:00 a.m.

Members present at the primary meeting location were: Karen Hasara, representing the University of Illinois; Robert T. Marshall, Jr., representing Northern Illinois University; and Robert D. Webb, representing Eastern Illinois University.

Members present at the Chicago videoconference location were: Chair, James D. Montgomery, representing the University of Illinois; and Michael Curtin, representing Chicago State University.

Member present at the Carbondale videoconference location was: Donna Manering, representing Southern Illinois University.

Member present by audio conference was: Jill Smart, representing the University of Illinois.

Members absent were: Lyneir Cole, representing Western Illinois University; Marvin Garcia, representing Northeastern Illinois University; and Brian Mitchell, representing Governors State University.

Also present were: Lewis T. (Tom) Morelock, Executive Director; Mari Martinelli, Manager, Legal Services and Legal Counsel; Teresa Rademacher/Danielle Routh, Secretary for the Merit Board; and Andy Small, Chair of the State Universities Civil Service Advisory Committee. Various other university employees and University System office staff were also in attendance.

### ***Call to Order and Roll Call***

Chair Montgomery again introduced Jill Smart, representing the University of Illinois, as the new Merit Board member. Ms. Smart replaced Judge Holmes from the University of Illinois. Chair Montgomery gave a brief overview of Ms. Smart's work history and welcomed her to the committee.

### ***Consideration of participation by other Merit Board members, not physically present at meeting site***

Prior to the meeting, Ms. Smart requested to participate by audio conference based on one of the authorized exceptions afforded under the Open Meetings Act. A motion was made by Mr. Curtin to allow Ms. Smart to participate by audio conference. Mr. Marshall seconded Mr. Curtin's

motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

### ***Public Comments***

The University System Office had received no requests to present public comments.

### ***Appointment of Secretary for the Merit Board***

Chair Montgomery announced that Anna Johnson had resigned from the University System office on May 15, 2015 and that a Secretary for the Merit Board needed to be appointed. Ms. Hasara made a motion to appoint Danielle Routh as Secretary for the Merit Board. Ms. Smart seconded Ms. Hasara's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

### ***Consideration of the Minutes of the 195<sup>th</sup> Meeting of the Merit Board, February 25, 2015***

The minutes of the 195th meeting of the Merit Board, February 25, 2015 had been transmitted to members of the Merit Board with the agenda materials.

Ms. Hasara moved to approve the minutes of the 195<sup>th</sup> Meeting of the University Civil Service Merit Board held on February 25, 2015. Dr. Webb seconded Ms. Hasara's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

### ***Consideration of the Minutes of the Meetings of the Sub-Committee of the Merit Board, March 11 and 13, 2015***

The minutes of the meetings of the Sub-Committee of the Merit Board, March 11 and 13, 2015 had been transmitted to members of the Merit Board with the agenda materials.

Ms. Hasara moved to approve the minutes from the March 11 and 13, 2015 Sub-committee meetings. Dr. Webb seconded Ms. Hasara's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

***Consideration to destroy the recording of the Executive Session of the 180<sup>th</sup> Meeting of the Merit Board, May 18, 2011***

Mr. Morelock explained that in accordance with the Open Meetings Act, recordings of closed sessions must be kept for 18 months from the date of the recording. The Closed Session minutes of the 180<sup>th</sup> meeting of the Merit Board, May 18, 2011, had been approved and released by the Merit Board at the November 16, 2011 meeting. Based on these facts, the recording could be destroyed.

Mr. Marshall moved to destroy the Closed Session recording of the 180<sup>th</sup> meeting of the Merit Board, May 18, 2011. Ms. Hasara seconded Mr. Marshall's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

***Report of the Human Resource Directors Advisory Committee – Maureen Parks***

The Merit Board heard a report from Jami Painter, reporting on behalf of Maureen Parks, representative of the Human Resource Directors Advisory Committee (HRDAC). Ms. Painter stated that at the last Merit Board meeting, Mr. Montgomery appointed a Sub-Committee of the Merit Board to analyze five recommendations proposed by the HRDAC. She also stated that public hearings were held on March 11 and 13, 2015 regarding the topics of concern and that the meetings went very well and were represented by various stakeholders. She stated that she felt that the five recommendations would provide universities more flexibility and maintain competitiveness. Ms. Painter explained that the five priorities of the Human Resource Directors Advisory Committee are:

- 1) removing limiting language from the civil service Exemption Procedures Manual;
- 2) to formalize the civil service audit process and procedures; and to extend the audit cycle from 2 to 3 years at each university;
- 3) to expand the Rule of 3 Demonstration Project;
- 4) find a more efficient way to recruit out of state applicants; and
- 5) a more consistent method of approving specialty factors at the campus level.

She further stated there is still continued concern from the members of the HRDAC on how exemptions are determined on the part of the University System office. This has been an issue of concern over the last several years.

She further stated that there is still continued concern from the members of the HRDAC on how exemptions are determined on the part of the University System office. This has been an issue of concern over the last several years and it's important that universities continue to have the authority to approve exemptions as the case has been since the late 1990's.

Ms. Painter also stated that the committee is very happy regarding the proposed legislation change regarding the “Rule of Three” and thanked Representative Ammons and Senator Bennett for sponsoring HB 3102.

She also stated that the committee is pleased with the status of the proposed rule revision to section 250.50 of the Illinois Administrative Code regarding the ability to recruit out-of-state candidates for various positions. This rule change will allow applicants to be placed on the register by test score instead of placing applicants at the bottom of the register.

She stated that the committee still feels very strong with the two items remaining of moving the audit cycle from two years to three years and the authority for schools to approve specialty factors.

The committee thanked Mr. Morelock for his years of service and wished him well in the future. HRDAC looks forward to working with the University System’s new leadership in the future.

Dr. Webb asked for a full understanding of the specialty factors process. Ms. Painter stated that the University System office approves all the specialty factors except for Custom Classes. Ms. Painter stated the universities would like to have the authority to expand to other classification in order to speed up the process. Mr. Morelock explained how the specialty factors component needs to be attached to the job description. The specialty factor provides the applicant an advantage over other applicants in the employment process and also provides the incumbent a bumping right from a seniority stand point. The universities have to be very conscious when assigning these specialty factors to a specific position. The University System office turns them around quickly and helps the universities build and frame the specialty factor components so they are directly linked to the job descriptions.

Mr. Marshall asked if allowing the universities this authority, would it eliminate any checks and balances. Ms. Painter stated that the universities would still be audited. Mr. Morelock stated that with that type of check and balance process would be the same issue that is being faced with the exemption process. It’s an after the fact process, so if there is an issue, what is the corrective action. The employee is already hired from an employment stand point and for bumping seniority rights. Mr. Marshall asked who is responsible if there is a problem with the specialty factor caught during the audit process. Ms. Painter stated that it’s a process with the University System office and the university to talk about the finding and determine an action plan. Ms. Smart asked what the turnaround time for specialty factors was and also asked if there was a reason for the extra layer to approval process. Mr. Morelock stated the turnaround time is usually within 24 hours and explained when an employer can ask for a specialty factor and the different employment processes.

Dr. Manering is not in favor of a lot of bureaucracies, but she does have a concern when she receives some of these letters from the universities rejecting to a follow-up audit. She stated, the civil service system is built on structure.

***Report of the State Universities Civil Service Advisory Committee – Andy Small***

The Merit Board heard a report from Andy Small, Chair of the State Universities Civil Service Advisory Committee (EAC). Mr. Small stated he would like to give EAC's opinion on the 5 topics of concern. Mr. Small stated that the EAC group supports the revisions to the Exemption Procedures Manual by helping to distinguish a Civil Service position from the academic professional. EAC supports the "Rule of Three" Demonstration Project and supports the residency requirement to allow out-of-state applicants to be considered for certain classifications. EAC stated that they have the most concern with removing limiting language from the civil service Exemption Procedures Manual. This could allow universities to modify job descriptions in order to fit the position and by removing this language would not be beneficial to the University System. EAC supports specialty factors if used correctly and if used incorrectly, it could be used to modify a position so that the particular individual is the only one qualified. Mr. Small invited Mr. Montgomery to the next EAC meeting scheduled for July 16 and 17, 2015 at the University of Illinois at Chicago. Mr. Small and the other committee members thanked Mr. Morelock for his years of service as the Executive Director and wished him well in his future.

***Report of the Administrative Advisory Committee—Tom Morelock***

The Merit Board heard a report from Mr. Morelock regarding the Administrative Advisory Committee. The Committee met on May 6, 2015. The Committee is supportive of the HB 3102 regarding the "Rule of Three" and the proposed rule change to section 250.60 of the Code regarding the out-of-state residency. Mr. Morelock gave an update on the Police Series Assessment Center Project, the University System budget, staffing update, Classification Plan update, Audit Program update, and Legal update.

***Update and authorization for the Executive for the Executive Director to implement and administer the Merit Board Budget for FY 2016***

Mr. Morelock spoke about the House and Senate appropriation bills for the agency for FY 2016. Testimony had been presented to the Senate Appropriations Committee and the House Higher Education Appropriations Committee in March, 2015. The University System office has had several other contacts with various legislators, and other members of their staff, regarding the operational needs and FY 2016 budget appropriation request. Mr. Morelock requested that the new Executive Director be authorized to implement the FY 2016 budget for the fiscal year period beginning July 1, 2015 and ending June 30, 2016. Salary increases for agency employees, if implemented, will be administered in accordance with the Pay Administration Guidelines for the University System office. It is further requested and recommended that the Executive Director be authorized to administer the budget and to make expenditures necessary to efficiently meet



the operational needs of the University System. Ms. Hasara asked what the Guidelines were and Mr. Morelock explained the across-the-board increase, merit increase, and superior performance increase. Mr. Morelock also stated that since there was no budget, he did not know if any salary increase would be given to the staff. The maximum amount if given would be in the 2 to 3% range.

Chair Montgomery requested a motion on the Resolution presented by the Executive Director at the meeting. Dr. Webb made a motion to adopt the following Resolution:

**RESOLUTION**

*BE IT RESOLVED THAT the Merit Board authorizes the Executive Director to administer the FY 2016 agency budget, pursuant to the availability of funds and final approval by the Governor's office. Contingent upon the availability of funds, the FY 2016 agency budget may include employee salary adjustments administered in accordance with applicable Merit Board Policies and Pay Administration Guidelines. The Merit Board also authorizes the Executive Director to make any other expenditures necessary for the operation of the State Universities Civil Service System and the Merit Board office, commencing July 1, 2015 and continuing until such time as the FY 2016 appropriation becomes effective or the Merit Board directs otherwise.*

Mr. Marshall seconded Dr. Webb's motion. A roll call vote was taken and the motion was approved with the following vote:

Dr. Webb .....Aye  
Mr. Cole .....Absent  
Mr. Curtin .....Aye  
Mr. Garcia.....Absent  
Ms. Hasara.....Aye  
Dr. Manering .....Aye  
Mr. Marshall.....Aye  
Mr. Mitchell.....Absent  
Mr. Montgomery.....Aye  
Ms. Smart .....Aye

**Consideration of Public Officials Errors and Omissions Insurance – July 1, 2015 through June 30, 2016**

Mr. Morelock updated the Merit Board on the Public Officials Errors and Omissions Insurance Policy for FY 2016. University System staff is still researching this policy and stated that last year's cost for the policy was around \$10,000 and hopefully that amount will be about the same for FY 2016. Mr. Marshall made a motion that the University System staff investigate and purchase,

based on budgetary discretion, a Public Officials Insurance Policy. Dr. Manering seconded Mr. Marshall's motion.

A roll call vote was taken and the motion was approved with the following vote:

Mr. Marshall.....Aye  
Mr. Mitchell.....Absent  
Mr. Montgomery.....Aye  
Ms. Smart .....Aye  
Dr. Webb .....Aye  
Mr. Cole .....Absent  
Mr. Curtin .....Aye  
Mr. Garcia.....Absent  
Ms. Hasara.....Aye  
Dr. Manering .....Aye

***Update on proposed rule change to section 250.50 of the Illinois Administrative Code (80 Ill. Adm. Code §250.50), Examinations***

Mr. Morelock updated the Merit Board on the proposed rule revision to section 250.50 of the Code as published in the Illinois Register on February 13, 2015. The First 45-day Notice Period ended on March 30, 2015. Also, during the First Notice Period, the University System office received several comments and recommendations to change the number of days out-of-state candidates must establish residency. Many comments suggested that this timeframe be extended to 180 days as opposed to the 90 days submitted in the original proposal for the First Notice Period and the University System is recommending that this change be included in the Second Notice Period materials.

Also, Mr. Morelock stated that the Joint Committee on Administrative Rules (JCAR) submitted two questions that the University System office will be required to respond to upon advancement of this proposed change to the Second Notice Period.

1. What motivated these changes at this time? What sort of individuals/skills are needed that can't be drawn from Illinois, and in particular, the university systems' setting?
2. The Act states technical job title exams may be waived for non-residents. Is there any case law clarifying what is a "technical" job title? Your use in the rule of "professional, semi-professional or managerial occupational areas for which highly technical or professional qualifications are required" seems to be an effort to go far beyond the exemption for in-State residency permitted for "technical" job positions. Please make your best statutory or case law argument for using the language in the rulemaking. Just what is a technical job title? Perhaps that ought to be clarified in the rulemaking.

Mr. Morelock stated that the University System office will be responding to these questions, indicating that the occupational trends for these positions should dictate the recruitment process and dynamics of the applicant pool for these professional positions. Current plans are to afford this option to allow out-of-state applicants to equally compete for all vacancies in these occupational areas, as the job market demand and occupational trends dictate. Mr. Morelock stated that it is recommended that the phrase “requiring highly technical or professional qualifications” be stricken from the original proposal upon submission for the Second Notice Period.

Mr. Morelock stated that out-of-state applicants have always been required to actively compete with all other applicants for any vacancy in our system by completing the appropriate merit-based pre-employment protocol for these positions, whether that be an actual examination or structured resume review process. This requirement will still remain in place.

Chair Montgomery requested a motion. Ms. Hasara made a motion to approve the proposed rule revision to section 250.50 of the Code with the two changes as noted above and in the agenda materials and authorized the University System to submit the proposed revision for the Second Notice Period. Dr. Manering seconded Ms. Hasara’s motion.

A roll call vote was taken and the motion was approved with the following vote:

Ms. Hasara.....Aye  
Dr. Manering .....Aye  
Mr. Marshall .....Aye  
Mr. Mitchell.....Absent  
Mr. Montgomery.....Aye  
Ms. Smart .....Aye  
Dr. Webb .....Aye  
Mr. Cole .....Absent  
Mr. Curtin .....Aye  
Mr. Garcia.....Absent

***Update on legislation regarding the Rule of Three changes to sections 36h, Appointment and 36j, Promotions of the State Universities Civil Service Act (110 ILCS 70/36h and 36j)***

Mr. Morelock updated the Merit Board on the status of HB 3102. He stated that HB 3102 was sponsored by State Representative Carol Ammons on February 24, 2015. On March 18, 2015, the University System office testified before the House Higher Education Committee and the Committee unanimously passed this bill and it was moved to the full House for consideration. On April 14, 2015, HB 3102 unanimously passed the House and arrived in the Senate.

State Senator Bennett sponsored the bill in the Senate and on May 5, 2015, the University System office testified before the Senate Higher Education Committee. The Committee unanimously passed this bill and it is now under consideration by the entire Senate. At the time of the meeting, the University System office was still awaiting final approval in the Senate. Mr. Morelock stated that if or when HB 3102 should be approved and signed by the Governor, a change to section 250.60 of the Code will be required, along with some other procedural changes.

Chair Montgomery requested a motion. Dr. Webb made a motion to circulate the proposed rule proposal and to publish in the Illinois Register for the First Notice Period upon final approval of HB 3102. Mr. Marshall seconded Dr. Webb’s motion.

A roll call vote was taken and the motion was approved with the following vote:

Dr. Webb .....Aye  
Mr. Cole .....Absent  
Mr. Curtin .....Aye  
Mr. Garcia.....Absent  
Ms. Hasara.....Aye  
Dr. Manering .....Aye  
Mr. Marshall.....Aye  
Mr. Mitchell.....Absent  
Mr. Montgomery.....Aye  
Ms. Smart .....Aye

***Report of the Sub-Committee of the University Civil Service Merit Board – Karen Hasara, Chair***

Ms. Hasara updated the Merit Board on the recent activities of the Sub-Committee of the University Civil Service Merit Board. She stated that two public hearings were held on March 11 and March 13, 2015 and that hopefully everyone that wanted to talk was able to. She also stated that there was an additional time given for anyone who wanted to submit written comments. The written comments were provided in the agenda material. She reported that the five recommendations posed by the Human Resource Directors Advisory Committee, two of the items have already been voted on at this meeting. She is hopeful that at the August meeting the Merit Board will be able to vote on the other items.

***Update on the review and revisions to the Exemption Procedures Manual***

Mr. Morelock stated that the University System Office wanted the Merit Board to be aware that the group working on the Exemption Procedures Manual had reached some conclusion last fall and he was hopeful that sometime in the near future the Merit Board would vote on this. Mr. Morelock discussed the limited language wording and the procedures manual change in 2009

and stated that those changes were a collaborative action. He also stated that this wording is in our Statute and has been there for a long time.

### ***Biennial Audit Program – Review of Recent Activities***

Mr. Morelock stated that two audit reports have been finalized since the last meeting. He also discussed the supplemental audit that was tabled from the last meeting and that the biennial audit has now been scheduled for the University of Illinois at Urbana-Champaign. At this time, the University System office has formally initiated many preliminary activities regarding the UIUC biennial audit. Any Board action in this regard is therefore technically and logistically unnecessary at this time.

Mr. Morelock spoke to the Merit Board making them aware of two other situations resulting from recommended audit follow-up activities. One was from Western Illinois University regarding the follow up from the Final Audit Report in the area of concern with Exemptions, requesting a quarterly report and associated Job Descriptions to validate the exemption for the newly hired employees during that timeframe. The other situation was at Governors State University related to the use of over 900 hours, Extra Help employees in the Department of Public Safety for the past eight years.

Chair Montgomery asked what was the rationale Governors State University used for this. Mr. Morelock directed him to the letter that was enclosed in the agenda material. Mr. Morelock spoke to the Merit Board that the statutory provision in section 250.70(f)(6) of the Code, states that: “An Extra Help position may be utilized for a maximum of 900 hours of actual work in any consecutive 12 months.” When a position is utilized beyond the 900-hour timeframe, it is usually a clear indication that a status position be used in that situation. The eight years paid to the Extra Help employees in these positions clearly establishes a need for a full-time position or even part-time. Mr. Morelock stated that the University System office has attempted to work collaboratively with Ms. Coleman to come up with a resolution and has not heard any response back. Ms. Hasara would like someone from HR to discuss with the University System office. Dr. Webb said he was aware of what was going on and didn’t believe they should be breaking the law. Dr. Manering stated that she appreciated Mr. Morelock and the University System office attempts to communicate with the University but the lack of response is an abuse of the system. Dr. Manering stated it doesn’t matter if it is warranted or not and if we have statutes and laws that are supposed to be adhered to no matter what the economic times are, then we should adhere to those and the universities should be expected to do so as well.

Mr. Morelock stated in the Governors State University case that it is a clear violation irrespective of the statute and laws without any attempt to contact the University System office to work collaboratively. Mr. Morelock stated that this is the first response like this that he had received in his entire tenure at the University System office.

Mr. Montgomery agrees in the Western Illinois University case to have them provide the reports to the University System office that have been asked and the Merit Board will communicate this to them.

Pamela Bowman interrupted the Merit Board meeting discussion without having prior approval to speak. Mr. Montgomery allowed Ms. Bowman to speak on behalf of Western Illinois University. Ms. Bowman stated that Western Illinois University would like to be granted the same opportunity as the University of Illinois and also would like to have the quarterly reports delayed while the Sub-Committee is under review. Ms. Bowman said that this is a recommendation, not a requirement and that Western Illinois University is asking for a delay.

Dr. Webb stated that just because something is under study doesn't mean the university shouldn't have to comply with the rules. Dr. Manering agreed with Dr. Webb's comment about complying with the rules. Dr. Manering stated that it was her understanding that the Sub-Committee is fairly long term and not a quick process. Dr. Manering stated that the universities should be required to follow the rules and processes. Again, Ms. Bowman stated that this is a recommendation, not a requirement, and the university will take recommendation under consideration and that they always comply with the rules. Dr. Webb stated that this is a clear violation of the rules and we should start first with a communication from the Chair of the Merit Board to the President at the university on what had occurred and ask for their help and cooperation in finding a resolution.

Dr. Webb made a motion that Chair Montgomery write the President at Governors State University on the situation and ask for help in reaching a resolution. Mr. Marshall seconded Dr. Webb's motion.

A roll call vote was taken and the motion was approved with the following vote:

Dr. Webb .....	Aye
Mr. Cole .....	Absent
Mr. Curtin .....	Aye
Mr. Garcia.....	Absent
Ms. Hasara.....	Aye
Dr. Manering .....	Aye
Mr. Marshall.....	Aye
Mr. Mitchell.....	Absent
Mr. Montgomery.....	Aye
Ms. Smart .....	Aye

Dr. Manering made a motion that the same course of action be done for Western Illinois University that is being done for Governors State University. Mr. Marshall seconded Dr. Manering's motion.

A roll call vote was taken and the motion was approved with the following vote:

Dr. Manering .....Aye  
 Mr. Marshall .....Aye  
 Mr. Mitchell.....Absent  
 Mr. Montgomery.....Aye  
 Ms. Smart .....Aye  
 Dr. Webb .....Aye  
 Mr. Cole .....Absent  
 Mr. Curtin .....Aye  
 Mr. Garcia.....Absent  
 Ms. Hasara.....Aye

***Discussion of Open Meetings Act and obligations for Advisory Committees***

Mr. Morelock stated that the Administrative Advisory Committee and the Human Resource Directors Advisory Committee have operated outside the guidelines of the Open Meetings Act (OMA). However, the State Universities Civil Service Advisory Committee and several other sub-committees have been operating in accordance with the OMA guidelines for some time. He stated that in order to establish and maintain the highest level of transparency in all of our Merit Board, agency, and associated committee activities, the University System office strongly suggests that every recognized committee operate in accordance with the OMA. In this respect, basic bylaws for some formally recognized committees should be drafted to incorporate these OMA guidelines.

Ms. Hasara made a motion that Bylaws be drafted for the Administrative Advisory Committee the Human Resource Directors Advisory Committee. Ms. Smart seconded Ms. Hasara’s motion.

A roll call vote was taken and the motion was approved with the following vote:

Ms. Hasara .....Aye  
 Dr. Manering .....Aye  
 Mr. Marshall .....Aye  
 Mr. Mitchell.....Absent  
 Mr. Montgomery.....Aye  
 Ms. Smart .....Aye  
 Dr. Webb .....Aye  
 Mr. Cole .....Absent  
 Mr. Curtin .....Aye  
 Mr. Garcia.....Absent

### ***Annual Ethics Training for Merit Board Members and Staff***

Mr. Morelock reminded the Merit Board on the annual Ethics Training for the Merit Board which is due by June 5, 2015. All board members must complete annual ethics training, as well as the University System staff.

### ***Report of the Executive Director – Tom Morelock***

Mr. Morelock provided an agency report which included the following items:

- *FY15 and FY16 Budget Updates* – Current year-to-date expenditures/obligations for FY15 were included in the agenda materials which are above the 98% level; the University System office was asked to place \$10,500 in RESERVE for the FY15 operating budget and in March Public Act 99-001 was approved that reduced the University System’s appropriation by \$26,200 for a total reduction of \$36,500.
- *Classification/Examination Update* – The Merit Board was updated on several revisions to the various class specifications and examinations.
- *University/Agency Visits* – The Merit Board was updated on various university and agency visits by the University System office.
- *Staffing Changes* – The Merit Board was updated on staffing changes at the University System office. Mr. Morelock will be retiring on June 30, 2015. Mr. Morelock expressed his gratitude and that it has been an honor to serve in this capacity and that it’s been a highlight of his career and thanked everyone. Chair Montgomery thanked him for his years of service. At this time, Ms. Hasara, on behalf of the Merit Board, presented Mr. Morelock with a small gift of a picture of the State Capitol.

### ***Report of Legal Counsel – Mari Martinelli, Manager, Legal Services and Legal Counsel***

Ms. Martinelli updated the Merit Board on some outstanding legal matters. Thus far during FY15 there have been 47 Written Charges for Discharge served on employees at the various universities and agencies. Fourteen employees have requested a hearing.

- 1 Employee withdrew request before Hearing (Turner/UIC)
- 6 Settlement Agreement before Hearing (Dorsey/UIUC, Curalli Sr./UIC, Curalli Jr./UIC, Smairat/UIC, Tito/UIC, Toman/UIS)
- 1 University withdrew charges after Hearing (Smariat/UIC)



- 3 Resigned during Hearing (Parrish/UIUC, Moultrie/SIUC, and Adam/UIUC)
- 1 Reinstatement with 60-day suspension (Boudin/NIU)
- 1 Discharged (Banks/SIUC)
- 1 Pending

**Executive Session**

Ms. Hasara made a motion to go into Executive Session at 11:28 am to discuss personnel matters. Dr. Webb seconded Ms. Hasara’s motion.

A roll call vote was taken and the motion was approved with the following vote:

- Ms. Hasara.....Aye
- Dr. Manering .....Aye
- Mr. Marshall .....Aye
- Mr. Mitchell.....Absent
- Mr. Montgomery.....Aye
- Ms. Smart .....Aye
- Dr. Webb .....Aye
- Mr. Cole .....Absent
- Mr. Curtin .....Aye
- Mr. Garcia.....Absent

The Merit Board formally adjourned to Executive Session to discuss personnel matters. Section 2(c)(1) of the Open Meetings Act provides an exception to allow for this action.

Ms. Hasara made a motion to reopen the meeting at 12:04 p.m.. Ms. Smart seconded Ms. Hasara’s motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

Dr. Webb made a motion to hire/negotiate with Mr. Finne as the Interim Executive Director until a permanent replacement has been put in place; create a sub-committee of all of the constitutes that are served by the Merit Board to serve on a Search Committee; and that Ms. Hasara will serve as Chair or a possible co-chair. Ms. Smart seconded Dr. Webb’s motion.

A roll call vote was taken and the motion was approved with the following vote:

- Dr. Webb .....Aye
- Mr. Cole .....Absent



Mr. Curtin .....Aye  
Mr. Garcia.....Absent  
Ms. Hasara.....Aye  
Dr. Manering .....Aye  
Mr. Marshall.....Aye  
Mr. Mitchell.....Absent  
Mr. Montgomery.....Aye  
Ms. Smart .....Aye

The University System office will work out the details with Mr. Finne regarding an Employment Agreement.

***Other Items as Presented***

The next meeting of the Merit Board will be held on Wednesday, August 19, 2015. Dr. Manering made a motion to adjourn the meeting. Ms. Smart seconded the motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried. The meeting adjourned at 12:07 pm.

Respectfully submitted,

*/s/ Danielle L. Routh*

Danielle L. Routh  
Secretary for the Merit Board

APPROVED:

*/s/ James Montgomery*

James Montgomery, Chair  
University Civil Service Merit Board

August 19, 2015

Date