



**MINUTES OF THE ONE-HUNDRED-AND-NINETY-EIGHTH
MEETING OF THE UNIVERSITY CIVIL SERVICE MERIT BOARD –
NOVEMBER 18, 2015**

**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, Illinois**

Chair Montgomery called the meeting to order at 10:02 a.m.

Members present at the primary meeting location were: Karen Hasara, representing the University of Illinois.

Members present at the Chicago video conference location were: Chair, James D. Montgomery, representing the University of Illinois; Marvin Garcia, representing Northeastern Illinois University; Marshall Hatch, Sr., representing Chicago State University; Robert T. Marshall, Jr., representing Northern Illinois University; and Brian Mitchell, representing Governors State University.

Member present at the Carbondale video conference 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 and Rocky Donahue, representing Illinois State University.

Also present were: Jeff Brownfield, Executive Director; Teresa Rademacher, Secretary for the Merit Board; Maureen Parks, representative of the Human Resource Directors Advisory Committee; 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 noted the passing of Merit Board member, Dr. Robert Webb, with a requested moment of silence to honor his memory and unwavering service to the University System. Rene Hutchinson, Eastern Illinois University Board of Trustees Chair, was welcomed as a potential new member of the University Civil Service Merit Board.

Consideration of participation by other Merit Board Members, not physically present at meeting site

Prior to the meeting, Ms. Smart had requested to participate by audio conference based on one of the authorized exceptions afforded under the Open Meetings Act. A motion was made by Ms. Hasara to allow Ms. Smart to participate by audio conference. Mr. Mitchell seconded Ms. Hasara'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 new Secretary for the Merit Board

A motion was made by Ms. Hasara to appoint Teresa Rademacher as Secretary for the Merit Board. Mr. Mitchell 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 197th Meeting of the Merit Board, August 19, 2015

The minutes of the 197th Meeting of the Merit Board, August 19, 2015 had been transmitted to members of the Merit Board with the agenda materials.

Mr. Marshall moved to approve the minutes of the 197th Meeting of the University Civil Service Merit Board held on August 19, 2015. Mr. Garcia seconded Mr. Marshall's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

Consideration of the Minutes of the Closed Minutes of the 197th Meeting of the Merit Board, August 19, 2015

The minutes of the Closed session of the 197th Meeting of the Merit Board, August 19, 2015 had been transmitted to members of the Merit Board with the agenda materials.

Mr. Mitchell moved to approve the minutes of the Closed session of the 197th Meeting of the University Civil Service Merit Board held on August 19, 2015. Ms. Hasara seconded Mr. Mitchell's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

Consideration of the Minutes of the Special Meeting of the Merit Board, September 17, 2015

The minutes of the Special Meeting of the Merit Board, September 17, 2015 had been transmitted to members of the Merit Board with the agenda materials.

Ms. Hasara moved to approve the minutes of the Special Meeting of the University Civil Service Merit Board held on September 17, 2015. Mr. Garcia seconded Ms. Hasara's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

Consideration of the Closed Minutes of the Special Meeting of the Merit Board, September 17, 2015

The minutes of the Closed session of the Special Meeting of the Merit Board, September 17, 2015 had been transmitted to members of the Merit Board with the agenda materials.

Mr. Garcia moved to approve the minutes of the Closed session of the Special Meeting of the University Civil Service Merit Board held on September 17, 2015. Mr. Mitchell seconded Mr. Garcia'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 Closed Minutes of the Special Meeting of the Merit Board, March 11, 2014

Chair Montgomery 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 Special Meeting of the Merit Board, March 11, 2014, had been approved and released by the Merit Board on May 21, 2014. Based on these facts, the recording could be destroyed.

Mr. Mitchell moved to destroy the Closed session recording of the Special Meeting of the University Civil Service Merit Board, March 11, 2014. Mr. Garcia seconded Mr. Mitchell's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

Consideration of Discharge Proceeding Number UIC-15-12 filed against Laurence Dastych by the University of Illinois at Chicago

On November 17, 2015, the University System was notified of a post-hearing settlement between the parties of interest and no action was required by the Merit Board at this time.

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 that the committee had last met on October 30, 2015 with Executive Director Brownfield and staff and that the committee had been updated on several items that were a part of the agenda for this meeting, many of which largely reflect movement on recommendations made by HRDAC to the Merit Board last Fall, specifically items 14 through 17. She also stated that while the previous meeting with Interim Executive

Director Finne had been the best meeting in years, this one surpassed in excellence and that HRDAC is quite confident that everyone is on the right track towards resolving issues with a common goal of making the Civil Service System the very best that it can be for universities and civil service employees.

Ms. Parks briefly spoke about the upcoming joint HRDAC and EAC meeting in January 2016 where they plan to discuss a list of issues common to both groups. It is with great hope that this joint meeting will begin an honest discussion that opens the lines of communication and understanding going forward.

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 last met on October 14 and 15, 2015 at Illinois State University and he formally thanked ISU for their hospitality and outstanding accommodations. Mr. Small went on to reiterate a standing invitation to all Merit Board members to attend any of the EAC meetings.

Mr. Small spoke about the EAC membership and the fact that the committee is currently in a state of transition, experiencing a one-third turnover within the past six months due largely to pension reform and unplanned retirements along with the layoff of a committee member. A group of new EAC members will be sworn in during the upcoming January 2016 meeting.

Mr. Small noted the opportunity that the EAC was given to complete the SUCSS Customer Service Satisfaction Survey which was administered during the last meeting and appreciated the committee being given a voice. Mr. Small reiterated Ms. Parks' optimism in regards to the way things are going and is looking forward to a renewed interest in a relationship between the EAC and HRDAC groups. The upcoming joint agenda items include but are not limited to the election process; classification plan; custom classes; the audit process and structure; discharge process; specialty factors; state statutes; and employees on soft money, potentially expanding the conversation on limiting language.

Report of the Administrative Advisory Committee – Jeff Brownfield, Executive Director

The Merit Board heard a report from Mr. Brownfield regarding the Administrative Advisory Committee. The committee last met on November 4, 2015. The majority of topics discussed are agenda items for this Merit Board meeting so Mr. Brownfield requested to proceed and individually address items as they were presented. The request to proceed was approved.

Update on adopted rule change to section 250.50 of the Code (80 Ill. Adm. Code §250.50) (Residency Requirements)

The Merit Board was updated by Mr. Brownfield on the status of the adopted rulemaking and reminded everyone that the new rule will be effective December 1, 2015, as previously approved. Mr. Brownfield directed members to page 13507 behind agenda item 14 for the key language of the rule change which allows for out-of-state applicants to compete the same as in-state candidates for certain classifications. Mr. Brownfield also added that through discussions with HRDAC, the University System is now looking at adding additional language to section 250.50(b)(6) of the Code (80 Ill. Adm. Code §250.50(b)(6)) to cover two additional areas which include: Health Services and Protective Services. Mr. Mitchell expressed concern in regards to non-residency compliance within the 180-day timeframe to which Mr. Brownfield stated that specific procedures needed to be written to address this issue. There was also expressed concern in regards to current employees moving out-of-state which too, will require continued discussion.

Update and action on proposed rule change to section 250.60 of the Code (80 Ill. Adm. Code §250.60) (Rule of Three)

Mr. Brownfield updated the Merit Board on the status of the proposed rule revision to section 250.60 of the Code regarding the 'Rule of Three'. Mr. Brownfield directed members to page 13180 behind agenda item 15 for the key language which allows the employer to certify the candidates with the three highest scores on the register. Mr. Brownfield further discussed a slight concern in regards to the overlap of time between the statute change and the JCAR process and was able to verify through discussions with JACAR staff that there are no statutory or regulatory issues that will prohibit the use of this language effective January 1, 2016.

Mr. Marshall made a motion to authorize the submission of these revisions for the Second Notice Period and final JCAR review. Ms. Hasara seconded Mr. Marshall's motion.

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

Mr. MarshallAye
Mr. Mitchell.....Aye
Mr. Montgomery.....Aye
Ms. SmartAye
Mr. ColeAbsent
Mr. DonahueAbsent
Mr. Garcia.....Aye
Ms. Hasara.....Aye
Rev. HatchAye
Dr. ManeringAye

Discussion and action on proposed revisions to Procedure Manuals

Mr. Brownfield explained that these changes flow from recent statutory changes and rule changes and that there was a concern that the rules and procedures do not match up with the Statute.

Hearing no objections to this request, a motion was made by Mr. Garcia to approve the changes to the Classification Procedures Manual, Employment and Separations Procedures Manual, and Examination Procedures Manual. Mr. Mitchell seconded Mr. Garcia’s motion.

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

- Mr. Garcia.....Aye
- Ms. Hasara.....Aye
- Rev. HatchAye
- Dr. ManeringAye
- Mr. Marshall.....Aye
- Mr. Mitchell.....Aye
- Mr. Montgomery.....Aye
- Ms. SmartAye
- Mr. ColeAbsent
- Mr. DonahueAbsent

Mr. Brownfield also requested that the Merit Board allow for rudimentary or wording changes such as spelling and punctuation to be made independently by the University System without having to bring forth a request for change to the Merit Board for approval.

Discussion and action on proposed rulemaking to section 250.30 of the Code and section 250.50 of the Code

Mr. Brownfield stated that several revisions to sections 250.30 and 250.50 of the Code were required based on comments with JCAR and the previous Executive Director. Mr. Brownfield commented that there is a lack of history in regards to the agreement that was made. Mr. Brownfield noted in particular that the University System is currently working on a project in coordination with the Federal Office of Labor and Bureau of Statistics to further define occupational areas within class specifications as there is a definite need for the development of true and correct criteria. This raised a question by Chair Montgomery in regards to whether or not the Merit Board will have the ability to make suggestions or modifications to occupational areas at a later date to which Mr. Brownfield answered yes, as new criteria are developed and classifications are revised.

A motion was made by Mr. Mitchell to authorize the circulation of the rule proposals to the universities and affiliated agencies for comments and publication in the Illinois Register for the First Notice Period. Mr. Marshall seconded Mr. Mitchell's motion.

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

Mr. Mitchell.....Aye
Mr. Montgomery.....Aye
Ms. SmartAye
Mr. ColeAbsent
Mr. DonahueAbsent
Mr. Garcia.....Aye
Ms. Hasara.....Aye
Rev. HatchAye
Dr. ManeringAye
Mr. Marshall.....Aye

Update on Public Officials Errors and Omissions Insurance for FY 2016

The Merit Board was updated on the status of the Public Officials Errors and Omissions Insurance policy by Teresa Rademacher. The policy has lapsed with virtually no possibility of being rewritten if payment is not received by December 31, 2015. A question from Ms. Smart surfaced in regards to exactly what this policy is and what it covers. Mr. Brownfield explained that this policy insures against wrongful conduct that arises out of the University System staff or Merit Board members. There is a possible recommendation that going forward, this not be an expense that the University System bear. Research conducted by former Interim Executive Director Finne, who is also an attorney, revealed that State of Illinois employees are covered under the State Employee Indemnification Act [5 ILCS 350/1]. Concern was still given that most all other boards have this type of insurance coverage. Other members wondered if they were perhaps covered as trustees under their respective institutions. Mr. Brownfield stated that the Attorney General's Office will be consulted for additional guidance and opinion in regards to this matter. It was also suggested that each board member contact Legal Counsel from their respective institutions.

Biennial Audit Program – Review of Recent Activities

The Merit Board was updated on the current biennial audit activities, including a review of recent final audit reports issued. Mr. Brownfield officially informed the Merit Board that the current audit program has been suspended to allow for restructuring of the program.

Cindy Neitzel provided an update on the current biennial audit activities. Recent final audit reports issued and posted on the University System website include Northern Illinois University and Chicago State University. Reports of no findings have been issued to the Illinois Board of Higher Education, Illinois Community College Board, and the Department of Specialized Care for Children. University System staff met with internal auditors from the University of Illinois at Urbana-Champaign, Eastern Illinois University, and Illinois State University to obtain perspective on how their internal audit programs are structured. Good feedback was received and was included in the agenda materials. Ms. Neitzel reiterated that at this time, the current audit schedule has been suspended and those universities being impacted are Southern Illinois University Carbondale, Western Illinois University, Southern Illinois University Edwardsville, University of Illinois College of Medicine at Peoria, and the University of Illinois at Chicago. Ms. Neitzel stated that additional updates will be provided to the Merit Board in regards to the audit program overhaul and future audit schedules.

Consideration of the 2016 Schedule of Meetings of the Merit Board

The Merit Board was asked to review and adopt the following meeting schedule for calendar year 2016:

- *Wednesday, January 27, 2016*
- *Wednesday, May 11, 2016 (was changed from May 18th, 2016 after the meeting due to a conflict)*
- *Wednesday, August 17, 2016*
- *Wednesday, November 16, 2016*

A motion was made by Rev. Hatch to adopt the specified meeting schedule for calendar year 2016. Mr. Mitchell seconded Rev. Hatch's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

Report of the Executive Director – Jeff Brownfield

Mr. Brownfield provided a director's report to the Merit Board which included the following:

- *Compliance Audit performed by the Auditor General's Office* – The FY 2014 and FY 2015 audit as performed by the Auditor General's office has resulted in a report of no findings. Special thanks to Teresa Rademacher for bearing the majority of additional work in pulling all of the requested information together and also to other University System staff for their support and assistance throughout the process.

- FY 2015 Annual Report – The 64th Annual Report was compiled and distributed per the requirements of the State Universities Civil Service Act. This report provides an overview of our business operations, our many programs and initiatives, and a brief description of our FY 2016 agency action plan.
- University System Customer Satisfaction Survey Results/Analysis – Based on a recommendation by Bruce Finne, former Interim Executive Director, the University System created a Customer Satisfaction Survey which was given to three target audiences: Human Resource Department of each university/affiliated agency; EAC; and Council of Councils. Please note that several recommendations gleaned from the survey data are already being put into place. For example, the University System will soon have a presence on social media via a new Twitter account.
- Open Meetings Act requirement for the Administrative Advisory Committee (AAC) and the Human Resource Directors Advisory Committee – It is a current belief that the AAC and HRDAC do not fall under the Open Meetings Act due to the fact that these committees do not provide guidance to the Merit Board, but rather to the Executive Director of the University System. In the absence of Legal Counsel, further opinions will be gathered from the Attorney General’s Office regarding this matter and will be brought back to the Merit Board for discussion at a later date.
- FY 2016 and FY 2017 Budget Updates – The University System, represented by Jeff Brownfield and Teresa Rademacher, Cindy Neitzel and Bob Curry met with the Illinois Board of Higher Education (IBHE) in Springfield on October 27, 2015 for the FY 2017 budget proposal. IBHE showed great interest in our agency and the value that it provides to campuses throughout the State of Illinois which resulted in a very engaging atmosphere.
- Classification/Examination Updates – There are currently over 1,000 different classification titles within the University System which often times makes it difficult for Civil Service employees and employers alike to navigate the system. The lack of flexibility within the classification plan seems to lead to other employment issues such as the overuse of alternative appointments. The University System’s goal is to work with campus and agency HR Directors to break down these barriers which will allow employees to have additional opportunities and for employers to utilize their most important assets in a more productive manner. Therefore, there are a large number of classifications that are currently undergoing revisions.
- Agency Reorganization – The Merit Board was provided a current Organizational Chart. The search for the Assistant Legal Counsel position has been postponed to the first of the year or until further direction is provided in regards to the budget. The University System did fill a Clerical/Secretarial position utilizing the Intern Program beginning December 1.
- Other Items of Special Interest

- The Fair Labor Standards Act criteria is tentatively scheduled to be changed/updated in early Spring 2016 and with this will come a restructuring of sorts to employee benefit categories that could negatively impact certain positions. Civil Service employee benefits are based upon recommendations made by the Merit Board. Strategic planning by the Human Resource Directors Advisory Committee (HRDAC) and the University System has unveiled an option to 'grandfather' employees in under the Fair Labor Standards Act at their current benefit level so as not to penalize them when using the new criteria. Additional language regarding this request will be provided to the Merit Board for review during the next meeting.
- The University System has been notified by Central Management Services (CMS) that the server currently housing the typing test is being decommissioned effective December 15, 2015 due to budget concerns and age of the server. The typing test was already in the process of being phased out but over an extended time period. The short notice of decommissioning forces the reduction of this time period to approximately six weeks. The University System staff is currently working with university/affiliated agency HR Directors and testing offices to establish a working plan of action.

Report of Legal Counsel – Jeff Brownfield, Executive Director

Mr. Brownfield updated the Merit Board on outstanding legal matters. During FY 2016, there have been 25 Written Charges for Discharge served on employees at the various universities and agencies. Six employees have requested a Hearing.

Other Items as Presented

The next meeting of the Merit Board will be held on Wednesday, January 27, 2016. Mr. Mitchell made a motion to adjourn the meeting. Mr. Marshall seconded Mr. Mitchell's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

The meeting adjourned at 11:29 a.m.

Respectfully submitted,

/s/ Teresa Rademacher

Teresa Rademacher
Secretary for the Merit Board

APPROVED:

/s/ James Montgomery

James Montgomery, Chair
University Civil Service Merit Board

January 27, 2016

Date