

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

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March 3, 2009

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The State Universities Civil Service System respectfully submits the Final Audit Report of the Biennial Institutional Compliance Audit conducted at the Southern Illinois University Edwardsville. The audit period tested was July 1, 2005 through December 31, 2007. This report is intended to communicate the final material findings, recommendations and corresponding institutional responses formulated through a comprehensive human resource compliance and operational audit.

On behalf of the audit staff, we thank you and the human resource staff for a very productive audit experience. If there are any questions or a personal briefing on any item is desired, please contact Jeff Brownfield at ieffb@suess.state.il.us or (217) 278-3150 ext. 236.

[REDACTED]
Lewis T. (Tom) Morelock
Executive Director

Southern Illinois University Edwardsville Final Audit Report



State Universities Civil Service System Compliance Audit

March 3, 2009

Audit Period

July 1, 2005 to December 31, 2007

Prepared by:



Jeff Brownfield
Assistant Director

Southern Illinois University Edwardsville
Final Audit Report

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Introduction

PURPOSE

The State Universities Civil Service System was created in 1952 as a separate entity of the State of Illinois and is under the control of the University Civil Service Merit Board as set forth in Section 36b(3) of the State Universities Civil Service Act (Act) (110 ILCS 70/36b(3)). The purpose of the State Universities Civil Service System is to establish a sound program of personnel administration for its constituent employers (110 ILCS 70/36b(2)). To achieve this purpose, the Merit Board has been given a broad range of statutory powers and duties, which include the power to make rules to carry out the purpose of the State Universities Civil Service System and to appoint an Executive Director to administer the Act (110 ILCS 70/36d(11) and (12)).

As part of its statutory power, the Merit Board has promulgated rules that delegate to the Executive Director the authority and responsibility for conducting “ongoing audit programs of all Civil Service operations at all places of employment for the purpose of assuring compliance with the [Act (110 ILCS 70/36b et seq.)] and [Part 250 of the Illinois Administrative Code (Code) (80 Ill. Adm. Code 250)] and for improving the programs of personnel administration of its constituent employers” (80 Ill. Adm. Code §250.140(c)).

This report communicates the final outcome of a comprehensive human resource operational audit, which included an on-site evaluation that was conducted on March 12-14, 2008. An exit conference conducted October 22, 2008 provided an opportunity for the Employer to discuss both the Material and Non-Material findings contained in the initial Draft Audit Report. Upon completion of the exit conference and submission of the Institutional Corrective Action Plan, additional information was obtained regarding the Employer’s use of Extra Help positions. This topic was further explored by the System Auditor and a supplemental finding issued. All findings are included in the Final Audit Report (Material Findings only), along with the Institutional Corrective Action Plan for each finding. A Supplemental Report (Non-Material Findings) is sent to the campus/agency Human Resource Office for internal use.

OVERVIEW

The following Human Resource activities were reviewed and utilized in identifying the Material (Final Audit Report) and Non-Material Findings (Supplemental):

- **Assignment of Positions to Classes**

The Auditor completes a review of selected job descriptions for timely updates, proper administration, and correct assignment of position classifications. Additional desk audits of selected positions are conducted onsite for appropriateness of position classifications. There is also an evaluation of the Employer’s desk audit process and conclusions during the time span audited.

- **Compensation Programs**

The Auditor completes an analysis of the Employer's use of pay rates and pay ranges approved by the Merit Board. An overall evaluation is then conducted of the Employer's compensation program and initiatives to meet requirements of pay equity within the Employer's market area.

- **Examination Program**

The Auditor conducts a review of pre-employment testing operations. This includes test administration, admission procedures of applicants to examinations, license and certification verifications, scheduling, and security.

- **Administration of Employment and Separation Procedures**

The Auditor reviews the Employer's business processes and procedures related to the employment cycle, including pre-employment activities, probationary and status employment, and employment separation programs. There is also an assessment of the Employer's utilization and monitoring of non-status appointments.

- **Administration and Employment Protocols of Principal Administrative Appointments (PAA)**

The Auditor completes a review of the employment protocols and assigned responsibilities for Principal Administrative Appointments. This review is conducted to assure compliance with the exemption authorization provided to each employer. The Employer's exemption forms and related position descriptions are reviewed and selected incumbent interviews are conducted for further validation of approved exemption. The audit process also includes a review of the Employer's administrative procedures related to these appointments and their approved exemption status.

- **General Review of the Employer's Human Resource Program**

The Auditor completes a general review of the Employer's human resource programs with respect to effectiveness, efficiency and levels of communication to constituencies. There is also an assessment of the recognition and interaction of human resource programs within the Employer's faculty, administrative and support staff employee groups. The impact of new technology on the recordkeeping and processing of information is also an element for review.

- **Other Follow-up Items from Previous Audit**

Other follow-up items from previous audits, as well as other matters deemed necessary and appropriate, may have been reviewed and submitted as additional audit subjects.

The following staff members from the System Office, Audit and Advisory Services Division, were directly responsible for conducting various aspects of the audit:

Jeff Brownfield, Assistant Director

Lucinda Neitzel, Audit and Advisory Services Manager

Roger Frick, Human Resource Officer

Paula Mitchell, Human Resource Assistant

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Executive Summary
YEAR ENDED – FY2009

The compliance testing performed during this examination was conducted in accordance with State Universities Civil Service Act (110 ILCS 70/36b et seq.), Part 250 of the Illinois Administrative Code (Code) (80 Ill. Adm. Code 250), State Universities Civil Service Procedures Manuals, applicable University/Agency policies/procedures, and auditing standards.

SUMMARY OF MATERIAL FINDINGS

<u>Number of</u>	<u>This Report</u>
Findings	4
Repeated findings from previous audit®	3®

SCHEDULE OF MATERIAL FINDINGS

<u>Item Number</u>	<u>Page</u>	<u>Description</u>
SIUE FY08-01	4	FINDINGS (ILLINOIS ADMINISTRATIVE CODE) Unauthorized Use of Learner/Trainee Program
SIUE FY08-02	6	FINDINGS (STATE UNIVERSITIES CIVIL SERVICE ACT) Exemption Authorization Applied to Positions That Match Civil Service Classification Specifications®
SIUE FY08-03	9	FINDINGS (STATE UNIVERSITIES CIVIL SERVICE SYSTEM PROCEDURES MANUALS) Unauthorized Transition of Civil Service Employees/Positions to Principal Administrative Appointments within the Same Organizational Unit®
SIUE FY08-04	11	FINDINGS (STATE UNIVERSITIES CIVIL SERVICE ACT) Non-Compliance with Extra Help Employment and Position Limitations®

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Material Findings, Recommendations, and Institutional Corrective Action
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SIUE FY08-01 Unauthorized Use of Learner/Trainee Program

Criteria/Standards (i.e., what should exist):

- 1) Illinois Administrative Code, Section 250.70 Nonstatus Appointments
- 2) Employment and Separation Procedures Manual, Nonstatus Appointments 2.4: In-Service Training Programs

Learner/Trainee programs may be established to assist with recruitment of employees and/or whenever the examining instrument has not produced a representative cross-section of candidates from all gender, ethnic, racial, and cultural backgrounds. When recruitment efforts for a particular class produces applicants who lack a particular qualification(s), or a portion thereof, use of Learner/Trainee programs can facilitate recruitment efforts and provide an expanded pool of applicants.

Conditions/Facts (i.e., what actually exists):

In nine (9) instances, as listed in Appendix A, the University failed to receive prior authority to establish Learner/Trainee programs and accordingly employ the applicants into a non-status appointment in that classification. Many of these program titles had previously been approved by the System Office. However, the programs were canceled per instructions by the Employer during a previous audit. The Auditor or Employer could not produce properly authorized programs for these classifications/incumbents.

Cause (i.e., why deficient condition occurred):

According to the University, the failure to submit appropriate paperwork and obtain authorization was an oversight. It was believed that previously authorized programs had remained valid.

Finding from Previous Audit:

There was no previous finding in this area. During the past two audit cycles, the Employer reported no incumbents in Learner/Trainee positions.

Effect (i.e., impact of the problem):

This oversight resulted in the unauthorized employment of applicants into positions and considered outside of the standard civil service employment protocols. This action can be said to have provided an unfair employment opportunity for some applicants.

Recommendation:

To alleviate this finding in the future, we recommend the establishment or revision of internal policies and procedures that assure a Learner/Trainee program has been submitted and approved

in accordance with the Employment and Separation Procedures Manual, Nonstatus Appointments, Section 2.4a - Request to Establish Training Program prior to employment of applicants to those positions. Please submit an appropriate updated application for each program in use.

In a constantly evolving administrative and technological environment, it is recognized that the flexible employment protocols associated with the Learner/Trainee program supplements the overall human resources program. The University is encouraged to continue to utilize these programs in accordance with current standardized guidelines.

Institutional Corrective Action Plan—provided by Sherrie Senkfor, Director of Human Resources

The University has a commitment to diversity and the hiring of persons from supported and protected groups. The Office of Human Resources maintained the approval from the systems office for many years for established learner/trainee programs. During the last audit, the previous director of Human Resources requested many previously approved learner/trainee programs be eliminated without advising the members of the HR staff. The University has since requested and obtained approval for all the learner/trainee positions in question be re-instated.

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SIUE FY08-02 Exemption Authorization Applied to Positions That Match Civil Service Classification Specifications

Criteria/Standards (i.e., what should exist):

- 1) State Universities Civil Service Act (Act), Section 36e
- 2) Illinois Administrative Code, Section 250.30(a)
- 3) Principal Administrative Appointments Procedures Manual, Section 1.3 Exemption Procedures
- 4) Principal Administrative Appointments Procedures Manual, Section 1.8 Changing a Principal Administrative Appointment (PAA to a Civil Service Position)
- 5) Principal Administrative Appointments Procedures Manual, Section 1.5 Reviews of Exempted Positions
- 6) Principal Administrative Appointments Procedures Manual, Section 1.5a PAA Job Description Form

These guidelines provide that all positions are Civil Service, except as categorically outlined. Exemptions are allowed in accordance with procedures, requiring either documented exemption approval from the System Office or verification of exemption authorization through the position descriptions when standard titles are used. Accordingly, a periodic review and update of position descriptions is required to confirm that these exemption authorizations remain valid.

The Principal Administrative Appointments Procedures Manual, Section 1.8, states that “Periodic job description review and update procedures may indicate that a position originally identified as a Principal Administrative Appointment (PAA) may have incorrectly been classified or may have changed to the point whereby a department now must convert this position, and any employee currently in this position, to an identified and appropriate Civil Service classification.”

Conditions/Facts (i.e., what actually exists):

Through a review of approximately forty (40) position descriptions, including on-site interviews with various exempted employees, it was discovered that four (4) exempt positions were performing duties matching the specifications for various Civil Service classifications. These positions are listed below, with the corresponding civil service classification match.

Position #	PAA Title	Civil Service Classification Match
92915A	Recreation Specialist (IM Sports/Special Events)	Intramural and Recreation Coordinator

92882A	Assistant to the Director (Budgets)	Administrative Assistant Series or Business Manager Series
90449A	Coordinator, Production Center Systems Administration	Procedures and Systems Analyst Series or Information Technology Technical Associate
92972A	Assistant to the Director, Information Tech.	Procedures and Systems Analyst Series or Application Programmer Series or Information Technology Technical Associate

Cause (i.e., why deficient condition occurred):

According to the University, 'standard' titles approved for use by the System Office were applied to the majority of the exempted positions. The University also indicated that due to staff turnover there were some position descriptions that needed to be updated and reviewed.

Effect (i.e., impact of the problem):

A failure to establish appropriate classification plan management protocols that properly update, analyze and evaluate position descriptions leads to unauthorized exemption authorizations, utilization of inappropriate employment protocols, and non-compliance with Act, Code and Procedures. Consequently, positions are improperly identified and appropriate Civil Service protocols circumvented, significantly increasing the possibility of employment issues.

Finding from Previous Audit:

The Auditor identified one (1) 36e(3) position that appeared to be performing duties and responsibilities comparable to those found in Civil Service classification(s) in the FY06 Audit Report. [*Finding Code FY06, page 21*]

Recommendation:

In accordance with the statutory intent and basic premise contained in Section 36e of the Act and other related procedures, the assignment of positions to Civil Service classifications when the position description matches appropriate classification specifications must take precedence over the use of exemptions through the Standard Titles.

We recommend that the University complete an in-depth review of the position descriptions for the positions listed above to further determine if they meet the specifications of the recommended Civil Service classifications. If it is determined that these positions match the specifications of the recommended Civil Service classifications, they should be transitioned to a Civil Service appointment as soon as possible, but no later than at such time that these positions become vacant again. We refer the Employer to the State Universities Civil Service System Principal Administrative Appointments Procedures Manual, Section 1.8, Changing a Principal Administrative Appointment (PAA to a Civil Service Position), for guidance should they decide to move any of these positions immediately.

The University may also utilize the Pilot Program classification designations and transition the positions to be reviewed to one of these classifications if appropriate. These Pilot Program classifications utilize more flexible employment protocols and would offer a more transparent transition.

Institutional Corrective Action Plan—provided by Sherrie Senkfor, Director of Human Resources

The Auditor recommends that the University complete an in-depth review of the position descriptions for the positions listed above to further determine if they meet the specifications of the recommended Civil Service classifications, they should be transitioned to a Civil Service appointment as soon as possible, but no later than at such time that these positions become vacant again.

The Employer is implementing a process in conjunction with our position control process that will evaluate all professional staff positions prior to Chancellor's Council approval. The position control process is a new approval step since the last audit which will allow a centralized point to review **all** positions prior to being approved by Chancellor's Council for hiring.

Recreation Specialist: The Employer agrees with the SUCSS match of Intramural & Recreation Coordinator and will take steps to correct this classification at the time the position is vacated and rehired.

Assistant to the Director (Budgets): The Employer agrees with the SUCSS match of Assistant to the Director (Budgets) and will take steps to correct this classification at the time the position is vacated and rehired.

Coordinator, Production Center/Systems Admin.: The Employer notes that the incumbent in this position has been employed since 1982, and we have not addressed moving this position to a pilot program title of ITTA or the Procedures & Systems Analyst series because the primary responsibilities of the position are currently tied to the mainframe system and we are in the process of phasing out the mainframe system and implementing the server base system of Banner Student and HR. The office of Information Technology in-conjunction with HR is currently evaluating positions affected by this change in technology. The incumbent in this position is also near retirement and the position will be re-evaluated with consideration to the recommended Civil Service classification.

Asst. to the Director (IT): The position was created for a professional staff retiree to return on a part-time term basis to assist with Banner Student implementation and "go live" issues. The Employer anticipates that when this incumbent is no longer needed and if the position is created as a status appointment, the PDQ will be evaluated appropriately utilizing the civil service class specifications first.

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SIUE FY08-03 Unauthorized Transition of Civil Service Employees/Positions to Principal Administrative Appointments within the Same Organizational Unit

Criteria/Standards (i.e., what should exist):

- 1) Principal Administrative Appointments Procedures Manual, Section 1.2 Position Standards

Exemption from civil service standards is allowed in accordance with the Principal Administrative Appointments Procedures Manual, Section 1.2 Position Standards. These guidelines provide that System Office approval is required prior to the transition of any civil service position (vacant or encumbered) to a principal administrative appointment within the same organizational unit or when a current civil service employee is to be employed in a PAA exempt position in the same organizational unit.

Condition/Facts (i.e., what actually exists):

One (1) conversion of an employee/position from civil service to PAA exempt was within the same organizational unit. System Office approval for this conversion was not secured as required. This process is inconsistent with System Office requirements.

Cause (i.e., why deficient condition occurred):

Human Resources staff indicated that when a new PAA position is created or when a current PAA position is vacated, that the position description or PAPE form is reviewed internally to assure that PAA exemption is appropriate. According to the Employer, internal or external applicants then move into PAA positions in accordance with the employment procedures for filling vacant PAA positions.

Effect (i.e., impact of the problem):

Failure to follow State Universities Civil Service System procedures may result in unauthorized conversions and is considered a technical compliance violation. In situations where the vacant CS position is either not filled or deleted, the results are a decrease in total CS employee count and an increase in total PAA employee count. In these isolated inner-departmental exemption transactions, the Employer simply has not been extended the final authority to conduct this transaction. The continued movement of positions/incumbents may lead to improper position management and the failure to apply appropriate statutory employment obligations.

Finding from Previous Audit:

In the previous audit "it was noted that one civil service employee and/or position had been converted or moved to an exempt 36e(3) position." *[Finding Code FY06, pages 21 and 22]* At

that time, it was discovered that the Employer was not specifically following these pre-authorization standards.

Recommendation:

System procedures require that if a civil service employee and/or position is being converted to PAA exempt status in the same operating unit, the Employer should seek authorization through the System Office prior to implementing this personnel transaction, regardless of the technical employment transaction recorded. Therefore, we reiterate our request that the Employer adhere to the Principal Administrative Appointments Procedures Manual, Section 1.2 Position Standards for any future appointments of this nature and obtain approval from the System Office prior to implementing these transactions. It is recommended that this requirement be included in the standard employment protocols for filling any PAA vacancy.

Institutional Corrective Action Plan—provided by Sherrie Senkfor, Director of Human Resources

The Employer agrees with the finding. Furthermore, the Employer is committed to the abiding by SUCSS procedures manual.

The Employer is implementing a process in conjunction with our position control process that will evaluate all professional staff positions prior to Chancellor's Council approval. The position control process is a new approval step since the last audit which will allow a centralized point to review **all** positions prior to being approved by Chancellor's Council for hiring.

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SIUE FY08-04 Non-Compliance with Extra Help Employment and Position Limitations

Criteria/Standards (i.e., what should exist):

- 1) Illinois Administrative Code (Code), Section 250.70(g) Extra Help Appointments
- 2) Employment and Separation Procedures Manual, Section 2.10 Extra Help Appointments

Guidelines for Extra Help positions and Extra Help appointments are contained in the Administrative Code. An Extra Help appointment may be made, by an employer to any position for work which the employer attests to be casual or emergent in nature, and which meets the following conditions:

- A) the amount of time for which the services are needed is not usually predictable;
- B) payment for work performed is usually made on an hourly basis; and
- C) the work cannot readily be assigned either on a straight-time or on an overtime basis to a status employee.

“An Extra Help position may be utilized for a maximum of 900 hours of actual work in any consecutive 12 calendar months. The employer shall review the status of the position at least every three calendar months. If at any time it is found that the position has become an appointment which is other than Extra Help, the employer shall terminate the Extra Help appointment. If an Extra Help position has accrued 900 consecutive hours, the position shall not be reestablished until six (6) months time has elapsed from the date of the termination of the position.”

For Extra Help employees, “Upon working 900 hours, an Extra Help employee cannot resume employment in any Extra Help appointment at a place of employment until thirty (30) calendar days have elapsed.”

The Employer’s responsibility as noted in the Code is that the “...employer shall review the status of the position at least every three calendar months. If at any time it is found that the position has become an appointment which is other than Extra Help, the employer shall terminate the Extra Help appointment.” Understanding the need for continued temporary assistance, Extra Help extensions are allowed in specific instances in accordance with procedural guidelines.

Conditions/Facts (i.e., what actually exists):

The Auditor reviewed 1,394 Extra Help appointments utilized during the audit period. The Auditor also reviewed supplemental information voluntarily provided by the Employer regarding

the use of Extra Help appointments for grounds maintenance work in Facilities Management and Housing during the fiscal years of 2006, 2007, and 2008.

Based on the information received from the Employer, separate position numbers were not assigned to each Extra Help position. The Employer pools Extra Help positions, allowing for several Extra Help employees to be attached to one position. We did not find any single Extra Help employee who had exceeded the 900-hour limitation.

By reviewing the overall total number of Extra Help hours utilized in each fiscal year, it was determined that the Employer utilized Extra Help appointments in Facilities Management across each and every pay period for FY08. Upon further discussion and inquiry, there was an unusually large amount of leave time, both planned and unplanned, utilized by full time employees during this period. It is important to note that this pattern was not evident during the actual audit period (FY2006 and FY2007), but only in the supplemental information provided for FY2008.

Cause (i.e., why deficient condition occurred):

As indicated above, the Employer pools Extra Help positions, allowing for several Extra Help employees to be attached to one position. This does not allow for proper position monitoring and regulating of individual work hours as required by the Illinois Administrative Code and System Office Procedures referenced above.

With regard to the utilization of Extra Help appointments over each pay period in Facilities Management during FY2008, the extended use of Extra Help appointments seems to be directly linked to the temporary unexpected reduction of full time staff levels due to leave benefits taken in accordance with various Employer policies and other state laws.

Effect (i.e., impact of the problem):

Current Employer position management protocols, namely the lack of position numbers for each Extra Help appointment, make it difficult to track the type of work being performed and the number of hours worked. This results in a potential for exceeding the maximum number of hours for an employee, and for positions with similar assigned work duties. Failure to properly document this type of information could lead to the utilization of Extra Help Appointments beyond the scope of the intended purpose of the State Universities Civil Service System Rules and regulations in this respect.

Regarding the utilization of Extra Help appointments in Facilities Management during FY2008, it is important to note that Extra Help Extensions, as afforded under Section 2.10 of the Employment and Separations Procedures Manual, may have been applicable in some or all of these instances.

Finding from Previous Audit:

The Auditor reviewed 976 Extra Help Appointments within the time span of the audit. There were 39 appointments that failed to meet compliance standards due to the Employer exceeding the maximum 900 hours in utilizing Extra Help appointments. *[Finding Code FY06, pages 18-19]*

Recommendation:

Based on several discussions with the Employer throughout the course of this audit process, the Auditor recognizes and acknowledges that the Employer has initiated the implementation of position number assignments for Extra Help appointments and has confirmed the establishment of position management protocols in order to define and distinguish Extra Help appointments/positions. The Employer has committed to continue to monitor the use of Extra Help appointments in order to assure compliance with regulatory requirements.

Additionally, the Employer has indicated that they may utilize Extra Help Extensions, when applicable, and/or conduct an operational analysis to determine if there is a need for the creation of status appointments in instances where there is a long term extensive use of these positions for similar job assignments.

Based on these actions, no further recommendation is required. The Auditor commends the Employer for their positive and immediate response to this finding.

Institutional Corrective Action Plan—provided by Sherrie Senkfor, Director of Human Resources

The University has taken a proactive response to the issues raised in regard to the use of extra help appointments and has implemented a number of institutional changes to resolve the concerns of the State Universities Civil Service System.

As of mid October, the Offices of Human Resources put new procedures in place to document the job responsibilities of each extra help employee. These new procedures will provide proper monitoring and management protocols consistent with regulatory requirements. The new procedures include a separate form to request hiring of extra help staff – the new form defines the type of extra help assignment, conditions and terms of extra help appointments, as well as, the current and previous job description.

The University has also assigned unique position numbers to every extra help position on campus through our new BANNER system which was implemented July 1, 2008. The Offices of Human Resources successfully completed this task in mid January, 2009.

Additionally, the Offices of Human Resources created a report that tracks the number of hours worked by each employee in an extra help assignment. When an employee works over 700 hours, the Offices of Human Resources will contact the appropriate department so that department can start re-evaluating their personnel needs. This will ensure compliance of the 900 hour rule.

Even though the University has implemented the changes listed herein above, it maintains that there has been no prior directive or audit finding from the System Office to indicate that the University's past practices were contrary to the requirements of the Civil Service Statutes. Even so, the University is confident that the audit findings of the State Universities Civil Service System have been addressed to the satisfaction of all parties.

**State Universities Civil Service System
Southern Illinois University at Edwardsville
FY2008 Compliance Audit**

Appendix A

Learner/Trainee Appointments

Name	Status	Hire Date	Title	Department
LueVern Clark	Learner	1/9/2007	Food Service Sanitation Laborer	Food Service
Barbarita Lira	Learner	9/25/2006	Snack Bar Attendant	Food Service
Naty Nikonowicz	Learner	1/14/2008	Snack Bar Attendant	Food Service
Sherita Reinhardt	Learner	2/1/2006	Secretary II	Lovejoy Library
Adrienne Sims	Learner	5/9/2007	Account Technician II	Administrative Accounting
Dontrel Smith	Learner	7/2/2007	Storekeeper I	Textbook Rental
Steve Strickfadden	Learner	11/15/2006	Food Service Sanitation Laborer	Food Service
Koming "Cathy" Tu	Learner	5/10/2007	Secretary III	School of Dental Medicine
Anthony Wright	Learner	9/26/2006	Snack Bar Attendant	Food Service