



**MINUTES OF THE SPECIAL MEETING OF THE MERIT BOARD –  
March 18, 2010**

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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  
Human Resources Building, Room 201D, 2<sup>nd</sup> Floor  
715 South Wood Street  
Chicago, Illinois 60612  
&  
(Video Conference)  
Western Illinois University  
Horrabin Hall, Room 60  
1 University Circle  
Macomb, Illinois 61455  
&  
(Video Conference)  
Southern Illinois University Edwardsville  
Office of Educational Outreach  
Founders Hall 2300, distance Learning classroom  
Edwardsville, Illinois 62026**

Chair Maitland called the meeting to order at 2:02 p.m.

Members present at the primary meeting location were: Joanne E. Maitland, Chair, representing Illinois State University; and Robert D. Webb, representing Eastern Illinois University.

Members present at the Chicago videoconference location were: Karan Hasara, representing the University of Illinois; James D. Montgomery, representing the University of Illinois; and Lawrence Oliver II, representing the University of Illinois.

Member present at the Macomb videoconference location were: Donald “Bill” Griffin, representing Western Illinois University.

Members present by audio conference were: Grace Dawson, representing Northeastern Illinois University; Kristi DeLaurentiis, representing Governors State University; and Barbara Vella, representing Northern Illinois University.

Members absent were: John Simmons, representing Southern Illinois University; and Richard L. Tolliver, representing Chicago State University.

Also present were: Lewis T. (Tom) Morelock, Executive Director; Mary C. Follmer, Assistant Director, Legal Services; Teresa Rademacher, Secretary for the Merit Board; and Barney Bryson, Chair of the State Universities Civil Service Advisory Committee. Various other university employees and University System Office staff were also in attendance.

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

Three board members had requested to participate by audio conference prior to the meeting due to personal illness or disability; employment purposes or the business of the Merit Board; or family or other emergency. Mr. Montgomery moved to approve that Dr. Dawson, Ms. LeLaurentiis, and Ms. Vella be allowed to participate by audio in accordance with the Open Meeting Act requirements and Merit Board Bylaws. Mr. Oliver seconded Mr. Montgomery’s motion. Accordingly, a voice vote was taken and the motion carried.

***Public Comments***

Mrs. Maitland informed the committee that there had been three requests to speak before the Merit Board. Mr. Montgomery made a motion to allow all three persons to speak. Ms. DeLaurentiis seconded Mr. Montgomery’s motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

Jeff Bigelow, Regional Director, AFSCME, discussed the revised proposed furlough rule language that had been presented to the State Universities Civil Service. There have been several discussions with various groups on this topic, including JCAR. The language presented by the union to the State Universities Civil Service System was included in the agenda materials. The unions feel that the proposed language is acceptable wording for all parties. All parties are in agreement that in order for furloughs to take place, the State Universities Civil Service Act would need to be changed. Mr. Bigelow further stated that there is nothing in the Illinois Educational Act to prevent the State Universities Civil Service System from amending their

Administrative Code. Every contract with the labor unions at the various universities have wording that defer to the State Universities Civil Service System. Everyone is in agreement that the decision and implementation of furloughs for represented employees have to be negotiated. The unions believe that their language is proper and in accordance with legal requirements. A discussion was held on whether furloughs were a mandatory or permissive subject of bargaining. Mr. Bigelow further stated that the State Universities Civil Service System has the ability to put their recommended language into the code. The proposed revision to section 250.110(b)(5)(G) was discussed at length and clarified. Mr. Bigelow stated that no act prevents the State Universities Civil Service from adding their recommended language to the code.

Maureen Parks, Assistant Vice President for University Human Resources, University of Illinois, reiterated what the Human Resource group has been working on over the last several months and have been in partnership with employee groups. She further stated that the end of the fiscal year is fast approaching and there is still no furlough rule language. During these economic times, the furlough rules would more likely be implemented next fiscal year rather than this year. Ms. Parks expressed some concerns with the proposed rules as included in the agenda materials. She further recommended the following modifications to the current rule proposal:

- Section 250.110(b)(5)(A) – recommended changing the wording to 12-month period
- Section 250.110(b)(5)(F) – concerned with second sentence and recommended that it be removed
- Section 250.110(b)(5)(G) – the second modification(phrase) is clearly outside the purview of the State Universities Civil Service System
- Section 250.110(b)(5)(H) – recommended the last part of this section be deleted.

Barney Bryson, Chair, State Universities Civil Service Advisory Committee, informed the committee that he was not representing the advisory committee at this meeting, his comments were as an employee of the University of Illinois. The Building Trade Council has come together to do whatever to assist the university during these economic times. Several comments were made regarding the lack of trust during the deliberations on this topic. He personally suggested approval of the current furlough language proposal.

***Update and action on amendments to the proposed rule changes to section 250.110, Separations and Demotions, and section 250.120, Seniority, of the Illinois Administrative code, regarding Furlough Programs***

After a general discussion regarding the comments that the Merit Board had heard earlier in the meeting, the Merit Board decided to act on each specific amendment to the previously approved proposed rule change. Accordingly, Mr. Montgomery moved to revise section 250.110(b)(5)(A) of the rule change proposal to read “A furlough is the placement of an

employee in a temporary non-duty, non-pay status for a continuous or non-continuous period of time not to exceed 30 work days in a 12-month period due to a lack of funds.” and to revise section 250.120(h) to read “Accumulation of Seniority during Furloughs. An employee shall accrue seniority during all furloughs not exceeding a total of 30 work days within a 12-month period.” Ms. Vella seconded Mr. Montgomery’s motion.

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

Mr. Montgomery.....Aye  
Mr. Oliver .....Aye  
Mr. Simmons .....Absent  
Rev. Tolliver .....Absent  
Ms. Vella .....Aye  
Dr. Webb .....Aye  
Dr. Dawson .....Aye  
Ms. DeLaurentiis.....Aye  
Dr. Griffin.....Aye  
Ms. Hasara .....Aye  
Chair Maitland.....Aye

Mr. Montgomery then moved to delete the sentence from section 250.110(b)(5)(F) of the rule change proposal, “For example, if an employer does not expect a funding reduction to be restored in the next budget cycle and the employer does not have the ability to reorganize work, a layoff may be an appropriate option.” Dr. Webb seconded Mr. Montgomery’s motion.

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

Mr. Montgomery.....Aye  
Mr. Oliver .....Aye  
Mr. Simmons .....Absent  
Rev. Tolliver .....Absent  
Ms. Vella .....No  
Dr. Webb .....Aye  
Dr. Dawson .....Aye  
Ms. DeLaurentiis.....Aye  
Dr. Griffin.....Aye  
Ms. Hasara .....Aye  
Chair Maitland.....Aye

Dr. Dawson moved to change section 250.110(b)(5)(E) of the rule change proposal by adding the following “Employees shall be notified as soon as possible, but not less than 15 calendar days in advance, of any mandatory furlough requirements.” and deleting “Employees shall be notified as soon as possible of any mandatory furlough requirements.” Mr. Montgomery seconded Dr. Dawson’s motion.

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

Dr. Dawson .....Aye  
Ms. DeLaurentiis.....Aye  
Dr. Griffin.....Aye  
Ms. Hasara.....Aye  
Chair Maitland.....Aye  
Mr. Montgomery.....Aye  
Mr. Oliver .....Aye  
Mr. Simmons .....Absent  
Rev. Tolliver .....Absent  
Ms. Vella .....Aye  
Dr. Webb .....Aye

Ms. Hasara made a motion to change section 250.110(b)(5)(G) of the rule change proposal by adding the following statement “The decision whether to furlough employees represented by an exclusive bargaining representative and the implementation of such decision are subject to the collective bargaining process and/or State/federal labor laws and regulations.” 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  
Chair Maitland.....Aye  
Mr. Montgomery.....Aye  
Mr. Oliver .....Aye  
Mr. Simmons .....Absent  
Rev. Tolliver .....Absent  
Ms. Vella .....Aye  
Dr. Webb .....Aye  
Dr. Dawson .....Aye  
Ms. DeLaurentiis.....Aye  
Dr. Griffin.....Aye

Mr. Montgomery made a motion to remove the statement from section 250.110(b)(5)(H) of the rule change proposal “an explanation of the facts related to the temporary nature of the event causing the furlough and the specific funding deficit related to the affected work areas, how the furlough will relieve the budgetary shortfall, the initial effective date of the program, the number of days that employees shall be on furlough and the end date of the furlough program, a definition/listing of furlough-exempt employees and positions to be excluded from participation, and any collective bargaining implications.”. Dr. Dawson seconded Mr. Montgomery’s motion.

After further discussion, Dr. Dawson requested approval from Mr. Montgomery to amend the motion. Mr. Montgomery rejected the request.

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

Mr. Montgomery.....	Aye
Mr. Oliver .....	Aye
Mr. Simmons .....	Absent
Rev. Tolliver .....	Absent
Ms. Vella.....	No
Dr. Webb .....	Aye
Dr. Dawson .....	No
Ms. DeLaurentiis.....	No
Dr. Griffin.....	No
Ms. Hasara.....	Aye
Chair Maitland.....	No

Mr. Morelock said that the agency would be submitting these amendments to the Joint Committee on Administrative Rules (JCAR) and would keep the Board informed on JCAR's actions. The JCAR committee hearing is scheduled for April 13, 2010.

After no further discussion, Mr. Montgomery moved to adjourn the meeting. Dr. Dawson seconded Mr. Montgomery's motion. A voice vote was taken and approved. The meeting adjourned at 3:45 p.m..

Respectfully submitted,

*/s/ Teresa M. Rademacher*

Teresa M. Rademacher  
Secretary for the Merit Board

APPROVED:

*/s/ Joanne E. Maitland*  
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Joanne E. Maitland, Chair

May 19, 2010  
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Date