



**MINUTES OF THE ONE-HUNDRED-AND-NINETY-SEVENTH
MEETING OF THE UNIVERSITY CIVIL SERVICE MERIT BOARD –
AUGUST 19, 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 10:11 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 Dr. 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 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; Rocky Donahue, representing Illinois State University; Marvin Garcia, representing Northeastern Illinois University; and Marshall Hatch, Sr., representing Chicago State University; .

Also present were: Bruce J. Finne, Interim Executive Director; Mari Martinelli, Manager, Legal Services and Legal Counsel; Danielle L. 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 welcomed Rocky Donahue, representing Illinois State University and Marshall Hatch, representing Chicago State University as new members of the University Civil Service Merit Board. Mr. Donahue replaced Betty Kinser and Rev. Hatch replaced Mr. Curtin.

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 Dr. Webb to allow Ms. Smart to participate by audio conference. Ms. Hasara seconded Dr. Webb'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.

Consideration of the Minutes of the Executive Committee of the Merit Board, May 13, 2015

The minutes of the Executive Committee meeting of the Merit Board, May 13, 2015 had been transmitted to members of the Merit Board with the agenda materials.

Mr. Mitchell moved to approve the minutes of the Executive Committee Meeting of the University Civil Service Merit Board held on May 13, 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 Closed Executive Committee of the Merit Board, May 13, 2015

The minutes of the Closed Executive Committee meeting of the Merit Board, May 13, 2015 had been transmitted to members of the Merit Board with the agenda materials.

Mr. Marshall moved to approve the minutes of the Closed Executive Committee Meeting of the University Civil Service Merit Board held on May 13, 2015. Mr. Mitchell 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 196th Meeting of the Merit Board, May 20 and May 26, 2015

The minutes of the 196th Meeting of the Merit Board, May 20 and May 26, 2015 had been transmitted to members of the Merit Board with the agenda materials.

Chair Montgomery stated that he had a correction to page 13 to change the word "and" to "any" in the last paragraph and he also questioned the "eight years" in the second to the last paragraph on page 13. Mr. Brownfield explained that it should remain "eight years" and not "eight months". Ms. Hasara moved to approve the minutes with the one correction on page 13 of the 196th meeting of the University Civil Service Merit Board held on May 20 and May 26, 2015. Mr. Marshall 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 196th Meeting Executive Session of the Merit Board, May 26, 2015

The minutes of the Closed Session of the 196th Meeting of the Merit Board, May 26, 2015 had been transmitted to members of the Merit Board with the agenda materials.

Ms. Hasara moved to approve the minutes of the Closed Session of the 196th Meeting of the University Civil Service Merit Board held on May 26, 2015. Ms. Smart seconded Ms. Hasara'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 Maureen Parks, representative of the Human Resource Directors Advisory Committee (HRDAC). Ms. Parks stated that the committee had last met on July 31, 2015 and that the committee had been updated on several items were a part of the agenda for this meeting. She stated that it was the best meeting that the committee had had with the University System office in years. She further stated that there was a lot of collaboration and open communication between everyone. The University System office had sent the committee a survey asking the HRDAC how they thought the meeting had gone and that the committee was surprised, but thrilled. The committee was pleased that they had received an update on the items that had been discussed at the last meeting. Ms. Parks thanked Mr. Finne and the staff of the University System for their good work. The HRDAC is feeling very positive in a very short time on how things are moving forward at the University System office. She further stated that another positive thing to come is to have both the HRDAC and the State Universities Civil Service Advisory Committee meet together in January 2016 to discuss issues and comments and to open the lines of communication between everyone.

Ms. Parks stated that the committee is very happy regarding the proposed legislation change regarding the 'Rule of Three' and that HB 3102 passed the General Assembly and was signed by the Governor.

Ms. Parks reported the collaboration on the proposed rule change to section 250.50 of the Illinois Administrative Code (80 Ill. Adm. Code §250.50) regarding residency and that the proposed change will help find a more efficient way to recruit out-of-state applicants. The items remaining are:

- 1) to extend the Demonstration Project Program 'Rule of Three' project so the Universities do not lose flexibility during the hiring process while the rules are being updated to the JCAR process;
- 2) to formalize the civil service audit process and procedures and to extend the audit cycle from two to three years at each university;
- 3) removing limiting language from the civil service Exemption Procedures Manual; and
- 4) a more consistent method of approving Specialty Factors at the campus level.

Ms. Parks further stated that the committee still feels very strong about two items remaining on their list: moving the audit cycle from two years to three years and the authority for schools to approve Specialty Factors.

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 July 16 and 17, 2015 at the University of Illinois at Chicago and he thanked the universities for their support during these economical times. Mr. Small further stated the committee supports the 'Rule of Three' statute change and they are happy that the rule has come to fruition. Mr. Small stated that the item regarding removing limiting language from the civil service Exemption Procedures Manual is still a concern for the committee. He further stated that Specialty Factors could be beneficial to the system if used correctly and that the committee supports the University System on what is decided regarding the audit cycle going from two years to three years.

Mr. Small stated that he had the privilege of sitting on the Search Committee interview process for the Executive Director and that it had brought a feeling of collaboration and cooperation. He also wanted to thank the leadership on that. He stated it had been a good experience that everyone had learned from, bringing a new vision on where we want the University System to go. Mr. Small thanked the University System and the committees for their collaboration.

Also, Mr. Small invited all Merit Board members to the committee's next meeting and all future meetings. Mr. Small stated that he agrees that the University System is still needed and is very relevant to our universities. Mr. Small encouraged the Merit Board members and the universities to support the University System with their budget and that the EAC does.

Mr. Small brought up the location of the University System office since this was a topic of discussion during the HRDAC Meeting and the opportunities of a new location and that this could be a topic for discussion with the Merit Board along with the new Executive Director.

Consideration of FY 2017 Budget Recommendations for the State Universities System Office

Mr. Finne stated that FY 2016 budget had not yet been approved and the impact it has had on the University System office. The FY 2016 Governor's budget recommendation is \$1,146,500 and the General Assembly's recommendation is \$1,117,600. Whichever budget is passed and signed, the University System is looking at a reduction. Both of the FY 2016 recommendations are set at a lump sum appropriation which gives the agency much more flexibility in terms of spending.

Mr. Finne stated that in regards to the FY 2017 budget request, the agency is requesting \$1,202,300.

Dr. Webb made a motion to approve the FY 2017 budget recommendation for the University System office. Mr. Mitchell seconded Dr. Webb's motion.

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

Dr. WebbAye
Mr. Cole.....Absent
Mr. DonahueAbsent
Mr. Garcia.....Absent
Rev. HatchAbsent
Ms. Hasara.....Aye
Dr. ManeringAye
Mr. Marshall.....Aye
Mr. Mitchell.....Aye
Mr. Montgomery.....Aye
Ms. SmartAye

Update on Public Officials Errors and Omissions Insurance for FY 2016

Mr. Finne gave an update on the Public Official Errors and Omissions Insurance. He stated that without a budget agreement for FY 2016, the University System office is in danger of losing the policy for the Merit Board members and staff since the vendor is requiring payment. Mr. Finne stated that state employees are covered by the State Employees Indemnification Act and that this Act would cover the Merit Board members and employees.

Ms. Rademacher said the policy is written by Beazley Insurance Company. She stated that the policy is very difficult to obtain and that Beazley Insurance Company was the only one the University System office was able to get to rewrite the policy. Ms. Rademacher has been in contact with the Governor’s office regarding the possibility of losing this policy, but since there is not a budget there is nothing that can be done to facilitate payment at this time.

Update on proposed rule change to section 250.60 of the Code, Eligible Register (80 Ill. Adm. Code §250.60)

Mr. Brownfield updated the Merit Board on the proposed rulemaking to section 250.60 of the Code. He stated that additional changes have been made since the last Merit Board meeting and that the changes have been discussed with EAC and HRDAC and they are on board. These changes will allow the University System rules and the procedures to match up more clearly. HB 3102 regarding the “Rule of Three” was signed by the Governor on July 20, 2015 which became Public Act 99-0072 and will be effective January 1, 2016. This was a large undertaking for the University System office. As a result of the new statute change, rules and procedures will also need to be updated. Currently the rule is being reviewed by the Joint Committee on Administrative Rules (JCAR) in the pre-draft status prior to being published in the Illinois Register.

The University System has met with the Human Resource Directors and the Employee Advisory Group to advise them of the changes and the universities are working on the necessary changes that will be required. At the HRDAC meeting on July 31, 2015, no university or agency felt that there would be any problems achieving the January 1, 2016 deadline. Also, Mr. Brownfield provided clarification on the definition of what is a lesser unit in section 250.60(b)(2) of the Illinois Administrative Code (80 Ill. Adm. Code §250.60(b)(2)).

Update on Proposed rule change to section 250.50 of the Code, Examinations (80 Ill. Adm. Code, §250.50)

Mr. Brownfield gave an update on the proposed rulemaking to section 250.50 of the Code. At the last meeting of the Merit Board, the Merit Board approved the submission of the rule proposal for the Second Notice Period. The rule was published in the Illinois Register on June 26, 2015. It was placed on the calendar for the JCAR meeting for July 14, 2015. JCAR issued a “Certification of No Objection to Proposed Rulemaking” on July 14, 2015 with the understanding that the University System agrees to seek remedial legislation formally granting its rulemaking authority, as well as addressing any other anachronistic statutory provisions.

Mr. Brownfield explained what the significance of the red font on the Notice of Adopted Amendment was by stating that this is how the rule is worded now. Also by January 1, 2016, the University System office will need to make additional changes based on the agreement with JCAR that had been previously been agreed upon with former Executive Director Tom Morelock. Mr. Brownfield explained in section 250.50(a) of the Code that the University System office will need to provide a breakdown of the types of examinations and how they are scored. A draft of a rule proposal will be presented at the November 2015 meeting.

The University System is working on preparing the final “Notice of Adopted Amendment” to be published in the Illinois Register with an effective date of December 1, 2015.

Mr. Montgomery asked for a correction in spelling to be made on agenda item 13 in the first paragraph, changing the spelling of the word from grating to granting.

Discussion and possible action regarding the audit schedule for universities and agencies

Mr. Finne suggested a tailored audit for universities and agencies that have more problems and turnover, that perhaps they could be audited more frequently. Ms. Neitzel discussed the proposed three year audit proposal that had been discussed by Ms. Parks and Mr. Small. She stated that this was discussed with Mr. Morelock prior to his departure and he felt that this should be left up to the new Executive Director. She also indicated that the three year audit schedule could be easily transitioned since the audits in 2016 audit schedule have only been tentatively scheduled. Ms. Neitzel further stated the three year audit schedule would allow more

ample time to review the material, resolve issues and give employers more opportunity to make improvements before the next audit. She suggested that a self-inspection checklist could also be incorporated mid cycle to gauge progress and that this could provide the University System office staffing during shortages, cost savings to the University System office budget, and to allow more time to spend on procedural and rule changes to better modernize the University System office versus the two year audit schedule.

Ms. Smart said the proposed three year audit cycle would be too long if there was a problem with a university or an agency and that we should fix the root causes of the audit program. She also suggested the University System office look into a more structured and tailored audit process.

Ms. Hasara suggested waiting until new the Executive Director is hired and get his/her input. The Merit Board decided to table this discussion until the new Executive Director is in place.

Biennial Audit Program – Review of Recent Activities

Ms. Neitzel reported to the Merit Board that Illinois State University Audit Report had been finalized since the last meeting. She also stated the audit schedule for FY 2016 has not been finalized based on the status of the two or three year audit schedule decision. The Merit Board will wait until November to finalize the audit schedule when the new Executive Director has been appointed.

Report of the Executive Director – Bruce Finne, Interim Executive Director

The Merit Board heard a report from Mr. Finne regarding the following:

Open Meeting Act – Ms. Martinelli explained the Open Meeting Act requirements. She stated if the Advisory Committee is advising a public body, such as the Merit Board, then that committee would be subject to the Open Meetings Act. However, if the committee is advising to someone else other than the Merit Board, they are not subject to the Open Meeting Act. Ms. Parks stated that the Administrative Advisory Committee and the Human Resource Directors Advisory Committee reports to the Executive Director and the staff and not to the Merit Board, which is not a public body and is not subject to the Open Meetings Act. Ms. Martinelli stated that this would be a good time to clarify how the Merit Board wants the committee to function and what direction to proceed.

Ms. Hasara suggested waiting until the new Executive Director is appointed and see what his/her vision will be. Ms. Martinelli stated that at the last meeting it was voted on that all advisory committees be subject to the Open Meetings Act and to establish bylaws for the two committees that currently do not have them. The bylaws would need to be drafted.

- FY15 and FY16 Budget Updates - The Agency FY16 budget has not been approved at this time.
- Classification/Examination Update - Mr. Brownfield gave an update on the Police Series Examination.
- Agency Reorganization – Mr. Finne announced that the Audit Division is now a separate division from the Operations Division. Mr. Brownfield is in charge of the new Classification, Examination, and Compensation Division.

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

Ms. Martinelli updated the Merit Board that during FY 2015 there had been 51 Written Charges for Discharge served on employees at the various universities and agencies. Fourteen employees had requested a hearing. She also stated that thus far during FY 2016, there had been four Written Charges for Discharge served on employees at the various universities and agencies and that two employees had requested a Hearing. Ms. Martinelli stated the University System currently has one Director’s Review Decision pending at this time.

Update and action on Demonstration Project or Pilot/Study Program for the “Rule of Three Analysis” (Action Item)

Mr. Brownfield updated the Merit Board regarding the request to approve the ‘Rule of Three’ Demonstration Project. Mr. Brownfield updated the Merit Board on the status of the statute change and the rule change that will take effect on January 1, 2016 and that the current program expired on June 30, 2015. He further stated that the University System is seeking approval to extend the program through December 31, 2015 so that it coincides with the January 1, 2016 statute and rule change effective date.

Dr. Webb made a motion to approve the ‘Rule of Three’ Demonstration Project for an additional six months and for the project to expire on December 31, 2015. Mr. Mitchell seconded Dr. Webb’s motion.

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

Dr. WebbAye
 Mr. ColeAbsent
 Mr. DonahueAbsent
 Mr. Garcia.....Absent
 Rev. HatchAbsent
 Ms. Hasara.....Aye
 Dr. ManeringAye

Mr. Marshall.....Aye
 Mr. Mitchell.....Aye
 Mr. Montgomery.....Aye
 Ms. SmartAbsent

Discussion of the State Universities Civil Service System Organizational Improvement Report and Recommendations prepared by Bruce Finne, Interim Executive Director

Mr. Finne gave a report to the Merit Board regarding how to improve the vision of the University System, creating an annual process to evaluate the Executive Director and the leadership of the Merit Board and how to look at themselves on ways to improve, and to identify who the customers are by being customer focused. The University System office has been working on a customer focused survey that has been sent out to all the committees to provide feedback.

Executive Session

Dr. Webb made a motion to go into Closed Session at 11:21 a.m. to discuss personnel matters. Mr. Marshall seconded Dr. Webb’s motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

The Merit Board formally adjourned to Closed Session to discuss personnel matters.

Ms. Hasara made a motion to reopen the meeting at 11:44 a.m. Mr. Marshall seconded Ms. Hasara’s motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

Ms. Hasara made a motion that on August 27, 2015, interviews will be conducted in an open forum for the three finalists for the Executive Director’s position at various video locations. Mr. Mitchell seconded Ms. Hasara’s motion. A roll call vote was taken and the motion was approved with the following vote:

Ms. Hasara.....Aye
 Dr. ManeringAye
 Mr. MarshallAye
 Mr. Mitchell.....Aye
 Mr. Montgomery.....Aye
 Ms. SmartAbsent
 Dr. WebbAye
 Mr. ColeAbsent
 Mr. DonahueAbsent
 Mr. Garcia.....Absent



Rev. HatchAbsent

The open forum will be held on August 27, 2015 beginning at 9:30 a.m. and will end approximately 11:45 a.m. Ms. Hasara invited all Merit Board Members to attend the August 27, open forum to review the three finalists. The resumes of each finalist will be posted on the University System's website. Also a Special Meeting of the Merit Board will be held on either September 16 or 17, 2015 to discuss the hiring of the new Executive Director.

Other Items as Presented

The next meeting of the Merit Board will be held on Wednesday, November 18, 2015. 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 11:54 a.m.

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

November 18, 2015

Date