

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

Sunnycrest Center
1717 Philo Road, Suite 24
Urbana, Illinois 61802-6099



John Butler
Merit Board Chair
Gail Schiesser
Executive Director

November 5, 2024

Cheryl Green, Ph.D.
President
Governors State University
G Building 337
1 University Parkway
University Park, IL 60484

Joshua Allen
Vice President of Human Resources
Governors State University
C Building 1366
1 University Parkway
University Park, IL 60484

Kristofer Evangelista, CPA
Chief Internal Auditor
Governors State University
G Building 325
1 University Parkway
University Parkway, IL 6084

Corey S. Bradford, SR., Ph.D.
Vice President of Administration & Finance
Governors State University
1 University Parkway
University Park, IL 60484

Jim Kvedaras
University Civil Service Merit Board
22W724 Elmwood Drive
Glen Ellyn, IL 60137

John R. Butler, Ph.D.
Merit Board Chair
University Civil Service Merit Board
1905 Sequoia Drive, Suite 201
Aurora, IL 60506

Accompanying this letter is the outcome of the FY22 State Universities Civil Service System Governance, Risk, and Compliance (GRC) Audit of the Office of Human Resources at the Governors State University, covering the period of October 1, 2017, through March 31, 2022. This report communicates the overall outcome and assessment of human resource practices during that period, documents risk assessment category findings, and provides recommendations to rectify compliance issues discovered through this comprehensive human resource operational audit.

Please convey our appreciation to the human resources staff for engaging in the audit process and demonstrating their commitment to addressing the findings. If there are any questions or a personal briefing on any item is desired, please contact me at gails@sucss.illinois.gov or 217-278-3151.

Gail M Schiesser

Digitally signed by Gail M
Schiesser
Date: 2024.11.05 16:12:49 -06'00'

Gail Schiesser
Executive Director

STATE UNIVERSITIES CIVIL SERVICE SYSTEM



Governance, Risk, and Compliance Audit Report (Final)

November 5, 2024

GOVERNORS STATE UNIVERSITY

Audit Time Frame:
October 2017 – March 31, 2022

Audit Dates:
June 20-24, 2022

Gail Schiesser, Executive Director

State Universities Civil Service System
Final Audit Report

Table of Contents

Overview of Specific Areas Subject to Review1

Audit Objective and Scope2

Risk Assessment Categories.....2

Executive Summary.....4

**Risk Assessment Category 1 Findings, Recommendations,
Administrative Responses and Additional System Office Comments..... 6-15**

**Risk Assessment Category 2 Finding, Recommendation,
Administrative Response and Additional Comments 16-19**

State Universities Civil Service System Final Audit Report

Overview of Specific Areas Subject to Review

The following Human Resource topic areas are considered and reviewed when identifying the Audit Objective and Scope, Risk Assessment Categories, and Findings identified in this report:

Assignment of Positions to Class

A sample of Civil Service position descriptions is selected to ensure proper and timely updates between employees and supervisors, individual desk audit interviews are conducted, and a review of the Employer desk audit process is completed to ensure accurate classification determinations are assigned.

Compensation Programs

An analysis of the Employer's use of pay rates and ranges is completed to determine compliance with ranges approved by the Merit Board. The Employer's compensation program is evaluated to ensure merit and pay equity requirements are adequately compared to the regional market area.

Examination Program

A review of pre-employment testing procedures is conducted, including a review of admission of applicants to examinations, license and certification verifications, exam security and administration, and register maintenance.

Administration of Employment and Separation Procedures

A review of the Employer's business processes related to the Civil Service employment cycle, including the utilization of status and non-status appointments, probationary period requirements, and other employment and separation transactions, such as disciplinary suspensions, dismissals, voluntary demotions, temporary upgrades, reassignments, transfers, and dismissal from probation.

Administration and Employment Protocols of Positions Exempt from Civil Service Regulations

A review of employment protocols related to positions designated as exempt from Civil Service regulations is completed to ensure accurate designation under Merit Board procedures. The Employer's exemption method, administrative procedures, and related position descriptions are sampled, with incumbent interviews conducted to validate the assigned position exemption.

General Review of the Employer's Human Resource Program

A general review of the Employer's human resource programs is completed to determine effectiveness, efficiency, and levels of communication to internal constituency groups, including faculty, principal administrative employees, and support staff. This review may also include investigating concerns from external constituents, including the public, employee committees, and union groups.

Other Follow-up Items from the Previous Audit

A review of any follow-up items from previous audits to evaluate ongoing compliance matters deemed necessary and appropriate to meet audit objectives.

Audit Objective and Scope

Objective

As stated in the Audit Charter (Audit Charter) for the State Universities Civil Service System (University System), as approved by the Merit Board on August 17, 2016, the primary objective and purpose of the audit program are to evaluate and verify compliance with the State Universities Civil Service Act (Act), 110 ILCS 70/36b, *et seq.*, Illinois Administrative Code (Code), Illinois Admin. Code tit. 80, Ch. VI, Part 250 and University System Procedures Manual (Procedures), <https://www.sucss.illinois.gov/pages/ProcMan/default.aspx>. The University System is also charged with building strategic partnerships, evaluating processes and performance, providing direct guidance and support services, and implementing flexibilities that meet the needs of each employer, consistent with the Act.

Audit Scope

The Scope of this FY2022 Audit for Governors State University (Employer) included a comprehensive evaluation of employment designation and/or category of status, non-status, and exempt appointments, position description reviews, position description logs, use of approved rates or ranges, admission of applicants to examinations, register maintenance, compliance with the 900-hour limitation with respect to Extra Help Appointments, time frame requirements for Temporary Upgrade Assignments, transaction documentation reviews; updates regarding previously cited audit findings; and personnel file reviews.

Risk Assessment Categories

Topics of Specific Focus by Risk Assessment Category

Before performing audit functions, specific risk assessments were assigned and categorized for each topic area reviewed during the compliance audit process. The University System considers the following factors when determining the appropriate level of compliance violation and course of action:

- Repeat Breaches of the Act, Code, Procedures, or Audit Charter
- Multiple Instances of Non-Compliance
- Employer's Ability and Willingness to Operate in Compliance with the Law
- Employer's Historical Compliance Record
- Employee Concerns

Audit findings are defined and issued based on these designated and predetermined risk assessments as follows:

- Category 1: Serious Impact/Immediate Action Required
- Category 2: Medium Impact/Needs Improvement
- Category 3: Minimal Impact/Observation Only

For the current FY2022 Governance, Risk, and Compliance Audit at Governors State University, the following risk assessments and areas of focus were communicated to the Employer before conducting the audit examination:

Category 1: Identification of Civil Service Classifications Used, Use of Approved Rates and Ranges, Admission of Applicants to Examination, Examination Security Protocols, Register

Referral of Candidates and Register Maintenance, Layoff Transactions, Specialty Factor Designations, Extra Help Appointments, and Temporary Upgrade Assignments.

Category II: Position Control Management, Removal of Names from Registers, Maintenance of Personnel Files, Temporary PAA Assignments, and Transaction Documents (Intern Requests, Disciplinary Suspensions, Dismissals, and Layoff Notices) on file at the University System office.

Category III: Civil Service Desk Audits, Position Description Reviews, Timeliness of Classification Requests (Desk Audits), and Scheduling and Inventory of Examinations.

The University System recognizes and identifies these three categories of findings based on the facts presented by the Employer during the audit process, which are then evaluated against requirements consistent with regulatory guidelines. The Category assigned to a documented finding depends on the severity of the issue and its impact related to a violation of the Act, Code, or Procedure.

NOTE: The University System is responsible for protecting private and sensitive employee information from loss or misuse. As a result, personal information, as defined in the Illinois Freedom of Information Act (FOIA), 5 ILCS 140/2(c-5), and other sensitive employee and position data including, but not limited to pre-employment application information, examination scores, register referrals, salary, and specific disciplinary information, are not included in this Final Audit Report.

Governors State University
Final Audit Report

Executive Summary
YEAR ENDED—FY22

The compliance testing performed during this examination was conducted in accordance with the Code, Procedures Manuals, applicable University policies, procedures, and auditing standards.

SUMMARY

<u>Number of</u>	<u>This Report</u>
Category 1 Findings	2
Category 2 Findings	1
Category 3 Findings	0
Repeated findings from the previous audit*	1

REPORT SCHEDULE OF AUDIT FINDINGS

<u>Item Number</u>	<u>Page</u>	<u>Description</u>
<u>RISK ASSESSMENT CATEGORY 1 FINDINGS</u>		
GSU FY22-01	6	Deficiencies in Basic Records Management and Business Processes
GSU FY22-02	11	Exemption Authorization Applied to Positions that Correspond to Civil Service Classification Specifications
<u>RISK ASSESSMENT CATEGORY 2 FINDING(S)</u>		
GSU FY22-03	16	Non-Compliance with Extra Help Employment and Position Limitations

State Universities Civil Service System

AUDIT OBJECTIVE AND SCOPE:

As stated in the Audit Charter, the primary objective and purpose of the Governance, Risk, and Compliance Audit (GRC Audit) is to evaluate and verify compliance with the Act, Code, and Procedures. The University System is also charged with building strategic partnerships, evaluating processes and performance, providing direct guidance and support services, and implementing flexibilities that meet the needs of each employer, consistent with the Act.

The scope of this FY2022 Audit for Governors State University included a comprehensive evaluation of the following topics:

- Employment Designation and/or Category of Status, Non-Status, and Exempt Appointments;
- Register Maintenance and Management;
- Exempt and Civil Service Position Description Reviews;
- Timeframe Requirements for Temporary Upgrade Assignments;
- Extra Help Appointments and Compliance with the 900-hour Limitation;
- Civil Service Desk Audits;
- Personnel Transaction and Records Review; and
- Previously Cited Audit Findings.

RISK ASSESSMENT CATEGORIES:

The University System recognizes and identifies three categories of findings based on the facts presented by the Employer during the audit process and evaluated against requirements consistent with regulatory guidelines in the Act, Code, and Procedures. While not a definitive conclusion, documented findings will depend on the severity of the issue and whether it is related to a violation of the Act, Code, or Procedure. The University System considers the following factors when determining the appropriate level of compliance violation and/or course of action:

- Repeat Breaches of the Act, Code, Procedure, or Audit Charter;
- Multiple Instances of Non-Compliance;
- Employer's Ability and Willingness to Operate in Compliance with the Law;
- Employer's Historical Compliance Record; and
- Employee Concerns.

While subject to change, audit findings are typically issued based on a designated and predetermined risk assessment as follows:

- Category 1: Serious Impact/Immediate Action Required.
- Category 2: Medium Impact/Needs Improvement.
- Category 3: Minimal Impact/Observation Only.

State Universities Civil Service System

RISK ASSESSMENT CATEGORY 1 FINDING RECOMMENDATIONS AND ADMINISTRATIVE RESPONSE

DEFICIENCIES IN BASIC RECORDS MANAGEMENT AND BUSINESS PROCESSES MISSING EMPLOYMENT REGISTERS AND EXAMINATION RECORDS MISSING PROBATIONARY PERIOD EVALUATIONS MISSING DISCIPLINARY SUSPENSION, LAYOFF, AND DISMISSAL NOTICES

CRITERIA/STANDARDS:

1. Act Sections:
 - 36b(2), Creation;
 - 36d(11), Powers and Duties of the Merit Board
 - 36f(b), Examinations

2. Code Sections:
 - 250.50(i), Examinations;
 - 250.60, Eligible Registers;
 - 250.110, Separations and Demotions;
 - 250.140 Delegation of Authority and Responsibilities

Section 36d(11) of the Act states, “[t]he Merit Board shall have the power and duty:

To make and publish rules to carry out the purpose of the University System, for examination, appointments, transfers, and removals, and for maintaining and keeping records of the efficiency of officers and employees and groups of officers and employees.

To ensure compliance with the Act related to the filing and maintenance of examination records and employment registers, Code Section 250.50(i) states:

All examinations and all examination components administered by the employer shall be retained by the employer in accordance with the employer's record retention policy or in accordance with the University System's record retention policy and in accordance with the State Records Act [5 ILCS 160].

Accurate maintenance and proper use of registers are fundamental requirements and essential elements in the standardized civil service employment process. This responsibility has been delegated to the Designated Employer Representative for the Employer and is reviewed through the audit process. All employment records and register maintenance components must be documented and maintained to validate employment activities and demonstrate compliance.

BACKGROUND/CONTEXT:

As with any audit, source documents are required as evidence of how specific employment transactions occurred and are required in order to demonstrate compliance. Section 250.140 of the Code provides the authority and jurisdiction for the University System to conduct and implement specific processes for the conduct of the GRC Audit.

General record-keeping standards are evaluated as an overall observation in relation to other business processes that directly impact the Civil Service employment environment and are reviewed under the purview of a Category 1 Risk Assessment. These vital record-keeping standards are fundamental to any employment process and directly impact a University System’s ability to adequately perform compliance activities. As a practical matter, this category of importance indicates that the topic is audited for compliance during every cycle at each Employer location.

CONDITIONS/FACTS:

Consistent with standard audit protocols for this FY2022 GRC Audit, a sample of employee personnel records were requested for review as part of the remote audit visit. This review aims to determine whether employment transactions processed by the Employer comply with the Act, Code, and Procedures.

The University System requested a sample of 16 employment and personnel records for new Civil Service employees appointed within the audit timeframe. As an overall observation, employment records and associated documents required to demonstrate compliance were either incomplete or not submitted to the University System for review.

Of the 16 records requested, six did not contain the certified register of candidates at the time of hire:

Employee Name	Classification
[REDACTED]	Building Service Worker
[REDACTED]	IT Support Associate
[REDACTED]	Superintendent of Buildings and Grounds
[REDACTED]	Senior Library Specialist
[REDACTED]	Procurement Officer
[REDACTED]	Human Resource Rep

For three of the records, the referral sheets included did not demonstrate the results of the interview process:

Employee Name	Classification
[REDACTED]	Child Development Associate
[REDACTED]	Building Service Worker
[REDACTED]	Accounting Associate

For two of the records, including two employees reallocated into new classifications, performance evaluations were missing from the records:

Employee Name	Classification
[REDACTED]	Child Development Associate
[REDACTED]	Administrative Aide
[REDACTED]	Superintendent of Buildings and Grounds
[REDACTED]	Business Manager

For one record, the new hire selected for a position in the Client Relations Representative I classification did not have a copy of their driver’s license in the file. The Minimum Acceptable Qualifications (MAQs) for this classification state that a qualified applicant must have “[p]ossession of a valid Illinois driver’s license.”

CAUSE/SOURCE OF CONDITION:

Employment records of personnel actions do not appear to be properly maintained or documented in a consistent fashion. Since the Employer could not provide documentation regarding key elements of the employment process in several instances with respect to the new hire sample, these records appear to either be inadequate or unavailable. Upon follow-up with the Employer, some documents were provided, but the above charts demonstrate what remains.

EFFECT/IMPACT:

The failure to establish and maintain a sound personnel administration program concerning Civil Service employment has significant consequences and increased liability risk for the Employer. With respect to the new appointment sample, the Employer was unable to demonstrate the validity of their overall employment process or verify the accuracy of employment registers. This resulted in the inability to demonstrate whether candidates were properly referred and employed consistent with fundamental statutory requirements.

FINDING(S) FROM PREVIOUS AUDIT(S):

No findings in this topic area were made during the last operational audit in FY2018.

INSTRUCTION(S) FOR THE EMPLOYER IN THE PRELIMINARY (DRAFT) AUDIT REPORT:

The University System is concerned that source documentation regarding the employment process has not been properly maintained. The inability to provide several supporting documents that demonstrate how candidates were referred to departments on the date an employment register was closed/frozen, provide validation of examination information, and demonstrate the final step in the examination process through documented probationary evaluation information does not demonstrate compliance.

At the preliminary report stage in the audit process, the Employer was instructed as follows:

Provide all missing documentation consistent with the University System’s initial request and follow-up communications requesting the information required to verify compliance. All missing documentation must be submitted on or before the due date of May 21, 2024, with the Employer’s Administrative Response.

Ensure that all future registers created are properly entered into E-Test and saved.

EMPLOYER'S ADMINISTRATIVE RESPONSE:

Risk Assessment Category 1 Finding: *Deficiencies in Basis Records Management and Business Processes*

- The University agrees with some of the evidence supporting the finding and/or findings (see response below).
- The University agrees with the recommendation provided by the SUCSS and will provide answers and corrective action to the system's office.

In response to the following:

Of the 16 records requested, six did not contain the register of the candidates at the time of hire.

- After a comprehensive review of digital and hard-copy records, the university was able to retrieve the requested documents which are attached for review. Files will be placed into the employee records immediately. We request your consideration in removing it from the report. In the future, the University Department of Human Resources will ensure all documentation is provided to the auditor promptly.
 - NOTE: One register was voided without being properly saved. The applicant history is attached and in the employee's archived file. Measures have been implemented to prevent reoccurrence.

For three records, the referral sheets were not filled out to show the results of the interview process.

- After a comprehensive review of digital and hard-copy records, the university was able to retrieve the requested documents which are attached for the review. We request your consideration in removing from the report. In the future, the University Department of Human Resources will ensure all documentation is provided to the auditor promptly.
- NOTE: One referral sheet (2018) was not returned to HR properly filled out. Measures have been implemented to prevent reoccurrence.

Four Records did not have Performance Evaluations and/or missing from their records.

- The university requests this finding be removed from the report:
 - One resigned shortly before the 3-month probationary evaluation was complete, so they would not have had a performance review in her file. Request removal from the report.
 - Three employees (Tweedle, Lionberger, and Smith) had performance evaluations (*Attachment 3 To Employer's Administrative Response*). Request removal from the report.

Corrective Actions:

- Measures have been implemented by the talent acquisition team (especially CS testing) that all registers are saved and double-checked before being voided.
- Measures have been implemented to ensure that referral lists are filled out and returned to HR before any hiring decision or offer letter is made.
- While the University believes that it met the need for the performance

management system, in FY23, the university purchased a cloud-based performance management software, ensuring oversight of Position reviews as well as Performance Management. The university closed out FY23 with a 100% completion of all performance reviews (Including Probationary Reviews), ensuring no reoccurrence.

ADDITIONAL SYSTEM OFFICE COMMENTS:

The University System office acknowledges that the Employer has created and implemented measures to manage and main employment processes and documents in compliance with the Act, Code, and Procedures. However, the GRC Audit is a snapshot reflecting the records maintained by the Employer during the Audit timeframe. The Employer’s response indicated that the Employer conducted a “comprehensive review of digital and hard-copy records.” The initial failure of Governors State University's processes and document management remains a significant lapse.

This remains a Risk Assessment Category I Finding.

State Universities Civil Service System Final Audit Report

RISK ASSESSMENT CATEGORY 1 FINDING RECOMMENDATIONS AND ADMINISTRATIVE RESPONSE

EXEMPTION AUTHORIZATION APPLIED TO POSITIONS THAT CORRESPOND TO CIVIL SERVICE CLASSIFICATION SPECIFICATIONS

CRITERIA/STANDARDS:

- 1) Act, Section 70/36e, Coverage;
- 2) Code, Section 250.30(a) Coverage; and
- 3) Exemption Procedures Manual, Section 1.2, Overview.

Section 36e of the Act states,

All employees of the Illinois Community College Board, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, University of Illinois, State Universities Civil Service System, State Universities Retirement System, the State Scholarship Commission, and the Board of Higher Education shall be covered by the University System described in Sections 36b to 36q, inclusive, of this Act, except the following persons:

- (1) The members and officers of the Merit Board and the board of trustees, and the commissioners of the institutions and agencies covered hereunder;
- (2) The presidents and vice presidents of each educational institution;
- (3) Other principal administrative employees of each institution and agency as determined by the Merit Board;
- (4) The teaching, research, and extension faculties of each institution and agency;
- (5) Students employed under rules prescribed by the Merit Board without examination or certification.

The current Exemption Procedures Manual was approved by the Merit Board and became effective on October 1, 2018. These procedures contain the guidelines and criteria to properly designate and validate exempt positions and employees in those positions as exempt from the Act, as categorically defined above.

The Exemption Procedures Manual, Section 1.2 Overview states, in part, “[t]he Merit Board permits the Designated Employer Representative (DER) at each of the universities and agencies to make an initial

determination as to whether a position qualifies as an exemption under section 36e of the Act. This authority is granted and may be revoked, in whole or in part, at the sole discretion of the Merit Board.”

Exemptions are permitted under current procedures, requiring verification of exemptions through the comprehensive development and ongoing review of accurate position descriptions. Accordingly, it is extremely important that employers maintain an updated, accurate, and complete position description for all positions. Routine and regular position review programs are critical to properly assigning positions to an accurate Civil Service classification or accurately validating exemption status if a position meets exemption criteria. At a fundamental level, these position description reviews are intended to adequately ensure that employee rights are granted under the Act.

BACKGROUND/CONTEXT:

The FY2022 GRC Audit timeframe for Governors State University is October 1, 2017 – March 31, 2022. Typically, positions categorically exempt from Civil Service regulations are sampled and reviewed under the purview of a Category 1 Risk Assessment to ensure proper designation and exemption from the Act. In addition, the System Office evaluates this topic based on the Employer’s history relative to this issue.

CONDITIONS/FACTS:

Consistent with routine pre-audit requirements, the University System requested a list of several documents and reports, complete with instructions, from the Employer on May 3, 2022. The University System requested the most recent exempt payroll document in effect at the end of the audit timeframe. The requested material was to include all exempt positions listed and properly distinguish each type of position exemption category as either a 36e(2), 36e(3), or 36e(4) exemption. The University System utilized this document to sample, review, and analyze a set of exempt positions to determine compliance.

Improperly Designated Exemptions. On June 13, 2022, the University System requested position descriptions for a sample of 50 positions the Employer identified at the time of appointment as categorically exempt under Section 36e(3) or 36e(4) of the Act.

Through this position review, which also included personal interviews with various employees, it was determined that the 11 positions listed below appear to perform duties and responsibilities consistent with those found in Civil Service classification specifications:

Position Number	Position Title	Potential Classification(s)
A634	Executive Assistant to the President	Administrative Aide/Assistant or Executive Assistant
A732	Database Administrator/Systems Analyst	IT Technical Associate or IT Manager/Admin Coordinator
Position Number	Position Title	Potential Classification(s)
A1014	Temp Replacement Web Content Manager	IT Technical Associate or IT Manager/Admin Coordinator
A1202	Research Analyst	Institutional Research Data Specialist/Coordinator
A1245	Director, Support Services	IT Manager/Admin Coordinator
A1271	Coordinator of Academic Services	Program Coordinator/Director

A1283	Graphic Design Coordinator	Graphic Designer or Graphic Design Manager
A1284	Director of Enrollment Management Tech	IT Manager/Admin Coordinator
A1286	Network Infrastructure Manager	IT Manager/Admin Coordinator
A1351	Senior Analyst	Institutional Research Data Specialist/Coordinator
A1485	Director of Environmental Health and Safety	Safety/Environmental Compliance Associate, Environmental Health and Safety Technician Series, or Emergency Management Coordinator

CAUSE/SOURCE OF CONDITION:

Given the relatively small sample of 50 exempt position descriptions requested for review during this audit, these 11 positions represent a substantial percentage of positions that have been incorrectly designated as exempt from the Act. Several are specifically classified as Information Technology (IT).

As previously noted in this finding, Merit Board procedures require a cyclic review program, wherein all exempt position descriptions are reviewed by the Employer for current job content and title no less often than once every three years. A thorough and comprehensive review of exempt position descriptions is a primary component of accountability as it relates to the delegation of authority authorized by the Merit Board to the Designated Employer Representative (DER). The cause related to this finding is likely due to the Employer not adequately implementing internal business review processes regarding accountability standards and triennial position reviews that have historically been contained in the Exemption Procedures Manual.

EFFECT/IMPACT:

The overarching concern related to the exemption of positions is the risk of inaccurate designation. If positions are not consistently reviewed regularly or designated correctly, the impact on employees who occupy these positions is the denial of Civil Service employment rights and protections provided under the Act.

FINDING(S) FROM PREVIOUS AUDIT(S):

No findings in this topic area were made during the last operational audit in FY2018. However, it should be noted that during the FY2018 Governance, Risk, and Compliance Audit, exempt position reviews were not conducted due to the revision of the Exemption Procedures Manual and its future impact on position designation.

During the FY2015 audit, the Employer was cited for improperly applying exemption authorizations (GSU FY15-01). In that report, 34 positions of 60 sampled were performing duties that closely matched Civil Service classifications.

INSTRUCTION(S) FOR THE EMPLOYER IN THE PRELIMINARY (DRAFT) AUDIT REPORT:

The Code, Section 250.30(a), provides that the Merit Board has the authority to approve Exempt appointments at each institution or agency. Specifically, it states, "[t]he Executive Director shall publish guidelines for such exemptions, as approved by the Merit Board."

The Designated Employer Representative (DER) of each university is responsible for developing and maintaining protocols consistent with statutory requirements and procedural guidelines related to this

delegated authority. Just as the University System modifies the Civil Service classification plan, individual positions at each employment location also evolve at various stages over time. Therefore, a routine and regular position review program that properly assigns the position to the most appropriate civil service classification or demonstrates an evaluation of the position designation and exemption category is required to validate exemption status accurately.

At the preliminary report stage of the audit process, the Employer was instructed to review 11 exempt positions should be reviewed for inclusion in the Civil Service classification plan. The Employer needs to provide the University System with current, authenticated position descriptions and conduct an analysis of each position. Provide a corrective action plan for each position in the Employer’s Administrative Response, including whether the Employer intends to convert the positions to Civil Service.

EMPLOYER’S ADMINISTRATIVE RESPONSE:

Risk Assessment Category 1 Finding: *Exemption Authorization Applied to Positions that Correspond to Civil Service Classification Specifications*

- The University agrees with the evidence supporting findings and/or findings.
- The University agrees with the recommendation provided by the SUCSS and is working to correct incorrectly classified positions.

In response to the following:

- The university is addressing all exemption authorizations, and processes have been implemented to ensure position descriptions are kept current and reviewed regularly to align with the employee's performance management cycle. Any changes will then be addressed between the supervisor, the employee, and the Department of Human Resources.
- Processes have been implemented to ensure position descriptions are refreshed when the position is vacated to ensure proper classification when backfilling a vacancy.
- Processes have been drafted to ensure classifications are updated when SUCSS implements changes in Title, Classification Specifications, and Minimum Requirements.

Summary of Positions that require review and/or reclassification.

<u>POSITION NUMBER EVALUATED</u>	<u>POSITION TITLE</u>	<u>RECLASSIFIED NUMBER</u>	<u>REASON</u>	<u>RECLASSIFIED TITLE</u>	<u>CLASS CODE</u>
A634	Exec Assistant to the President	C1472	Review of new job description during vacancy	Executive Assistant	3260
A732	Database Administrator/Systems Analyst	Job Description update in process	Reclassification	IT Technical Associate	5031

A1014	Temp Replacement Web Content	C1634	Reclassification	Marketing Associate	5004
A1202	Research Analyst	C1585	Reclassification	Institutional Research Data Specialist	4560
A1283	Graphic Design Coordinator	C1626	Reclassification	Graphic Designer	1006
A1271	Coordinator of Academic Services	NA	NA	Employee Resigned – Vacancy not filled/posted	NA
A1286	Network Infrastructure Manager	C1549	Reclassification	IT Manager/Admin Coordinator	5030
A1351	Senior Analyst	C1586	Reclassification	Institutional Research Data Specialist	4560
A1245	Director, Support Services	Job Description update in Process	Reclassification	IT Manager/Admin Coordinator (July 1, est. completion)	5030
A1284	Director of Enrollment Management	Current Position Description Review in Process	Reclassification	Current Position Review in Process (July 1 est. completion)	NA
A1485	Director of Environmental Health and Safety	Current Position Description Review in Process	Reclassification	Current Position Review in Process (July 1 est. completion)	NA

ADDITIONAL UNIVERSITY SYSTEM COMMENTS:

The University System Office will follow up with the Employer to ensure all necessary actions have been taken.

State Universities Civil Service System Final Audit Report

RISK ASSESSMENT CATEGORY 2 FINDING RECOMMENDATIONS AND ADMINISTRATIVE RESPONSE

NON-COMPLIANCE WITH EXTRA HELP EMPLOYMENT AND POSITION LIMITATIONS

CRITERIA/STANDARDS:

- 1) Code, Section 250.70(f), Extra Help Appointments; and
- 2) Procedures Manual, Section 2.5 Extra Help Appointments.

Guidelines for Extra Help positions and Extra Help employees are contained in Section 250.70(f) of the Code as follows:

“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 that 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 re-established until six months have elapsed from the date of the termination of the position.”

For Extra Help employees, the Code requires that “[u]pon working 900 hours, an Extra Help employee cannot resume employment in any Extra Help appointment at a place of employment until 30 calendar days have elapsed.” Code Section 250.70(f).

The Employer’s responsibility, as noted in the Code, Section 250.70(f), is that they “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 that 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.

BACKGROUND/CONTEXT:

The current FY2022 GRC Audit timeframe for Governors State University is October 1, 2017 – March 31, 2022. The utilization of Extra Help appointments and positions is reviewed and analyzed under a Category 1 Risk Assessment to determine whether both components of the 900-hour limitation are adhered to and consistent with the Administrative Code. As a practical matter, this risk category indicates that the topic is audited during every cycle at each employment location that routinely utilizes these appointments.

CONDITIONS/FACTS:

Consistent with routine audit procedures regarding the Employer’s use of Extra Help appointments, the System Office requested a report consisting of appointment, employee, and position information for the number of hours utilized during the entire audit period mentioned above.

Upon receipt of the Extra Help data report, the overall audit timeframe review consisted of approximately 229 Extra Help appointments, which included approximately 197 employee instances. These are the issues of concern:

- 1) As documented in **Appendix A**, 20 Extra Help employee instances appear to have exceeded the 900-hour limitation without the required 30-day break in service. Of these, the positions themselves did not respect the 900-hour limitation and were utilized without a six-month break.
- 2) Separately, two employees were appointed to a second Extra Help position, one of which exceeded 900 hours worked prior to the next appointment. They are cited below:

Employee Name	Position Number	Start Date	End Date	Hours Worked
██████████	T23200020ST5#2	3/29/2017	2/15/2018	1108.25
“ “	T23200020ST#19	3/6/2018	6/15/2018	439.25
				1547.50
██████████	TPRO-A	7/9/2018	12/2/2018	629.75
“ “	TCB-A	12/3/2018	3/15/2019	329
				958.75

- 3) One of the instances noted in **Appendix A** (TBFP-A), the position had already exceeded 900 hours prior to an Extra Help Extension Request being sent to the University System for approval on October 16, 2019. The position was still utilized prior to receiving the denial from the Office on October 21, 2019.
- 4) One position is noted as a concern for extended use during the audit timeframe. While the 900-hour rule was respected for the employee and position, it was utilized for over four years without the required six-month lapse. The table below shows the data:

Position Number	Start Date	End Date	Total Hours
T10352010T#2	2/22/2017	4/15/2021	3167.5

CAUSE/SOURCE OF CONDITION:

Overall, the employees and positions referenced in this finding were permitted to continue beyond the 900-hour limitation, which is inconsistent with the requirements contained in the Code.

While these appointments are required to be utilized in a casual or emergent manner, there is no allowance or specific threshold of Extra Help appointment hours permitted to exceed the 900-hour limitation. In this respect, it appears the Employer either did not act to terminate the appointments referenced in this finding prior to reaching the 900-hour limit or provide an appropriate 30-day break in a timely manner for the employee or a 6-month lapse for positions when required.

For the extension request mentioned above, it is stated in the procedures manual that a “[r]equest for an extension must be submitted in a timely manner for uninterrupted continuation of coverage for the current employee(s) and workload. In most instances, extension requests should usually be submitted 30 days before the original 900-hour limitation has been reached” (2.5 – Extra Help Appointments). Neither the timeliness criteria was respected, as it is noted in the extension request that despite it being sent to the University System on October 16, 2019, it was originally drafted on October 2, 2019, with 910.5 hours worked at the time.

EFFECT/IMPACT:

Extra Help employees and positions that are utilized longer than allowed under the Code have the potential to impact the overall employment environment. While the infractions noted in this finding may appear to be somewhat minimal on the surface, there is still a notable percentage of non-compliance relative to the total Extra Help appointments utilized during the audit timeframe. The appointment utilized for four years continuously is notable because it does not comply with Code Section 250.70f(1), which requires the condition that “the amount of time for which the services are needed is not usually predictable.” Further, a position that continues for such an extended period with a regular work schedule is more than likely performing work duties that can be readily assigned to a status position.

The University System has historically emphasized to employers that Extra Help appointments are allowed only on a casual or emergent basis, regulated by Section 250.70(f) of the Code. The lack of effective employee and position monitoring of this employment activity contributes to the over-use of Extra Help appointments. This results in a loss of opportunity for qualified applicants to be considered for status appointments and further obstructs the promotional process for internal candidates.

Based on the Extra Help data reviewed, it is evident that these positions should be status appointments, and demonstrates an over-reliance on Extra Help appointments, thereby eroding the argument that the need is critical.

FINDING(S) FROM PREVIOUS AUDIT(S):

During the FY2019 GRC Audit, the University System found that 18 employees had exceeded the 900-hour limitation, as well as 16 positions (GSU FY18-02).

During the FY2015 Biennial Compliance Audit, the University System determined that 20 employees and 15 positions had exceeded the 900-hour limitation. (GSU FY15-03).

INSTRUCTION(S) FOR THE EMPLOYER IN THE PRELIMINARY (DRAFT) AUDIT REPORT:

The current FY2022 Governance, Risk, and Compliance Audit outcomes related to this topic indicate that monitoring processes still require further development, communication, and reinforcement at the

department level on campus to adequately monitor and regulate Extra Help positions and the employees assigned to those positions, in accordance with Section 250.70(f) of the Code.

It appears the Employer requires a different mechanism to demonstrate compliance with the efficient and effective monitoring of Extra Help appointment limitations for both the employee and the position. Data sorting is the primary review method to determine whether full compliance has been achieved. A valid position monitoring method that ensures compliance with Section 250.70(f), which requires a six-month lapse before an Extra Help position can be re-established, appears to be absent.

The Designated Employer Representative (DER) is ultimately responsible for enforcing and making determinations as to whether an existing personnel program is consistent with governing regulations and procedural standards. These standards require a comprehensive review of all Extra Help Appointments for compliance with the 900-hour limitation, any corresponding extension, and/or any other applicable and emergent criteria justifying such appointments every three months.

At the preliminary report stage in the audit process, the Employer shall establish quarterly reviews of this employment activity to prevent or significantly reduce the number of employees and positions that exceed the 900-hour limitation. Monitoring these appointments quarterly is consistent with what is already contained in the Employment and Separations Procedures Manual.

Employers Administrative Response:

Risk Assessment Category 2 Finding: *Non-Compliance with Extra Help Employment and Position Limitations*

- The University agrees with the evidence supporting the finding and/or findings.
- The University agrees with the recommendation provided.

In response to the following:

- The university has since implemented processes and stricter oversight to ensure monthly reports are sent to the talent acquisition team highlighting hours worked and length of position to ensure overwork of extra help employment is not duplicated in the future.
- As employees start to get close to the maximum hours available, a notice is sent to the employee and manager.
- All extra help employment is reviewed to ensure the appropriate time between appointments is in line with SUCSS rules and procedures.
- The talent acquisition team is also monitoring recruitment of comparable status positions to ensure Extra help is only utilized as temporary or seasonal placement of individuals.

ADDITIONAL UNIVERSITY SYSTEM COMMENTS:

The University System Office will follow up with the Employer to ensure all necessary actions have been taken.

EXTRA HELP POSITIONS EXCEEDING 900 HOURS

Position Number	Start Date	End Date	Number of Hours
TOCCT-A	9/7/2018	5/10/2019	1188
T23200020STA10	11/9/2017	7/31/2018	1062.75
TMKCO-C	8/12/2019	3/15/2020	1059
T10250030C#6	7/27/2017	3/7/2018	915
T1440060MRW#1	1/22/2018	7/31/2018	932
T10352010PA#19	1/17/2017	11/15/2017	955.5
T23200020STAT7	10/2/2017	8/31/2018	1027.25
T10352010T#11	5/19/2021	11/30/2021	1031
TMKCO-A	5/16/2019	3/15/2020	1004.25
T23200020ST5#2	3/29/2017	2/15/2018	1108.25
T23200020STAT1	5/17/2017	5/31/2018	997.25
TDPS-A	8/22/2018	6/30/2019	1584
TARC-B	9/30/2019	9/30/2020	1752.5
T23200020ST5#1	4/6/2017	3/1/2018	1474
TADM-E	2/4/2020	12/23/2020	1650.5
T23200020ST4#5	9/13/2017	9/30/2018	1014.5
TMKCO-E	8/3/2020	3/15/2021	950.5
TUAAC-B	9/16/2019	6/30/2020	1308.5
TMKCO-B	6/15/2019	6/15/2020	1251.75
TBFP-A	4/1/2019	10/31/2019	1118