

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

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October 14, 2010

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The State Universities Civil Service System respectfully submits the Final Audit Report of the Biennial Institutional Compliance Audit conducted at Southern Illinois University Edwardsville. The audit period tested was January 1, 2008 through November 30, 2009. 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 Southern Illinois University Edwardsville and their human resource staff for a very productive audit experience. If there are any questions or a personal briefing on any item is desired, please call Lucinda M. Neitzel (217) 278-3150 ext. 239.

Lewis T. (Tom) Morelock
Executive Director

Southern Illinois University Edwardsville Final Audit Report



State Universities Civil Service System Compliance Audit

October 14, 2010

Audit Period

January 1, 2008 to November 30, 2009

Prepared by:

A handwritten signature in blue ink that reads "Lucinda M. Neitzel".

Lucinda M. Neitzel

Audit and Advisory Services Manager

Southern Illinois University Edwardsville
Final Audit Report

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Southern Illinois University Edwardsville **Final Audit Report**

Introduction

PURPOSE

The State Universities Civil Service System was created 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 March 10-12, 2010. An exit conference was conducted on September 8, 2010 and 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 conferences and submission of the Institutional Corrective Action Plan, a Final Audit Report (Material Findings only) is sent to the Employer, and 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 Report):

- **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 position audit process and corresponding determinations.

- **Compensation Programs**

The Auditor completes an analysis of the Employer's use of pay rates and pay ranges, as 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, security, and register management.

- **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 recognized exemption authorization procedures. The Employer's exemption forms and related position descriptions are reviewed and selected incumbent interviews are conducted for validation of approved exemptions. 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 topics.

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

[Lucinda Neitzel, Audit and Advisory Services Manager](#)

[Jeff Brownfield, Manager of Operations Division](#)

[Paula Mitchell, Human Resource Assistant](#)

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Executive Summary
YEAR ENDED -- FY2010

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	2
Repeated findings from previous audit®	1®

SCHEDULE OF MATERIAL FINDINGS

<u>Item</u>	<u>Page</u>	<u>Description</u>
<u>Number</u>		
SIUE FY10-01	5	FINDINGS (STATE UNIVERSITIES CIVIL SERVICE ACT) Exemption Authorization Applied to Positions That Match Civil Service Classification Specifications
SIUE FY10-02	9	FINDINGS (ILLINOIS ADMINISTRATIVE CODE) Temporary Upgrades Exceeding Thirty-Day Limitation

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Material Findings, Recommendations, Institutional Corrective Action Plan, and
Additional Auditor Comments

SIUE FY10-01 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 36\(e\)](#)
- 2) [Illinois Administrative Code \(Code\), Section 250.30\(a\) Coverage](#)
- 3) [Exemption Procedures Manual, Section 1.1 Overview](#)
- 4) [Exemption Procedures Manual, Section 6.3 System Office Review](#)
- 5) [Exemption Procedures Manual, Section 8.2 Changing an Exempt Position to a Civil Service Position](#)

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 general titles are used. Accordingly, a periodic review and update of position descriptions are required to confirm that these exemption authorizations remain valid.

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 occupying these positions, to an identified and appropriate Civil Service classification.

In this respect, biennial compliance audits of University System employers will include, but not be limited to:

- Comprehensive review of position descriptions
- Compliance with statutory and procedural criteria for exemptions
- Adequacy and thoroughness of related employment procedures
- Adequacy of internal review and approval processes
- Thoroughness and accuracy of quarterly reporting requirements
- Any other associated special interest items

When it has been determined and established that the job responsibilities and duties of a position do not meet the criteria for a PAA exemption under Section 36e(3), the Employer may

be required to change the position from an exempt appointment to an appropriate Civil Service appointment in a recognized classification.

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

Through a review of approximately sixty (60) position descriptions, including on-site interviews with various exempted employees, it was determined that eight (8) exempted positions listed below were performing duties matching the specifications for various Civil Service classifications. These positions are listed below, with the corresponding Civil Service classification match.

<u>Employee</u>	<u>PAA Title</u>	<u>Civil Service Classification Match</u>
Bethany Forsythe	Assistant to the Director	Public Information Series
Jamal Collier	Project Specialist/ Educational Specialist	Program Adviser
Patricia Merritt	Assistant to the Director	Public Information Series
Michael Hileman	Assistant Coordinator	Computer Lab Coordinator, Local Area Network (LAN) Support Series, or Information Technology Support Associate
Greg Crook	Specialist	Human Resource Series or Human Resource Associate
Andrew Simmons	Social Services Coordinator	Program Services Specialist
Jeffrey Price	Specialist	Microcomputer Support Specialist Series, Information Technology Technical Associate, or Information Technology Support Associate
Gregory Bartholomew	Computer Science System Support Specialist	Computer Lab Coordinator, Local Area Network (LAN) Support Series, or Information Technology Management Series <i>(Position Description Vague)</i>

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

According to the Employer, 'standard' titles approved for use by the System Office were applied to the majority of the exempted positions.

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 the 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 four (4) exempted positions that appeared to be performing duties and responsibilities comparable to those found in Civil Service classification(s) in the FY2008 compliance audit. *[Finding Code SIUE FY08-02, pages 6-8].*

Recommendation:

In accordance with the statutory intent and basic premise contained in [Section 36\(e\)](#) 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 utilizing general titles.

We recommend that the Employer complete an in-depth review of the position descriptions for the positions listed 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. It is strongly recommended that these positions be moved immediately, or at the next employment contract renewal date if applicable. We refer the Employer to the [Exemption Procedures Manual, Section 8.2, Changing an Exempt Position to a Civil Service Position](#) for guidance in transitioning these positions to appropriate Civil service Appointments.

The Employer 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 University agrees with the State Universities Civil Service System's recommendation to conduct an in-depth review of each position cited in the biennial audit. The University clearly understands its obligation under the State Universities System's Statutes and Rules as it relates to properly classifying employees. In fact, prior to this audit report, the University had already began transitioning two (2) of the eight (8) Principal Administrative Appointments (PAA) cited in the biennial audit to civil service classifications. Mr. Michael Hileman, Assistant Coordinator,

Department of Information Technology Services, (ITS) was transitioned on June 17, 2010 to the civil service classification of Information Technology Support Associate (ITSA). In addition, Mr. Jeffrey Price, Specialist, Department of Information Technology Services, (ITS) was transitioned on June 15, 2010 to the civil service classification of Information Technology Manager/Administrative Coordinator. In the future, the University will make a concerted effort as these positions become vacant to reexamine the job duties and responsibilities in order to determine proper classification.

Additional Auditor Comments:

Please be reminded that the primary mechanism that defines whether a position meets the criteria for exemption, or meets the specifications of a civil service recommendation, is through a review of the position description. If it is determined through those review protocols that a particular position description matches Civil Service specifications, then the appropriate Civil Service classification is assigned. The classification plan is changing constantly, so what may have been exempt yesterday may not be exempt today, especially with the use of new classification broad-banding concepts. Those positions listed will be flagged and included in the Auditor's review during the next audit period.

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Material Findings, Recommendations, and Institutional Corrective Action Plan

SIUE FY10-02 Temporary Upgrades Exceeding Thirty-Day Limitation

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

- 1) [Illinois Administrative Code \(Code\), Section 250.100 Reassignments and Transfers](#)
- 2) [Employment and Separation Procedures Manual, Section 4.2 Temporary Downgrading and Upgrading Assignments](#)

According to Section 250.100(b)(3) of the Illinois Administrative Code, "...temporary upgrading and downgrading assignments must not be for more than 30 consecutive work days duration."

The Employment and Separation Procedures Manual, Section 4.2 states, "...upgrading assignments shall be limited to filling vacancies due to absence of incumbents or when it is necessary because of agreements which require a supervisory employee for a special work assignment or project." Further, "Upgrading is not required when the employee performs only certain duties and/or assumes only partial responsibility for the overall duties of the position to which assigned."

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

The Auditor reviewed approximately one hundred fourteen (114) employees given temporary upgrade assignments within the audit time frame. As documented in **Appendix A**, it was discovered that six (6) employees exceeded the thirty day temporary upgrade limitation.

It was also noted that the temporary upgrade data initially received by the Auditor provided no register information for approximately eighty (80) of the total number of employees upgraded, therefore, it was difficult to accurately determine whether these transactions were conducted appropriately. The Auditor has requested follow-up information from the Employer in order to properly make these determinations.

As further documented below, it was discovered that two (2) employees were utilized for extended periods of time and appeared to be regularly upgraded on a consistent basis.

Name	Upgraded Position	Upgraded Time Period	Total Number of Upgraded Days	Approximate Number of Work Days in Time Period	Percentage of Time Upgraded in Time Period
Johnson, George	Building Mechanic Foreman	7/1/2008 - 11/24/2009	183	370	50%
Gilmore, James	Carpenter Foreman	7/7/2008 - 12/22/2009	307	393	78%

Since the audit time frame, these continual upgrades have been discontinued. In the Building Mechanic classification, contract negotiations resulted in management taking a more active administrative role and opting to rotate all of those position upgrades on an equal basis. In the Carpenter classification, the Employer confirms that a position audit was conducted on 12/14/09, and through a review of the current position description, the duties did not rise to the level of a permanent reclassification in the previously upgraded position. The position was reclassified to Carpenter Sub-Foreman.

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

The Employer did not adequately monitor the thirty day temporary upgrade limitation and allowed the Facilities Management Department to upgrade two employees on a regular and consistent basis for several months without position audits being initiated for potential reclassification action.

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

The foundation of the Merit System and the primary concept of a classification plan management system are that employees be placed in job classifications based on the prominence of actual duties and level of responsibility. The practice of creating a new job assignment through an extended upgrade is inconsistent with the intent and purpose of the classification plan management system. If a position is upgraded consistently, or is upgraded on a continual basis for an extended period of time, the employee should in effect be reclassified into the classification or a new position posted and filled in the classification. The intent of the Code was never to allow for these extended periods of performing higher level duties without providing the opportunity of a permanent classification assignment.

Finding from Previous Audit:

No findings in this topic area were made during the last operational audit in FY2008.

Recommendation:

We recommend that the Employer confirm that monitoring standards and notification protocols have been conveyed to the campus units causing these violations, with an emphasis on compliance and proper position monitoring. Additionally, the positions noted in this finding should be reviewed and considered for upgrade either through reclassification procedures or position posting.

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

The University became aware of the issues surrounding temporary upgrades for the Skilled Craft employees in University Housing prior to the audit. The University took the initiative to meet with these employees as well as their immediate supervisors and the applicable union representatives to resolve this issue. It was agreed by all parties that the appropriate action to take was for Employment Staff to conduct a job audit to determine what exactly these employee's responsibilities were and the appropriate classification. As a result of the position audits, three (3) of these five (5) employees received a reclassification resulting in a permanent upgrade.

As it relates to the position of Building Mechanic Foreman the University and the union representing this position, through the collective bargaining process, took the appropriate measures to alleviate this concern regarding this issue back in March 2010.

**State Universities Civil Service System
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FY2010 Compliance Audit**

Appendix A

Temporary Upgrades Extended Beyond 30-Day Guidelines

Name	Transaction	Start Date	End Date	Total Consecutive Work Days
Bagaglio, Anthony	Plumber Foreman	8/19/2008	10/3/2008	33
Berry, Keith	Electrician Foreman	4/15/2009	6/4/2009	36
Eckhardt, David	Construction Foreman	6/15/2009	7/30/2009	33
Lankford, Mark	Groundworker Foreman	6/22/2009	8/13/2009	38
Schannot, Richard	Painter Foreman	9/22/2008	11/7/2008	34
		5/8/2009	8/3/2009	60
Stajduhar, Christopher	Building Mechanic Foreman	7/28/2009	9/11/2009	34