

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

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January 12, 2009

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The State Universities Civil Service System respectfully submits the Final Audit Report of the Biennial Institutional Compliance Audit conducted at Southern Illinois University School of Medicine. The audit period tested was April 1, 2006 through May 31, 2008. This report is intended to communicate the final material findings, recommendations and corresponding institutional responses formulated through a comprehensive human resource compliance and operational audit.

On behalf of the audit staff, we thank you and the human resource staff for a very productive audit experience. If there are any questions or a personal briefing on any item is desired, please call Lucinda M. Neitzel (217) 278-3150 ext. 242.

Lewis T. (Tom) Morelock
Executive Director

Southern Illinois University School of Medicine Final Audit Report



State Universities Civil Service System Compliance Audit

January 12, 2009

Audit Period

April 1, 2006 to May 31, 2008

Prepared by:

Lucinda M. Neitzel
Audit and Advisory Services Manager

Southern Illinois University School of Medicine
Final Audit Report

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Introduction

PURPOSE

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

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

This report communicates the final outcome of a comprehensive human resource operational audit, which included an on-site evaluation that was conducted on September 24-26, 2008. An exit conference conducted December 4, 2008 provided an opportunity for the Employer to discuss both the Material and Non-material findings contained in the initial Draft Audit Report. Upon completion of the exit conference and submission of the Institutional Corrective Action Plan, 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):

- **Assignment of Positions to Classes**

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

- **Compensation Programs**

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

- **Examination Program**

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

- **Administration of Employment and Separation Procedures**

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

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

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

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

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

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

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

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

Jeff Brownfield, Assistant Director, Operations Division

Lucinda Neitzel, Audit and Advisory Services Manager

Roger Frick, Human Resource Officer

Paula Mitchell, Human Resource Assistant

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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®	2®

SCHEDULE OF MATERIAL FINDINGS

<u>Item Number</u>	<u>Page</u>	<u>Description</u>
SIUSOM FY09-01	4	FINDING (STATE UNIVERSITIES CIVIL SERVICE ACT) Exemption Authorization Applied to Positions That Match Civil Service Classification Specifications
SIUSOM FY09-02	8	FINDING (ILLINOIS ADMINISTRATIVE CODE) Non-Compliance with Extra Help Employment and Position Limitations

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Material Findings, Recommendations, and Institutional Corrective Action
Plan

SIUSOM 09-01 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) Coverage
- 2) Illinois Administrative Code, Section 250.30(a) Coverage
- 3) Principal Administrative Appointments Procedures Manual, Section 1.3 Exemption Procedures
- 4) Principal Administrative Appointments Procedures Manual, Section 1.5 Reviews of Exempted Positions
- 5) Principal Administrative Appointments Procedures Manual, Section 1.5a PAA Job Description Form
- 6) Principal Administrative Appointments Procedures Manual, Section 1.8 Changing a Principal Administrative Appointment (PAA 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 standard titles are used. Accordingly, a periodic review and update of position descriptions is required to confirm that these exemption authorizations remain valid.

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

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

Through a review of approximately fifty (50) position descriptions, including on-site interviews with various exempted employees, it was determined that five (5) exempt positions were performing duties matching the specifications for various Civil Service classifications. These positions are listed below, with the corresponding Civil Service classification match.

<u>Position #</u>	<u>PAA Title</u>	<u>Civil Service Classification Match</u>
8739	Computer Information Specialist	Applications Programmer Series or Information Technology Manager/Administrative Coordinator

70312	<i>Academic Technology Coordinator</i>	<i>Computer or Systems Programmer Series or Information Technology Technical Associate</i>
70135	<i>Computer Information Specialist</i>	<i>Information Technology Management Series or Information Technology Manager/Administrative Coordinator</i>
70296	<i>Marketing Development Specialist</i>	<i>Administrative Assistant Series or Publicity-Promotion Specialist</i>
70319	<i>Grants Development Specialist</i>	<i>Grants & Contracts Development Specialist</i>

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

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

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 three 36e(3) positions that appeared to be performing duties and responsibilities comparable to those found in Civil Service classification(s) in FY2007. *[Finding Code FY07, pages 12-14]*

Recommendation:

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

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

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

Institutional Corrective Action Plan—provided by Kay Titchenal, Executive Director of Human Resources

SIU School of Medicine strives to classify all positions appropriately and within the statutes and guidelines established by the State Universities Civil Service System. In keeping with this commitment, to ensure proper classification of all non-academic positions, the following process was developed, implemented and has been followed successfully for a number of years:

1. Departments and incumbents are requested to submit updated position descriptions on an annual basis in conjunction with submittal of performance evaluations to the Office of Human Resources. Position descriptions are reviewed as received in the Office of Human Resources to ensure the duties and responsibilities assigned to the position are still appropriate for the classification assigned.
2. When recruitments are received, our office works closely with departments to ensure that the classification and appointment type designated is appropriate for the duties and responsibilities assigned to the position. This sometimes requires lengthy discussions and consultations with department administrators and supervisors in order to convince them to recruit as civil service.
3. In the case of the five positions cited for being classified inaccurately, the following actions will be taken:
 - 8739 – Computer Information Specialist – This position will be reallocated to a civil service classification in the pilot program.
 - 70312 – Academic Technology Coordinator – The incumbent in this position is leaving SIU at the end of December and this position will be recruited and filled as an IT Technology Associate.
 - 70135 – Computer Information Specialist – This position will remain as classified but will not be filled again as a Principal Administrative Appointment once the current incumbent either leaves our employment or moves to another position.

NOTE: We currently employ six IT Technical Associates and five IT Support Associates. We have not filled any computer positions utilizing the Computer Information Specialist Principal Administrative Appointment title since 2003, upon the introduction of the IT Pilot classifications.

- 70296 – Marketing Development Specialist and 70319 – Grants Development Specialist – These positions will remain as classified until the time the current incumbents either leave our employment or move to other positions. At that time, these positions will be reviewed and the determination made as to the most appropriate appointment type and classification.

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and Additional Auditor Comments

SIUSOM 09-02 Non-Compliance with Extra Help Employment and Position Limitations

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

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

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

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

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

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

The employer's responsibility as noted in the Code is that 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 which is other than Extra Help, the employer shall terminate the Extra Help appointment." Understanding the need for continued temporary assistance, Extra Help extensions are allowed in specific instances in accordance with procedural guidelines.

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

As documented in Appendix A, three (3) employees were found to have worked beyond the 900-hour extra help limitation without the required 30-day break in service. In addition, one (1) position was determined to have been utilized for more than 900 hours of actual work within a

12 month period without a six month lapse. This position, Standardized Patient (EH684150), frequently had several incumbents employed through it at the same time.

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

The University pools Extra Help Standardized Patient positions, allowing one extra help position to be shared by an indefinite number of employees concurrently. This does not allow for proper position monitoring and regulating of employee work times in accordance with the Illinois Administrative Code and System Office Procedures referenced above.

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

Current University position management practices in this respect make it difficult to determine whether or not an Extra Help position, or employee, has exceeded employment limitations and should be terminated. Extra Help people/positions are utilized longer than allowed, impacting the overall employment environment, which is inconsistent with the Code and Employment and Separation Procedures Manual.

Finding from Previous Audit:

The Auditor reviewed 36 Extra Help appointments utilized within the time span of the audit. One (1) appointment did not meet compliance standards. *[Finding Code FY07, pages 10-11]*

Recommendation:

Even though the Standardized Patient position is used infrequently by a number of incumbents, there remains a requirement that a single position cannot be used more than 900 hours in a twelve month time frame. We recommend that the University identify and implement additional position management protocols that will adequately identify and distinguish Extra Help appointments/positions, thereby providing proper monitoring and management protocols consistent with regulatory requirements. To reduce the frequency of these findings, the University may also be able to utilize Extra Help Extensions, when applicable, and/or conduct an operational analysis to determine if there is a need for the creation of status appointments in instances where there is a long term extensive use of these positions for similar job assignments.

Institutional Corrective Action Plan—provided by Kay Titchenal, Executive Director of Human Resources

SIU School of Medicine is dedicated to compliance with the statute and rules and has a multiple step process in place for monitoring appointments and hours worked.

- 1) Hours are tracked by pay period for every Extra Help employee and both the employee and the supervisor are sent a reminder at 700 hours of the remaining time available for that employee/appointment. When the maximum is close, an email is sent to the supervisor asking them to confirm the last day the employee is scheduled to work so that we can terminate their assignment before reaching 900 hours.
- 2) Human Resource staff counsel with departments about the need to consider permanent full or part-time positions when there appears to be any type of on-going, consistent

staffing need. Multiple positions have been recruited as permanent and continuous Civil Service appointments as a result of this monitoring practice.

- 3) In the case of the three employees who exceeded the 900-hour limit, this was in no way due to a lack of or problem with our existing monitoring process. Two appointments (EH0818193 & EH0717006) were the result of a staffing shortage in HR which resulted in one staff member covering multiple areas, during which time the updating of hours worked became backlogged. Human error, not process error, is to blame for these unfortunate oversights in compliance. The third appointment (EH0614836) is one that we had advised the department to create a permanent part-time appointment for which they did. We counseled the department on the amount of hours remaining on the EH employee's appointment, but they miscalculated the number of hours they scheduled her to work and went 3 (part-time) days longer than they were supposed to. We were only made aware of this after we received the payroll report. The EH employee actually competed for and was hired into the permanent part-time CS position effective 10/26/06.
- 4) Regarding the Standardized Patients, these are not typical Extra Help appointments. These are actors that are trained as participants in the simulated training of medical students. Since there are approximately 160 standardized patients at any given time, once they are trained, they are placed on payroll for the fiscal year, to be called (sometimes on short notice), as needed. Some may not report hours for the entire year, others are used more frequently due to their interest and availability, but they are all doing the same thing. Therefore, to ease the burden of creating and tracking separate positions in multiple automated systems, they are assigned the same position number in our payroll system; however, their hours worked are tracked individually by employee and once they reach the maximum of 900 hours, their individual appointment is terminated in our payroll system and they are not eligible to return for a minimum of 30 days. Requiring a six-month lapse between appointments would cause great harm to the Problem-Based Learning curriculum utilized by our medical students and pioneered by this medical school, for which we have received national recognition and acclaim. Overall, with 232 standardized patient appointments during the audit period, the 41,815.72 hours reflected represents an average of 180 hours per individual. Although these appointments look very different on paper, they are tracked for compliance and not one simulated patient appointment exceeded the 900 hour maximum during the audit period. We do not feel we are in non-compliance with the intent of this rule simply because of the way these appointments are recorded in our payroll system.
- 5) In response to the Systems recommendation that we utilize the Extra Help Extension process, we have in fact requested several of these exceptions where appropriate and do appreciate the opportunity this provides us in dire staffing situations. However, none of the EH non-compliance situations identified by the auditors represented a need to request an extension but rather simple human error. It does bear noting that while every effort is made to fully comply with both the rules and the intent behind the rules, volume of work and staffing shortages sometimes contribute to unfortunate errors. While we regret the 3 errors in compliance that occurred with these 3 EH positions, we also must recognize that

during the time period of this audit, we processed a total of 601 Extra Help appointments (including Standardized Patients).

Resolution: The Office of Human Resources commits to continue its diligence in working closely with hiring units to monitor Extra Help appointments and hours worked. We will continue to counsel departments on the need to create permanent full or part-time Civil Service appointments whenever appropriate and possible.

Additional Auditor Comments: The intent behind the 900-hour position limitation is to insure that a status civil service appointment is made when a specific job function is being performed for an extended period of time through the same position, or similar positions, as defined by the position description. This audit finding should not be considered a reflection on the excellent medical programs provided by SIU-SOM, nor should it impact the integrity of this important academic function. However from a very fundamental operational standpoint, if the Standardized Patient appointments are all doing the exact same thing and there can be shown to be some employment regularity over an extended period of time, then there should be some thought about creating some standardized civil service status appointments, simply based on the number of hours paid through this one position.

However, if these Standardized Patient appointments can be shown to be different in some respects, i.e. different acting scenarios, then each appointment can possibly be said to stand alone and distinct as it relates to the 900-hour limitation. At this time, SIU-SOM simply could not validate or verify that this was the case.

Through conversations with the HR Office, it is our understanding that these individual appointments to the Standardized Patient position are tracked using an offline Excel spreadsheet, in addition to the HRIS/payroll system. If these individual appointments are distinguishable from a position description standpoint, i.e. differentiation in patient acting scenarios, then adding a variable to your offline database to designate this distinction may provide a more detailed review of the overall position management components through these multiple appointments. This could provide a foundation for the alleviation of this finding. Our office will be in further communications regarding this possibility.

**State Universities Civil Service System
Southern Illinois University School of Medicine
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Appendix A

Extra Help Employees/Position Exceeding the 900-Hour Rule

Job Class Number	Employee Name	Job Title/Class	Department	Beginning Pay Period Date	Ending Pay Period Date	Total Hrs. for Employee
EH0818193	India Hammons	Receptionist	Internal Medicine	8/6/07	2/8/08	915.50
EH0717006	Stacey Krager	Medical	Internal Medicine	3/6/07	1/25/08	975.25
EH0614836	Dora Roscetti	Registered Nurse	Surgery	3/7/06	10/25/06	914.50
Job Class Number	Employee Name	Job Title/Class	Department	Beginning Pay Period Date	Ending Pay Period Date	Total Hrs. for Position
EH684150	Multiple Incumbents	Standardized Patient	Education & Curriculum			41815.72