

## STATE UNIVERSITIES CIVIL SERVICE SYSTEM

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



*Joanne E. Maitland  
Merit Board Chair  
Lewis T. (Tom) Morelock  
Executive Director*

April 27, 2011

Dr. C. Alvin Bowman  
President  
Illinois State University

Mr. Daniel T. Layzell  
Vice President for Finance and Planning  
Illinois State University

Ms. Khris Clevenger  
Assistant Vice President, Human Resources  
Designated Employer Representative  
Illinois State University

Mr. Robert W. Blemler  
Director of Internal Audits  
Illinois State University

Ms. Joanne Maitland  
Merit Board Member  
Illinois State University

The State Universities Civil Service System respectfully submits the Final Audit Report of the Biennial Institutional Compliance Audit conducted at Illinois State University. The audit period tested was May 1, 2008 through May 31, 2010. 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 Illinois State University 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

---

---

# Illinois State University Final Audit Report

---



## State Universities Civil Service System Compliance Audit

*April 27, 2011*

Audit Period

May 1, 2008 to May 31, 2010

---

Prepared by:

A handwritten signature in blue ink, reading "Lucinda M. Neitzel", is written over a horizontal line.

Lucinda M. Neitzel

Audit and Advisory Services Manager

**Illinois State University**  
**Final Audit Report**

**Table of Contents**

<b>Introduction .....</b>	<b>1</b>
<b>Executive Summary .....</b>	<b>3</b>
<b>Material Findings, Recommendations, Institutional Corrective Action Plans and Additional Auditor Comments .....</b>	<b>4</b>
 <b>Appendices</b>	
Appendix A: Principal Administrative Appointments Position Descriptions Matching Civil Service Specifications	
Appendix B: Principal Administrative Appointments Position Descriptions Not Compliant With Triennial Review Standards	
Appendix C: Principal Administrative Appointments Inaccurate Position Exemption Authorization Applied	
Appendix D: Extra Help Employees Exceeding the 900-Hour Rule	
Appendix E: Extra Help Positions Exceeding the 900-Hour Rule	

## Illinois State University **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 September 20-24, 2010.

#### **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 Positions Exempt from Civil Service Guidelines**

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](#)

**Illinois State University**  
**Final Audit Report**

**Executive Summary**  
**YEAR ENDED--FY2011**

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**

<b><u>Number of</u></b>	<b><u>This Report</u></b>
Findings	8
Repeated findings from previous audit <sup>®</sup>	5 <sup>®</sup>

**SCHEDULE OF MATERIAL FINDINGS**

<b><u>Item Number</u></b>	<b><u>Page</u></b>	<b><u>Description</u></b>
<b>FINDINGS (STATE UNIVERSITIES CIVIL SERVICE ACT)</b>		
ISU FY11-01	4	Failure to Admit Applicants to Examination Who Meet Minimum Acceptable Qualifications
ISU FY11-02	8	Improper Register Maintenance and Referral of Candidates
ISU FY11-03	14	Failure to Properly Validate Qualifications or Examination Scores for Status Appointments
ISU FY11-04	18	Exemption Authorization Applied to Positions That Match Civil Service Classification Specifications
ISU FY11-05	21	Failure to Monitor and Validate Temporary Upgrade Assignments
ISU FY11-06	25	Principal Administrative Appointments – Non-Compliance with Triennial Review Standard for Position Descriptions
ISU FY11-07	27	Inaccurate Exemption Authorization Applied
<b>FINDINGS (ILLINOIS ADMINISTRATIVE CODE)</b>		
ISU FY11-08	29	Non-Compliance with Extra Help Employment and Position Limitations

**Illinois State University**  
**Final Audit Report**

**Material Findings, Recommendations, and Institutional Corrective Action Plan**

**ISU FY11-01**      Failure to Admit Applicants to Examination Who Meet Minimum Acceptable Qualifications

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

- 1) [State Universities Civil Service Act \(Act\), Section 70/36b\(2\)](#)
- 2) [State Universities Civil Service Act \(Act\), Section 70/36d\(5-7\)](#)
- 3) [Illinois Administrative Code \(Code\), Section 250.50\(a\) Kinds of Examinations](#)
- 4) [Illinois Administrative Code \(Code\), Section 250.50\(b\)\(1\) Examinations](#)

Section 70/36b(2) of the Act states “The purpose of the University System is to establish a sound program of personnel administration for 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 Illinois Student Assistance Commission, and the Board of Higher Education. All certificates, appointments, and promotions to positions in these agencies and institutions shall be made solely on the basis of merit and fitness, to be ascertained by examination, except as specified in Section 36e.”

Section 70/36d(5) of the Act refers to Power and duties of the Merit Board, “To prescribe standards of examination for each class, the examinations to be related to the duties of such class. The Merit Board shall have power to delegate to the Director and his staff the preparation, conduct and grading of examinations. Examinations may be written, oral, by statement of training and experience, in the form of tests of knowledge, skill, capacity, intellect, aptitude; or, by any other method, which in the judgment of the Merit Board is reasonable and practical for any particular classification. Different examining procedures may be determined for the examinations in different classifications but all examinations in the same classification shall be uniform.”

Section 70/36d(6) of the Act refers to Power and duties of the Merit Board, “To authorize the continuous recruitment of personnel and to that end, to delegate to the Director and his staff the power and the duty to conduct open and continuous competitive examinations for all classifications of employment.”

Section 70/36d(7) of the Act refers to Power and duties of the Merit Board, “To cause to be established from the results of examinations registers for each class of positions in the classified service of the State Universities Civil Service System, of the persons who shall attain the

minimum mark fixed by the Merit Board for the examination; and such persons shall take rank upon the registers as candidates in the order of the relative excellence as determined by examination, without reference to priority of time of examination.”

Section 250.50(a) of the Code states, “Kinds of Examinations. Examinations shall be of two kinds: original entry and promotional. Both kinds shall be open and continuous competitive examinations.”

Section 250.50(b)(1) of the Code states, “Eligibility to Compete in Examinations. Any citizen or resident of the State of Illinois, who applies for examination in a specific class at a constituent place of employment served by the System, who is not rejected or disqualified under subsection (c), and who meets the minimum qualifications as prescribed in the class specification, shall be admitted to such examination. For classes requiring valid licenses or certificates, an applicant must show possession of such license or certificate at, or prior to, time of taking the examination.”

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

Upon review of the application process, testing procedures, and corresponding employment registers to verify the proper admittance to testing and referral to positions, the Auditor discovered that some applicants who met the standard Minimum Acceptable Qualifications (MAQ's) prescribed by the University System Class Specifications were not allowed to test due to their failure to meet other 'preferred requirements', as designated by the Employer through their electronic application process. The Auditor also discovered that, in some instances, candidates were denied potential referral to vacancies for not meeting the MAQ's of a classification when in fact there were no MAQ's required for the designated classification, such as Field House Facilities Attendant, Equipment Attendant, Grounds Worker, etc.

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

During the FY2009 Biennial Compliance Audit, this topic was identified as a material finding. At that time, the Employer's representative indicated that the preferred qualifications were necessary for the successful completion of duties assigned to the specific vacant position.

The Auditor recommended that the Employer implement policies and procedures to insure that all applicants who meet the MAQ's prescribed by any designated classification specification are admitted to examination, as required by the State Universities Civil Service System classification plan management protocols. Most specifically, it was recommended that the Employer's electronic application processing instrument be modified to accommodate the strict employment protocols and application processing procedures prescribed through established statutory guidelines. Additionally, it was recommended that the Employer review the employment and application processing activities conducted during the previous audit time frame and allow access to the testing process for those applicants who met the MAQ's for specified positions, but who were otherwise unfairly denied access based on their failure to meet 'preferred qualifications'. The Employer partially concurred with the Auditor's



recommendations and implemented changes to the qualification process for applicants. However, the Employer did not review past application records or contact potentially affected applicants for testing who may have been unfairly disqualified.

With respect to this compliance audit, the Employer has indicated that employment consultants inputting the data into the electronic application processing instrument were utilizing incorrect data entry components with respect to applicant lists, and were unaware that the use of specific menu items within the employment system were inaccurately applied. Consequently, several qualified candidates were denied the opportunity to be properly referred for vacant positions. Additionally, it appears that previous audit recommendations were not followed, which has now resulted in the same finding as the previous audit.

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

Any citizen or resident of the State of Illinois, who applies for examination in a specific class at a constituent place of employment served by the System, who is not rejected or disqualified, and who meets the minimum qualifications as prescribed in the class specification, shall be admitted to such examination. The failure to strictly maintain personnel transactions within defined guidelines unfairly and discriminately limits or expands the applicant pool, awarding positions and employment opportunities on a faulty premise.

In these instances, the practice of requiring applicants to meet 'preferred qualifications', or failing to admit applicants to examination in classifications without MAQ's, is inconsistent with the very conceptual foundation of a merit-based system, and with the corresponding rules and regulations in this respect. Consequently, otherwise qualified applicants were unfairly and discriminately eliminated from testing opportunities and employment pools. Such action has a potentially significant liability consequence.

**Finding from Previous Audit:**

During the FY2009 Compliance Audit, the Auditor reviewed the application process, testing procedures, and corresponding employment registers to verify the proper admittance to testing and referral to positions, and discovered several instances where applicants were required to meet both the standard Minimum Acceptable Qualifications (MAQs) prescribed by the University System Class Specification and 'preferred qualifications' designated by the Employer through the electronic application process. Applicants that did not meet both the prescribed MAQs and the 'preferred qualifications' were not admitted to test for the designated classification. *[Finding Code ISU FY09-01, pages 4-7].*

**Recommendation:**

It is recommended that the Employer immediately implement policies and procedures to insure that all applicants who meet the Minimum Acceptable Qualifications (MAQ's) prescribed by any designated classification specification are admitted to examination, as required by the State Universities Civil Service System classification plan management protocols. Employer policies and procedures must also insure that applicants are not required to meet additional 'preferred

qualifications', as designated by the Employer, unless specifically authorized by the University System Office.

Most specifically, it is again recommended that the Employer's electronic application processing instrument be modified to accommodate the strict employment protocols and application processing procedures prescribed through the State Universities Civil Service Act, Code, and Procedures. Additionally, it is recommended that the Employer review the employment and application processing activities conducted during this audit time frame and allow access to the testing process to those applicants who met the MAQ's for specified positions, but who were otherwise unfairly denied access based on their failure to meet 'preferred qualifications'.

Please note that if a specific position requires specialized skills or abilities, the Employer may contact the University System Office and request a Specialized Position Certification (Specialty Factor) for the position or group of positions. This process allows the Employer to interview and select only those applicants who possess the MAQ's and any additional experience or training as authorized through this process. It is suggested that the Employer utilize this formal process as prescribed for those positions that truly require additional specialized skills or abilities.

**Institutional Corrective Action Plan—provided by Khris Clevenger, Assistant Vice President-Human Resources**

We agree with the recommendation from the auditor to implement policies and procedures to insure the admittance of all applicants for testing who meet the Minimum Acceptable Qualifications (MAQs). Though we feel we have sent proper candidates to testing, our recordkeeping did not provide adequate verification of this belief. As a result, we have implemented changes to our processes, our electronic application processing instrument and records kept to verify compliance with this for our next audit. In addition, we have trained the employment staff on these changes and the appropriate methods of insuring qualified applicants are sent for testing.

We do not agree with the recommendation from the auditor for Illinois State University to review the employment application and processing records since the last audit and allow access to testing those applicants who might have been disqualified. In the past, whenever an applicant who was disqualified for not meeting MAQs has questioned that decision, Illinois State University HR has reevaluated that applicant's qualifications. If that reevaluation indicated that the applicant did in fact meet the MAQs, we have then allowed testing for the applicant.

**Illinois State University**  
**Final Audit Report**

**Material Findings, Recommendations, and Institutional Corrective Action Plan**

**ISU FY11-02**      Improper Register Maintenance and Referral of Candidates

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

- 1) [State Universities Civil Service Act \(Act\), Section 70/36d\(7\) Power and Duties of the Merit Board](#)
- 2) [State Universities Civil Service Act \(Act\), Section 70/36h Appointment](#)
- 3) [Illinois Administrative Code \(Code\), Section 250.60\(d\)\(3\)\(5\) Certification from Registers](#)
- 4) [Employment Procedures Manual, Section 1.5 Certification](#)

These reference points establish guidelines for the proper maintenance of employment registers and referral of candidates for status positions. In accordance with the State Universities Civil Service Act, Section 36d(7), "The Merit Board shall have the power and duty- To cause to be established from the results of examination registers for each class of positions in the classified service of the State Universities Civil Service System, of the persons who shall attain the minimum mark fixed by the Merit Board for the examination; and such persons shall take rank upon the registers as candidates in the order of the relative excellence as determined by examination, without reference to priority of time of examination."

Section 250.60(d)(3)(5) of the Illinois Administrative Code states in part; "When ties in scores exist on an original entry register or promotional register for a class, all candidates with a tie score, and hence of the same relative excellence, shall be equally eligible to be considered as one of the available candidates certified from the register. No person on the register shall be eligible or available for certification as one of the three persons standing highest on the register if three or more persons are eligible at a higher score level as a result of tie scores. The Employer shall conduct a personal interview with, and shall consider, all candidates certified from the register in this manner prior to making its recommendation for selection, except that a single selecting official for the Employer shall not be required to interview more than once the same candidate, as currently certified from the register, for a position of the same class. A promotional register and/or an original entry register become closed for the purpose of certification of the names of candidates to a particular vacant position at a time established by the Employer."

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

While on-site, the Auditor reviewed approximately forty-nine (49) newly employed applicant records and position referrals completed during the audit time frame. Regarding register maintenance, the Auditor determined that the Employer did not properly maintain information

components to validate their employment actions. The Auditor was unable to determine and validate actual referral (freeze) dates, or when the applicant register was referred out to departments for interview and consideration. The Employer failed to save employment registers within the E-Test system, and also backdated register removal dates for applicants which destroys important historical information. Additionally, some registers revealed the use of outdated rule references to remove candidates from those registers.

In reviewing employment registers to validate statutory compliance with respect to the 'Rule of Three', the Auditor again noted several issues. Comparisons were made and registers reconstructed utilizing both E-Test validations, as well as documented registers maintained separately by the Employer. The following 'Rule of Three' violations were observed as noted below by the Auditor:

1. The Account Technician II Original Entry Register was reviewed to validate the employment of Margaret Gabor, hired 3/2/09, with an examination score of 86. Among several other candidates listed on the register, the following were referred with examination scores and comments as noted:

<i>De Silva, John</i>	<i>100</i>	<i>Did Not Meet Preferred Requirements.</i>
<i>Schmidt, Jo Deen</i>	<i>94</i>	<i>Did Not Meet Preferred Requirements.</i>
<i>Crow, Mindy</i>	<i>88</i>	<i>Other Candidate Better Qualified for Position.</i>
<b>*Gabor, Margaret</b>	<b>86</b>	<b>Hired</b>
<i>Magon, Frederick</i>	<i>82</i>	<i>Not Selected—Exam Score.</i>

In this instance, two candidates with the top scores were disqualified and not referred to the department because the applicants did not meet the Employer's 'preferred' requirements. Since the candidates clearly met the Minimum Acceptable Qualifications (MAQ's) outlined in the classification specification in order to take the examination, disqualifying them to a position vacancy based on the Employer's 'preferred' requirements is inconsistent with the standard 'Rule of Three' protocols and is a statutory violation.

2. The Food Service Administrator III Original Entry Register was reviewed to validate the employment of Heather Berrocales, hired 4/20/09, with an examination score of 87. Among other candidates listed on the register, the following were referred with examination scores and comments as noted:

<i>Weddle, Allan</i>	<i>95 (PR)</i>	<i>Other Candidate Better Qualified for Position.</i>
<i>Meier, Rebecca</i>	<i>92 (PR)</i>	<i>Other Candidate Better Qualified for Position.</i>
<i>Dixon, Richard</i>	<i>92</i>	<i>Not Available for Interview</i>
<i>Makhija, Kiran</i>	<i>87</i>	<i>Not Available for Interview</i>
<b>*Berrocales, Heather</b>	<b>87</b>	<b>Hired</b>

In this instance, it appears too many candidates were referred to the department for consideration for a vacant position and a candidate that was improperly referred was ultimately selected. This is inconsistent with the standard 'Rule of Three' protocols and is a statutory violation.

3. The Public Information Specialist Original Entry register was reviewed to validate the employment of Briana Davis, hired 8/10/09, with an examination score of 91. Among other candidates listed on the register, the following were referred with examination scores and comments as noted:

<i>Massengale, Mary</i>	<i>98</i>	<i>Other Candidate Better Qualified for Position.</i>
<i>Rinchuso, Raegan</i>	<i>94</i>	<i>Other Candidate Better Qualified for Position.</i>
<i>Gardner, Christine</i>	<i>92</i>	<i>Other Candidate Better Qualified for Position.</i>
<b><i>*Davis, Briana</i></b>	<b><i>91</i></b>	<b><i>Hired</i></b>

In this instance, three other candidates were improperly passed over in favor of another candidate with a lower score. This is inconsistent with the standard 'Rule of Three' protocols and is a statutory violation.

4. The Office Support Specialist E-Test Original Entry register was reviewed to validate the employment of Yvonne Freimann, hired 6/9/08 with an examination score of 72. The Auditor reviewed the register within E-Test. However, the Employer did not save the register at the time candidates were referred and did not provide any type of status in the comments section. Among other candidates listed on the register, the following were referred with examination scores as noted:

<i>Moritz, Sonja</i>	<i>90</i>
<i>Tackett, Sharon</i>	<i>84</i>
<i>Seggerman, Suzanne</i>	<i>84</i>
<i>Seymour, Amanda</i>	<i>76</i>
<i>Toohill, Martha</i>	<i>74</i>
<b><i>*Freimann, Yvonne</i></b>	<b><i>72</i></b>

It appears that the top three scores were referred to the department versus the top three names. Without status codes or comments referenced in E-Test for this register, it would appear that several other candidates were passed over in favor of another candidate with a lower score. The Auditor was simply unable to validate compliance in this respect.

5. The Chief Clerk Original Entry register was reviewed to validate the employment of Lynne Morrison, hired 3/2/09 with an examination score of 87. Among other candidates listed on the register, the following were referred with examination scores and comments as noted:

<i>Lucas, Shaunna</i>	<i>87 (PR)</i>	<i>Did Not Meet Minimum Qualifications.</i>
<i>Mitchell, Kristi</i>	<i>82 (PR)</i>	<i>Not Selected Based on Exam Score.</i>
<i>Garner, Ramona</i>	<i>93</i>	<i>Other Candidate Better Qualified for Position.</i>
<i>Kunde, Margaret</i>	<i>88</i>	<i>Other Candidate Better Qualified for Position.</i>
<b><i>*Morrison, Lynne</i></b>	<i>87</i>	<i>Hired</i>

Again in this instance, it appears too many candidates were referred to the department for consideration for a vacant position and a candidate that was improperly referred was ultimately selected. Based on the comments noted on the applicant list, if the two promotional candidates were in fact on the register for this position, these comments regarding the failure to meet the MAQ's or non-selection based on exam score would be technically inaccurate. This is inconsistent with the standard 'Rule of Three' protocols and is a statutory violation.

6. The Electrician E-Test Original Entry register was reviewed to validate the employment of Alan Burrell, hired 1/5/09 with an examination score of 83. The Auditor reviewed the register within E-Test. However, the Employer did not save the register at the time candidates were referred and provided very limited status code information. Among other candidates listed on the register, the following were referred with examination scores as noted:

<i>Gresham, Jeremy</i>	<i>87</i>	
<i>Hays, Larry</i>	<i>85</i>	<i>1: UIUC gave Electrician Exam</i>
<i>Geshwilm, Gregory</i>	<i>85</i>	
<i>Zimmerman, Charles</i>	<i>83</i>	<i>3: UIUC gave exam on 8/7/08</i>
<b><i>*Burrell, Alan</i></b>	<i>83</i>	

Again, it appears that the top three scores were referred to the department versus the top three names. With very limited status code information referenced in E-Test for this register, it would appear that several other candidates were passed over in favor of another candidate with a lower score. Again, this would appear to be a statutory violation.

In general, after a thorough review of the employment registers for this Employer, several other observations and discrepancies were noted. Without accurate notations in the comments sections of the applicant lists and subsequent register removals of hired candidates, these documents, as well as the employment registers were essentially useless in validating employment decisions and indicate some significant statutory violations. These discrepancies were directly responsible for numerous candidates being inappropriately disqualified or not being properly referred for vacancies. Comments were recorded on the applicant lists, and not the actual employment register, for each candidate and the reason each one was not hired. It was noted that several of the applicant lists indicated that many candidates were simply not selected for employment based on examination score, even though their score was not located on the actual register. Many of the comments reflected reasons for not referring or hiring

candidates such as, incomplete applications, not answering the supplemental questions, or other candidates being better qualified for the position, even though many of these reasons would not technically prohibit a candidate from being referred or hired for a vacancy.

In many instances, it simply was not possible to determine exactly how the register looked at the time it was frozen or exactly how applicants were referred. Additionally, it appears more candidates were being referred for vacancies than are allowed under basic regulatory guidelines, which is technically a statutory violation and puts the Employer at risk for other significant liability regarding their final employment actions.

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

According to the Employer, employment consultants inputting the data into the electronic application processing instrument were utilizing incorrect data entry components with respect to applicant lists, and were unaware that the use of specific menu items within the employment system were inaccurately applied. Consequently, several qualified candidates were denied the opportunity to be properly referred for vacant positions. In addition, the Employer failed to adhere to the previous audit recommendations related to this topic with respect to failing to admit applicants who met the minimum qualifications. Registers were not properly maintained or documented, qualified candidates at the top of the register were not referred, and proper comments/notations in the applicant lists were simply incorrect in most instances.

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

Inaccurate documentation and improper application of the 'Rule of Three' resulted in several candidates within multiple classifications being improperly referred and in some instances, employed outside of fundamental statutory guidelines. In some cases, candidates with higher scores were inappropriately skipped over in the referral process for those with lower scores.

**Finding from Previous Audit:**

During the FY2009 Compliance Audit related to this topic, the Auditor reviewed the application process, testing procedures, and corresponding employment registers to verify the proper admittance to testing and referral to positions, and discovered several instances where applicants were required to meet both the standard Minimum Acceptable Qualifications (MAQs) prescribed by the University System Class Specification and 'preferred qualifications' designated by the Employer through the electronic application process. Applicants that did not meet both the prescribed MAQs and the 'preferred qualifications' were not admitted to test for the designated classification. *[Finding Code ISU FY09-01, pages 4-7].*

**Recommendation:**

Immediately following the on-site compliance audit visit, the Employer was contacted and made aware of the statutory infractions noted in this finding. The System Office visited the Employer to provide guidance regarding initial observations and training to the human resources staff responsible for these transactions and requested follow up documentation to determine if other errors were noted in recent months leading up to the on-site visit. Following

the on-site visit, the Employer was proactive in requesting additional training sessions and system orientations for newer staff members. These training and orientation sessions have been completed. The System Office can provide additional training and follow-up reviews as necessary to assist the Employer in achieving compliance in this regard.

It is recommended that the Employer immediately implement practices and procedures that strictly adhere to defined employment protocols, specifically regarding the proper documentation and maintenance of register and referral lists, and insure that all candidates have been referred and hired in accordance with statutory guidelines. The inability to capture when and how candidates are referred to departments makes it virtually impossible to validate compliance. Records must be properly maintained to validate statutory compliance in every employment action taken. To insure that internal business procedures have been effectively implemented to address this issue, the Employer is asked to provide follow-up quarterly reports listing their new civil service employment actions and provide register documentation to validate their employment decision in each case.

**Institutional Corrective Action Plan—provided by Khris Clevenger, Assistant Vice President-Human Resources**

We agree with the recommendation from the auditor and have implemented practices and procedures to ensure proper register maintenance and documentation. We will work with the System Office to develop the reporting structure requested.



**Illinois State University**  
**Final Audit Report**

**Material Findings, Recommendations, and Institutional Corrective Action Plan**

**ISU FY11-03**      Failure to Properly Validate Qualifications or Examination Scores for Status Appointments

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

- 1) [State Universities Civil Service Act \(Act\), Section 70/36b\(2\)](#)
- 2) [State Universities Civil Service Act \(Act\), Section 70/36f](#)
- 3) [Illinois Administrative Code \(Code\), Section 250.40 Military Service Preference, Veteran's Preference](#)
- 4) [Illinois Administrative Code \(Code\), Section 250.140 Delegation of Authority and Responsibilities](#)
- 5) [Examination Procedures Manual, Section 1.1 Applicant Qualifications](#)
- 6) [Examination Procedures Manual, Section 2.2 Verification of Educational Requirements](#)

Section 70/36b(2) of the Act states "The purpose of the University System is to establish a sound program of personnel administration for 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 Illinois Student Assistance Commission, and the Board of Higher Education. All certificates, appointments, and promotions to positions in these agencies and institutions shall be made solely on the basis of merit and fitness, to be ascertained by examination, except as specified in Section 36e."

Section 70/36f of the Act provides that "All examinations given under the University System shall be open to all applicants who are citizens of or residents in the State of Illinois and who can qualify by training and experience for the position for which application is made."

The Illinois Administrative Code, Section 250.40 describes eligibility for veteran's preference when "...an applicant for original entry examination must furnish proof of eligibility for preference within ten days after filing an application for examination. Acceptable proof shall be an official or photo-static copy of each discharge or release from military service."

As stated in Section 250.140 of the Code, "Delegation of Authority and Responsibilities":

- a) "Delegation to the Executive Director. The Executive Director is delegated the authority and responsibility to effectively administer the State Universities Civil Service System in

accordance with the Act and this Part. The Executive Director may be further delegated the authority and responsibility to act on behalf of the Merit Board by specific authorization or direction of the Merit Board.”

- b) “Delegation by the Executive Director. The Executive Director is authorized to delegate to the employer, and to members of the University System staff, such duties and responsibilities as, in his/her judgment, are appropriate and effective for the efficient administration of the service of the System to its constituent institutions and agencies.”
- c) “Conduct of Audits. The Executive Director shall conduct ongoing audit programs of all Civil Service operations at all places of employment for the purpose of assuring compliance with the Act and this Part and for improving the programs of personnel administration of its constituent employers and shall prepare, distribute, and follow up on audit reports in accordance with Merit Board direction.”

The Examination Procedures Manual provides further guidelines regarding applicant qualifications and verification of educational requirements in accordance with the Act and Code. It is important that an applicant’s qualifications be checked against the minimum qualifications for a given classification before the applicant is admitted to the examination. The Employer is responsible for verifying that an applicant meets the minimum educational qualifications required for the classification for which application for examination is made.

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

Upon review of the application process, testing procedures, and corresponding employment registers to verify the proper admittance to testing and referral to positions, the Auditor analyzed several personnel records with the following discrepancies:

- The Baker I and Customer Service Representative I Original Entry records were reviewed to validate the employment and exam scores of Stephen Cable, hired 5/11/09, with an examination score of 101 and Michelle Followell, hired 1/12/09, with an examination score of 103. Each applicant was awarded Veteran’s Preference points however the Employer was unable to provide source documentation to validate the proper point allocation in either instance.
- The Licensed Practical Nurse Original Entry records were reviewed to validate the employment and exam score of Salli Whitton, hired 5/11/09, with an examination score of 100. The Auditor was unable to determine whether the incumbent met the qualifications for employment due to the inability to locate a Licensed Practical Nurse license in the personnel record.
- The Senior Library Specialist and Account Technician III Promotional records were reviewed to validate the reclassification and exam scores of Michelle Kauffman, reclassified on 8/16/09, with an examination score of 85 and Patricia Walsh,

reclassified on 11/1/09, with an examination score of 80. The Auditor was unable to determine whether the incumbents met the qualifications for reclassification action due to the inability to locate a current application on file in the personnel records.

- The Public Functions Supervisor employment records were reviewed to validate the reallocation and exam score of Carla Thomas, employed in the new classification on 11/1/08, with an examination score of 94. The Auditor was unable to determine whether the incumbent met the qualifications for reallocation action due to the inability to locate a current application on file in the personnel record.

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

The Employer did not properly maintain adequate documentation to determine whether an applicant or current employee earned the proper examination score or met the minimum acceptable qualifications for employment, reclassification, or reallocation.

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

The System Office is charged with ensuring compliance with the Act, Code, and Procedures Manuals associated with various personnel transactions within defined guidelines. Oversight in this respect is vital to ensuring that Employers do not unfairly and discriminately limit or expand the applicant pool, possibly resulting in awarding positions and employment opportunities based on a faulty premise. From a regulatory perspective, certain documentation elements with respect to validating proper examination scores and determining qualifications must be maintained consistent with statutory requirements. Absent these elements, the Auditor was simply unable to validate whether these employment transactions were fairly and properly executed in accordance with established guidelines.

**Finding from Previous Audit:**

No findings in this topic area were made during the last operational audit in FY2009.

**Recommendation:**

It is recommended that the Employer implement policies and procedures to insure that application and employment transaction processing elements accommodate the protocols prescribed through the State Universities Civil Service Act, Code, and Procedures Manuals. It is imperative that source documentation be properly maintained to substantiate these personnel transactions and prevent the Employer from potentially liability or unfair employment practices.

**Institutional Corrective Action Plan—provided by Khris Clevenger, Assistant Vice President-Human Resources**

We agree with the recommendation from the auditor and have implemented practices and procedures to ensure proper documentation will be kept with the register or in the personnel file, when applicable.

**Illinois State University**  
**Final Audit Report**

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

**ISU FY11-04**      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 70/36e Coverage](#)
- 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 one-hundred (100) position descriptions, including on-site interviews with various exempted employees, it was determined that twenty (20) exempted positions listed in **Appendix A** were performing duties matching the specifications for various Civil Service classifications.

**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 eight (8) exempted positions that appeared to be performing duties and responsibilities comparable to those found in Civil Service classification(s) in the FY2009 compliance audit and three (3) positions in the FY2006 audit. *[Finding Code ISU FY09-04, pages 13-15 and FY2006, pages 12-14].*

**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. Specifically, positions that are flagged as a result of Auditor recommendations discovered through the compliance audit process must be reviewed as a matter of standard protocol at the next contract renewal date.* 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 Khris Clevenger, Assistant Vice President-Human Resources**

We agree with the recommendation from the auditor and we will flag these positions. ISU will conduct a thorough review of the positions at the time they become vacant to determine proper classification.

**Additional Auditor Comments:**

The positions noted in this finding will be included in the Auditor's review during the next audit period. *Again, it is strongly recommended that these positions be moved immediately, or at the next employment contract renewal date if applicable.*

**Illinois State University**  
**Final Audit Report**

**Material Findings, Recommendations, and Institutional Corrective Action Plan**

**ISU FY11-05**      Failure to Monitor and Validate Temporary Upgrade Assignments

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

- 1) [State Universities Civil Service Act \(Act\), Section 70/36b\(2\)](#)
- 2) [Illinois Administrative Code \(Code\), Section 250.100 Reassignments and Transfers](#)
- 3) [Illinois Administrative Code \(Code\), Section 250.140 Delegation of Authority and Responsibilities](#)
- 4) [Employment and Separation Procedures Manual, Section 4.2 Temporary Downgrading and Upgrading Assignments](#)

Section 70/36b(2) of the Act states, “The purpose of the University System is to establish a sound program of personnel administration for 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 Illinois Student Assistance Commission, and the Board of Higher Education. All certificates, appointments, and promotions to positions in these agencies and institutions shall be made solely on the basis of merit and fitness, to be ascertained by examination, except as specified in Section 36e.”

As stated in Section 250.140 of the Code, “Delegation of Authority and Responsibilities”:

- a) “Delegation to the Executive Director. The Executive Director is delegated the authority and responsibility to effectively administer the State Universities Civil Service System in accordance with the Act and this Part. The Executive Director may be further delegated the authority and responsibility to act on behalf of the Merit Board by specific authorization or direction of the Merit Board.”
- b) “Delegation by the Executive Director. The Executive Director is authorized to delegate to the employer, and to members of the University System staff, such duties and responsibilities as, in his/her judgment, are appropriate and effective for the efficient administration of the service of the System to its constituent institutions and agencies.”
- c) “Conduct of Audits. The Executive Director shall conduct ongoing audit programs of all Civil Service operations at all places of employment for the purpose of assuring compliance with the Act and this Part and for improving the programs of personnel administration of its



constituent employers and shall prepare, distribute, and follow up on audit reports in accordance with Merit Board direction.”

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):**

Prior to the on-site audit, the Auditor requested material from the Employer with respect to Temporary Upgrade assignments. This portion is referenced in Section IV (H), Employment and Separations, *Temporary Downgrade and Temporary Upgrade Assignments* as outlined in the Audit Request Material Checklist, sent to the Employer on June 8, 2010. The data elements requested included employee name, classification, assigned upgrade/downgrade classification, date of upgrade/downgrade assignment, exam score and proof of register, and termination of upgrade/downgrade assignment. Following receipt of the checklist and through gathering materials in preparation for the audit, the Employer reported that there were none of these transactions processed during the audit time frame. Due to the size of the campus, this response appeared unusual with respect to the overall employment activity as compared to other similar places of employment within the University System.

The Auditor discussed this topic while on-site with the Employer’s point of contact for the biennial audit. It was discovered that the Employer simply did not refer to these types of transactions as temporary upgrades. However, it was noted that the Employer was actually paying ‘differentials’ for this purpose. Information regarding pay differentials had not been requested during previous audits. The Employer further indicated that ‘differentials’ did not meet the criteria outlined in the Act or Code as a temporary upgrade since those employees only assume a limited portion of those higher level responsibilities and therefore an upgrade was not required.

In order to validate the actual purpose of these pay ‘differentials’, the Auditor requested a report from the Employer that could demonstrate that pay increases for this purpose would be considered compliant with the Act and Code. The Employer’s response was that their current payroll system was not capable of generating such a report. Therefore in this instance, it appears the Employer does not have an actual method of validating compliance with the temporary upgrade provision.

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

It appears that there is not a business process in place to properly track or document this basic personnel action and compliance activity. Consequently, the Employer failed to meet the requirements in providing data to properly validate the utilization of 'differentials' or temporary upgrade transactions during the audit time frame.

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

The Auditor was unable to collect and analyze any pay 'differential' data or Temporary Upgrade information with respect to the audit time frame to determine compliance with the Act, Code, and Procedures.

**Finding from Previous Audit:**

No findings in this topic area were made during the last operational audit in FY2009.

**Recommendation:**

As a matter of standard protocol for each Biennial Compliance Audit, as well as in previous audits for this Employer, the System Office has consistently requested the data elements referenced in this finding regarding Temporary Upgrade assignments. In previous audits, the Employer's response to this topic was that there were no Temporary Upgrades utilized. However, it is uncertain whether this is actually the case without the Auditor's ability to analyze relevant data in this respect.

In general, the payroll systems we have interfaced with throughout the system in our audit activities has some process or reporting mechanism to monitor and identify various contractual differentials, or pay adjustments, paid each pay period. However, as the Employer has indicated during this audit, their current system does not systematically capture these pay differentiations and is not capable of generating this report. The Employer has further indicated that effective July 1, 2011, the new Peoplesoft system will be online and set up to track these types of transactions utilizing more specific time reporting codes which should allow them to comply with future audit requests.

It is recommended that the Employer review the provisions regarding the utilization of the Temporary Upgrade provision in accordance with established guidelines. The Employer is reminded that Temporary Upgrades are frequently utilized when necessary to compensate employees when they temporarily assume duties of a higher classification or in other situations where a supervisory employee is temporarily replaced in his/her absence. The method of payment or the amount that is paid outside of an employee's current classification base rate does not necessarily relieve the Employer from their obligation under the Act, Code, and Procedures regarding Temporary Upgrades. If the differential being paid for this temporary assignment is the exact difference between the two base rates, then a temporary upgrade is assumed and should be monitored and recorded in accordance with compliance standards.

**Institutional Corrective Action Plan—provided by Khris Clevenger, Assistant Vice President-Human Resources**

We agree with the recommendation from the auditor. With the implementation of the new Peoplesoft HRIS system, we will be able to provide documentation of any temporary upgrades given that meet the Civil Service Statute criteria.

**Illinois State University**  
**Final Audit Report**

**Material Findings, Recommendations, and Institutional Corrective Action Plan**

**ISU FY11-06**      Principal Administrative Appointments – Non-Compliance with Triennial Review Standard for Position Descriptions

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

- 1) [State Universities Civil Service Act \(Act\), Section 70/36e Coverage](#)
- 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](#)

The Exemption Procedures Manual, Section 6.3 System Office Review states, “As a means of helping insure the maintenance of position changes, University System employers shall establish and implement a cyclic review program wherein position descriptions for all exempt positions are reviewed by the University System employer for currency of job content and title *no less often than once every three years.*”

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

The Auditor requested one-hundred (100) Principal Administrative Appointment position descriptions as the test sample for compliance with triennial review standards. Upon initial review and check-in of the audit materials, it was determined that thirty-one (31) position descriptions requested, listed in **Appendix B**, did not appear to be updated or reviewed for currency or content in accordance with established guidelines.

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

The Employer has not maintained adequate business processes to properly manage PAA position descriptions as procedurally required.

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

Classification plan management protocols include base line standards for exemption authorization and evolve simply around one central concept, an evaluation of the position description. The cornerstone of proper position control management lies with the proper administration and maintenance of the position description. This is a fundamental necessity. Without this component in place, exemption authorization simply cannot be validated resulting in significant liability consequences.

**Finding from Previous Audit:**

No findings in this topic area were made during the last operational audit in FY2009.

**Recommendation:**

Consistent with the Exemption Procedures Manual, it is strongly recommended that the Employer immediately establish business procedures to properly maintain the position descriptions for these exempted positions. The Employer is asked to provide any updates in this respect as business processes are developed or implemented.

It is recommended that Employer emphasize the fundamental importance of the establishment of a periodic position development and review process for all Principal Administrative Appointments/Exemptions, in accordance with the Exemption Procedures Manual. Employees directly responsible for performing the position description review and authorization of civil service exemptions should routinely be properly informed and trained regarding classification plan management concepts, specifically those directly related to the exemption authorization process and corresponding procedural requirements.

**Institutional Corrective Action Plan—provided by Khris Clevenger, Assistant Vice President-Human Resources**

We agree with the recommendation from the auditor and will establish a process to insure the review and/or update of Principal Administrative Appointment position descriptions no less often than once every three years.

**Illinois State University**  
**Final Audit Report**

**Material Findings, Recommendations, and Institutional Corrective Action Plan**

**ISU FY11-07**      Inaccurate Exemption Authorization Applied

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

- 1) [State Universities Civil Service Act \(Act\), Section 70/36e Coverage](#)
- 2) [Illinois Administrative Code \(Code\), Section 250.30\(a\) Coverage](#)
- 3) [Exemption Procedures Manual, Section 1.1 Overview](#)
- 4) [Exemption Procedures Manual, Section 6.2 Internal Review](#)
- 5) [Exemption Procedures Manual, Section 6.3 System Office Review](#)

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 is required to confirm that these exemption authorizations remain valid.

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

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

Through a standard review of payroll documents, the Auditor determined that fifteen (15) positions/titles listed in **Appendix C** may be more appropriately categorized as exempt under Section 36e(2) or 36e(4) of the Act.

**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 exempt position descriptions, including a determination of the

proper exemption standard to be applied, may lead to unauthorized exemption authorizations, utilization of inappropriate employment protocols, and non-compliance with the Act, Code and Procedures.

**Finding from Previous Audit:**

During the FY2009 audit, it was determined that five (5) positions exempted under 36e(3) of the Act may more appropriately be categorized under 36e(4) of the Act even though the titles assigned to the positions are linked to a standard title and/or may not readily reflect this 36e(4) option. *[Finding Code NMISU FY09-01, pages 1-2]*

**Recommendation:**

We recommend that the University complete a review and update its payroll records for the positions listed in **Appendix C** in order to validate the exemption authorization applied, either as 36e(2) or 36e(4), and update those records accordingly. This review should specifically include an evaluation of the type of exemption authorization to be applied in each instance. It is strongly recommended that these updates be completed prior to the Employer submitting their next Quarterly Report of Employee Served information to the System Office.

**Institutional Corrective Action Plan—provided by Khris Clevenger, Assistant Vice President-Human Resources**

We agree with the recommendation from the auditor and will update the payroll records with the exemptions for the positions listed in Appendix C.

**Illinois State University**  
**Final Audit Report**

**Material Findings, Recommendations, and Institutional Corrective Action Plan**

**ISU FY11-08**      Non-Compliance with Extra Help Employment and Position Limitations

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

- 1) [Illinois Administrative Code \(Code\), Section 250.70\(f\) Extra Help Appointments](#)
- 2) [Employment and Separation Procedures Manual, Section 2.5 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 that 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 reestablished until six months have 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 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 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.



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

As documented in **Appendix D**, twelve (12) employees were found to have worked beyond the 900-hour Extra Help limitation without the required 30-day break in service.

As further documented in **Appendix E**, it was also determined that fifteen (15) Extra Help positions were utilized for more than 900 hours of actual work within a 12 month period without a six month lapse. Several of the positions cited had several incumbents employed through them at the same time.

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

Based on the information provided by the Employer, it does not appear that adequate protocols to efficiently and effectively monitor Extra Help limitations were established or maintained, especially related to the 900-hour position utilization component. Additionally, it does not appear that the required six month lapse before a position can be reestablished has been followed in several instances, resulting in the extended use of positions beyond the 900 hour limitation.

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

Current Employer 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 positions/people appear to be utilized longer than allowed, impacting the overall employment environment, which is inconsistent with the Code and Employment/Separation Procedures Manual.

**Finding from Previous Audit:**

The Auditor identified eleven (11) appointments and thirty-five (35) positions that were determined to have been utilized beyond the 900 hour limitations without the appropriate breaks in the FY2009 compliance audit. During the FY2006 compliance audit, nine (9) appointments did not meet compliance standards. *[Finding Code ISU FY09-05, pages 16-19 and FY2006, page 10].*

**Recommendation:**

As a result of the FY2006 and FY2009 compliance audits regarding this topic, the Employer's Institutional Corrective Action Plan (ICAP) responses outlined concurrence with the Auditor's recommendation and indicated that they would adhere to the 900-hour limitation in the future to achieve compliance with the Illinois Administrative Code in this respect. In both audits, the Employer indicated that they provide supervisors with frequent reports regarding the number of hours worked for Extra Help employees in their departments to better monitor both hours worked by individual appointment and position. Based on the data reviewed by the Auditor for the current audit, it appears that these protocols have not provided the foundation for any significant improvements since the FY2009 compliance audit.

Since this topic has surfaced again as a material finding, the Auditor recommends that the Employer identify and implement more aggressive position management protocols that will adequately monitor and regulate Extra Help positions, and employees assigned to those positions, in accordance with Section 250.70(f) of the Code. Furthermore, the practice of position pooling creates difficulty in administering these positions in accordance with regulatory standards. Assignment of individual position numbers to each active Extra Help appointment may provide a more adequate monitoring protocol in this respect.

The Employer should also be aware that while Extra Help appointments are intended to be utilized to assist during position vacancies, leaves of absence, and during peak work periods, position management protocols with respect to the 900 hour limitation must remain in place in accordance with established guidelines. Additional training may be required to department supervisors who utilize Extra Help employees and specific HR staff members who track the hours associated with these positions to ensure compliance with the 900 hour limitation in this respect. The System Office is available to provide training regarding this provision if necessary.

Additionally, to reduce the frequency of these findings, the Employer may be able to further utilize [Extra Help Extensions](#), when applicable, and/or conduct an operational analysis to determine if there is need for the creation of additional 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 Khris Clevenger, Assistant Vice President-Human Resources**

We agree with the recommendation from the auditor. Though the University did see a 43% improvement in this issue over the last audit, with the implementation of the new Peoplesoft HRIS system in July, 2011, the departments will have the ability to better monitor the number of hours worked by their Extra Help employees. In addition, this new system will not allow position pooling, so again better monitoring of individual Extra Help positions will be enabled.