

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

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



Lyneir R. Cole
Merit Board Chair
Jeff Brownfield
Executive Director

November 7, 2017

FILE COPY

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University of Illinois

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University of Illinois at Springfield

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State Universities Civil Service System

The State Universities Civil Service System respectfully submits the Governance, Risk, and Compliance Audit of the Office of Human Resources at the University of Illinois at Springfield, covering the period of March 1, 2013 through October 31, 2016. This report is intended to communicate positive human resource practices observed, as well as document the risk assessment category findings, and provide recommendations to rectify issues formulated through a comprehensive human resource compliance and operational audit.

Please note that issues regarding the designation and exemption of §36e(3) appointments (principal administrative employees) were not included in this Final Audit Report. As stated in a letter dated June 8, 2017, the University Civil Service Merit Board has directed this office to review, coordinate, and develop standards related to the exemption of positions. To this end, it is our intent to clarify the categories and processes by which exemptions are defined, implemented and reviewed, while maintaining compliance with the language of the Act. Once those standards are in place, the Auditor intends to review specific issues identified during the course of this FY2017 Audit at a later date.

On behalf of the Legal and Compliance Services Division, 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 contact David L. DeThorne, Legal and Compliance Services Manager and Legal Counsel or Lucinda M. Neitzel, Assistant Director of Legal and Compliance Services at (217) 278-3150.

A handwritten signature in black ink, appearing to read 'J. Brownfield', is positioned above the printed name.

Jeff Brownfield
Executive Director

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**Lyneir R. Cole
Merit Board Chair
Jeff Brownfield
Executive Director**

November 7, 2017

Ms. Melissa Mlynski
Senior Director of Human Resources
University of Illinois at Springfield
One University Plaza, HRB 30
Springfield, IL 62703-5407

Dear Melissa:

As you are aware, 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 University System Office is charged with establishing "a sound program of personnel administration for its constituent employers (110 ILCS 70/36b(2))".

As part of this statutory authority, 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 purpose and intent of the Governance, Risk, and Compliance (GRC) Audit program is to assist Employers in complying with these governing regulations. This communication serves to formally outline these regulatory requirements and to further demonstrate our commitment to transparency with respect to the FY2017 Governance, Risk, and Compliance Audit for the University of Illinois at Springfield. Prior to our follow-up visit on March 2, 2017, your office was provided with the GRC Audit Charter, approved by the Merit Board on August 17, 2016.

The Legal and Compliance Services Division is the unit responsible for enforcing and making determinations as to whether an existing personnel program is consistent with governing regulations and procedural standards. However, in conjunction with that requirement, it is our goal to assist Employers in meeting the needs and expectations of administrators and civil service employees alike, identify problems and propose solutions, and provide staff assistance and guidance where needed. We believe that a collaborative approach through open communication provides the necessary avenue to which compliance is best achieved.

The following report communicates the final outcome of the Governance, Risk, and Compliance Audit, which included an extensive evaluation of data outcomes and an on-site evaluation conducted July 8-10, 2015 and March 2, 2017. A Draft Report was issued on September 21, 2017, which included an

opportunity for the Employer to request a formal Exit Conference to discuss the specific finding contained in the Draft Audit Report, however, the Employer did not request a conference. The Employer stated their understanding of the draft audit report and submitted their formal administrative response, which is contained herein.

If there are any questions with respect to this report or its contents, please contact our office at (217) 278-3150.

A handwritten signature in blue ink, appearing to read 'D. DeThorne', with a long horizontal flourish extending to the right.

David L. DeThorne
Legal Services Manager and Legal Counsel

STATE UNIVERSITIES CIVIL SERVICE SYSTEM



Governance, Risk and Compliance Audit Report (Final)

November 7, 2017

UNIVERSITY OF ILLINOIS AT SPRINGFIELD

Audit Time Frame:
March 1, 2013 – October 31, 2016

On-Site Visit:
July 8-10, 2015 and March 2, 2017

Prepared by:

Lucinda M. Neitzel

Assistant Director, Legal and Compliance Services

**State Universities Civil Service System
Legal and Compliance Services
Final Audit Report**

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State Universities Civil Service System
Legal and Compliance Services
Final Audit Report

Overview of Specific Areas Subject to Review

Prior to selecting the audit criteria for any Employer, the following Human Resource topic areas were reviewed when identifying the Audit Objective and Scope, Risk Assessment Categories, and Findings identified in this 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.

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.

Audit Objective and Scope

Objective: As stated in the Governance, Risk, and Compliance Audit Charter for the State Universities Civil Service System, and approved by the Merit Board on August 17, 2016, the primary objective and purpose of the audit program is to evaluate and verify compliance with the Act, Code, and System Procedures. The University System is also charged with building strategic partnerships, evaluating processes and performance, providing direct guidance and support services, and implementing flexibilities that meet the needs of each employer, consistent with the Act.

Audit Scope: The Scope of this FY2017 Audit Cycle for the University of Illinois at Springfield included a comprehensive evaluation of employment designations and/or category of status, non-status, and exempt appointments, register maintenance, compliance with the 900-hour limitation with respect to Extra Help Appointments, time frame requirements for Temporary Upgrade Assignments, an update regarding previously cited audit findings, and personnel file reviews.

Risk Assessment Categories

Topics of Specific Focus by Risk Assessment Category: Prior to performing audit functions, specific risk assessments were assigned and categorized for each topic area reviewed during the compliance audit process. The Auditor considers the following factors when determining the appropriate level of compliance violation and/or course of action:

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

While subject to change, audit findings are typically issued and defined on these designated and predetermined risk assessments as follows:

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

For the current FY2017 Governance, Risk, and Compliance Audit at the University of Illinois at Springfield, the following risk assessments and areas of focus were communicated to the Employer prior to conducting the audit examination:

Category I: Identification of Civil Service Classifications Used, Use of Approved Rates and Ranges, Admission of Applicants to Examination, Examination Security Protocols, Register Referral of Candidates and Register Maintenance, Extra Help Appointments, and Temporary Upgrade Assignments.

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

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

The Legal and Compliance Division recognizes and identifies these three categories of findings based on the facts presented by the Employer during the audit process, which are then evaluated against requirements consistent with regulatory guidelines in the Act, Code, and System Procedures.

While not a definitive conclusion, documented findings depend on the severity of the issue and whether it is related to a violation of the Act, Code, or Procedure.

University of Illinois at Springfield
Final Audit Report

Executive Summary
YEAR ENDED—FY2017

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

<u>Number of</u>	<u>This Report</u>
Positive Observations	1
Category 1 Findings	1
Category 2 Findings	0
Category 3 Findings	0
Repeated findings from previous audit®	0

REPORT SCHEDULE OF POSITIVE OBSERVATIONS AND AUDIT FINDINGS

<u>Item</u>	<u>Page</u>	<u>Description</u>
UIS FY17-01	5	<u>POSITIVE OBSERVATIONS</u> Civil Service Position Control and Records Management
UIS FY17-02	7	<u>RISK ASSESSMENT CATEGORY 1 FINDING</u> Non-Compliance with Extra Help Employment and Position Limitations

University of Illinois at Springfield
Final Audit Report

Positive Observation and Auditor Comments

UIS FY17-01	CIVIL SERVICE POSITION CONTROL AND RECORDS MANAGEMENT
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CRITERIA/STANDARDS:

- 1) *State Universities Civil Service Act (Act), 70/36d., Powers and Duties of the Merit Board*
- 2) *Illinois Administrative Code (Code), Section 250.30 Class Specifications*
- 3) *Classification Plan Management Procedures Manual, Section 2.1 Employer Responsibilities*
- 4) *Classification Plan Management Procedures Manual, Section 5.1 Position Control, Definition*
- 5) *Classification Plan Management Procedures Manual, Section 5.2 Position Control, Position Identification*

According to the State Universities Civil Service Act, “the Merit Board shall have power to delegate to its Director the duty of assigning each position in the classified service to the appropriate class in the classification plan approved by the Merit Board.” The Illinois Administrative Code (Code), Section 250.30(b)(1) Class Specifications, provides that “The System shall maintain written specifications, as approved by the Merit Board, for each class in the classification plan. Such specifications shall include the class title, function of position, characteristic duties and responsibilities, minimum acceptable qualifications, including any special licenses or certificates required by state or federal laws, and additional desirable qualifications.”

The Classification Plan Management Procedures Manual, Section 5.1 states that “Civil Service position control is a management tool concerned with the continuing record of the histories of positions. The focal point with respect to position control and what drives the class plan is the historically detailed actions regarding positions.” In addition, Section 5.2 states that “position control numbers are based on the position, and not on the incumbent holding that position or to any budget line item. Position numbers, assigned by the Employer on a continuing numerical basis as needed, remain with the individual position until canceled. The reclassification, reallocation, or administrative title change of a position does not affect the civil service position number.”

CONDITIONS/FACTS:

During the on-site portion of the audit, the Auditor selected a random sampling of four (4) Civil Service position control records to determine whether appropriate position information and specialty factor documentation was properly tracked and maintained. It was observed that very detailed position history information was contained in both paper and in an electronic position control database format that was easily retrieved upon request by the Auditor.

Most position control records are kept in locked cabinets and maintained separately than employee personnel records. The following records were inspected pursuant to the criteria/standards previously noted:

Office Support Specialist (S95779)
Police Lieutenant (S99055)
Office Manager (S99323)
Building Service Worker (S99673)

AUDITOR COMMENTS:

The Auditor commends the Human Resource Office staff for their excellent maintenance of records with respect to their position control process. Documents contained in the records sampling were quickly and easily retrievable, exceptionally well maintained, and included all pertinent information related to job content/descriptions, desk audit notes/determinations, reclassification and reallocation transactions, and specialty factor designations. These recordkeeping efficiencies provided the Auditor and Employer with significant time savings while performing the on-site audit visit.

University of Illinois at Springfield
Final Audit Report

Risk Assessment Category 1 Finding

Recommendation, Administrative Response, and Additional Auditor Comments

UIS FY17-02	NON-COMPLIANCE WITH EXTRA HELP EMPLOYMENT AND POSITION LIMITATIONS
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CRITERIA/STANDARDS:

- 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 which meets the following conditions:

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

"An Extra Help position may be utilized for a maximum of 900 hours of actual work in any consecutive 12 calendar months. The employer shall review the status of the position at least every three calendar months. If at any time it is found that the position has become an appointment that is other than Extra Help, the employer shall terminate the Extra Help appointment. If an Extra Help position has accrued 900 consecutive hours, the position shall not be reestablished until six (6) 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 thirty (30) calendar days have elapsed."

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

BACKGROUND/CONTEXT:

The Governance, Risk, and Compliance (GRC) Audit time frame for the University of Illinois at Springfield was March 1, 2013 through October 31, 2016. Due to the suspension and overhaul of the previous audit program in the Fall of 2015, the Employer's originally designated audit time frame was extended nineteen (19) months beyond the original end date of March 31, 2015. As a result of the audit program

overhaul, the Auditor evaluated this topic based on a pre-determined audit risk assessment of two components; Extra Help appointments/employees and positions.

The utilization of Extra Help appointments and positions are routinely analyzed and reviewed under the purview of a Category 1 Risk Assessment to determine whether the 900-hour limitation with respect to appointments and position utilization was adhered to in accordance with the Illinois Administrative Code. In this respect, the Auditor selected the entire sample of Extra Help appointments utilized during the audit time frame.

CONDITIONS/FACTS:

During the FY2017 Governance, Risk, and Compliance Audit, the Auditor reviewed ten-thousand, three hundred eighty four (10,384) Extra Help payroll entries, which encompassed four-hundred ninety-three (493) employees and seven-hundred and two (702) positions utilized during the audit time frame. The Auditor requested and analyzed several Extra Help employment data components; including name, position number, department, job beginning and ending date, payroll periods employed, and hours worked. It should be noted that pay adjustments and overtime computations were removed from the Employer's data with respect to the total number of hours worked.

As documented in *Table 1.1* below, **fourteen (14) employees** appear to have worked beyond the 900-hour limitation without the required 30-day or 6-month break in service:

Table 1.1

FY2017 Governance, Risk, and Compliance (GRC) Audit		
Extra Help Employees Exceeding the 900-Hour Limitation		
Employee Name	Position Number(s)	Total Number of Hours Worked
██████████	SA2900-00	907.50
██████████	SA2222-00 & SA2751-00	982.00
██████████	SA2867-00	954.50
██████████	SA3466-00 & SA3704-00	1,225.00
██████████	SA2877-00 & SA3147-00	2,497.25
██████████	SA2093-00 & SA2845-00	1,622.50
██████████	SA1627-00 & SA2846-00	1,033.50
██████████	SA1914-00 & SA1914-00	1,139.95
██████████	SA0112 & SA3067-00	1,793.00
██████████	SA3001-00, SA3008-00, SA3337	1,530.90
██████████	SA2685-00 & SA3014-00	1,461.75
██████████	SA1648-00 & SA2830-00	1,135.50
██████████	SA2096-00 & SA2847-00	1,578.52
██████████	SA2831-00 & SA3153-00	1,780.50

NOTES:

** In some instances where employees exceeded the 900-hour limitation, the position violation was not included in Table 1.2.

*** Employees noted in red above were moved to Civil Service status appointments after exceeding the 900-hour limitation.

As documented in *Table 1.2* below, **eight (8) positions** appear to have been utilized for more than 900 hours of actual work within a 12 month period without a six month lapse:

Table 1.2

FY2017 Governance, Risk, and Compliance (GRC) Audit		
Extra Help Positions Exceeding the 900-Hour Limitation		
Budget Department - Position Number	Employee(s)	Total Number of Hours Worked
SA0546-00	[REDACTED]	975.98
SA1859-00	[REDACTED]	1,222.40
SA2093-00	[REDACTED]	920.00
SA2242-00	[REDACTED]	951.65
SA2355-00	[REDACTED]	1,061.50
SA2443-00	[REDACTED]	916.00
SA2523-00	[REDACTED]	2,963.00
SA3084-00	[REDACTED]	1,691.00

As part of the audit process, the Auditor has documented the Employer's submitted monitoring procedure for the utilization and monitoring of Extra Help appointments as indicated below:

EXTRA HELP MONITORING PROCEDURES: University of Illinois at Springfield

I. EXTRA HELP EMPLOYEES EXCEEDING THE 900 HOUR RULE:

Beginning in October 2009, departments who, in the past, have chosen to disregard the 900 hour rule will be asked at the time a position is created for an end date. If they cannot provide an end date, Human Resources will be calculating an approximate end date that would reflect an employee working 37.5 hours a week. This end date will be communicated to the department and entered in Banner so as to avoid future problems with employees working over the 900 hour limit without an approved extension from SUCSS.

II. EXTRA HELP POSITIONS EXCEEDING THE 900 HOUR RULE:

Beginning in October 2009, we began monitoring the hours worked on positions twice a month. While this was sufficient for a while, departments began to exceed the 900 hours on the pooled positions. To address this, we began issuing new position numbers around the 700 hour mark. This practice helped the problem, but we were still seeing some being exceeded. On 9/30/2012, we converted all of our extra help positions so that each extra help employee is in their own position number. This has allowed the employer to keep better track of the hours worked on positions and by employees. The Employer continues to monitor the hours every other week and stay in constant contact with their departments regarding their Extra Help employees.

CAUSE/SOURCE OF CONDITION:

Based on the data presented during the FY2017 Governance, Risk, and Compliance Audit, it does not appear that adequate departmental protocols to efficiently and effectively monitor Extra Help limitations for employees and positions have been maintained. Based on documentation received from the Employer, some positions are considered 'pooled' and many of those employees return to their position following a 30-day layoff. These types of positions include Stagehands, Valet Attendants, Survey Research Interviewers, Food Service Caterer/Waiters, Pep Band Members, Nurses, and Painters.

EFFECT/IMPACT:

Employer position management practices related to Extra Help appointments and executed during the audit time frame 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(S) FROM PREVIOUS AUDIT(S):

This topic was not cited as a finding during the previous FY2014 Biennial Compliance Audit.

During the FY2012 Biennial Compliance Audit, this topic was referenced separately in the Supplemental Audit Report as a Non-Material Finding. The Employer acknowledged that there was an ongoing problem with the monitoring of Extra Help appointments. However, the Employer implemented new procedures so we may identify potential issues at an earlier point during the Extra Help employee's tenure that drastically reduces the instances of violations. The Employer also advised the units that they will terminate Extra Help appointments at the 800 hour mark if they fail to work closely with HR in order to eliminate violations.

RECOMMENDATION TO EMPLOYER:

The Employer is again reminded that Extra Help appointments are intended to address a need that is 'emergent and casual in nature', and are to be utilized to assist during position vacancies, leaves of absence, and during peak work periods in accordance with established regulatory guidelines and procedures. Compliance with Extra Help appointment and position guidelines must be validated by adequately demonstrating the proper management of this employment activity, and by adhering to time frame limitations. ***The Auditor recommends that the Employer conduct a departmental analysis in some of these instances to determine if there is a need for the creation of additional status appointments to address the long term extensive use of Extra Help positions in this respect.*** We also recommend that the Employer identify departmental deficiencies or improvements to implement with respect to the Extra Help monitoring process and that Human Resources enforce stricter protocols that will improve the monitoring and regulation of Extra Help positions, and employees assigned to those positions, in accordance with Section 250.70(f) of the Code.

ADMINISTRATIVE RESPONSE - PROVIDED BY MELISSA MLYNSKI, SENIOR DIRECTOR OF HUMAN RESOURCES:

The University of Illinois Springfield (UIS) accepts the audit findings and recommendations. The audit assessment period covers March 2013 through October 2016 and the auditors reviewed 493 employees and 702 positions, finding 14 employees and 8 positions (approximately 3%) that violated the 900 hour limitation. During that time period there was considerable turnover in who was assigned to monitor Extra Help at UIS, with at least three different employee being assigned this responsibility. We are

currently creating a procedural manual to ensure that when turnover occurs, we have continuity in our processes.

We have implemented and continue to utilize the changes proposed in previous audit responses in 2009 and 2012, including converting all extra help employees into single positions rather than pooled. More recently, we have converted from bimonthly to biweekly monitoring of Extra Help hours and we have worked to improve communications with the employing units to avoid exceeding the 900 hour limitation.

ADDITIONAL AUDITOR COMMENTS:

Based on the Extra Help data submitted to the Auditor, there were several employees that far exceeded 1,000 Extra Help hours, which is considered excessive and clearly violates the 900-hour limitation. Section 250.70(f) of the Illinois Administrative Code with respect to Extra Help appointments does not allow for an allowance, threshold, or percentage of the total usage for non-compliance.

While understanding the turnover issue in the Human Resource Office, campus departments are also charged with adhering to the standards outlined in the Extra Help provision, strictly monitoring work being performed and the hours worked in a given pay period. They are also responsible for managing the termination of employees whose appointments should end prior to reaching the 900-hour limitation.

Again, we strongly recommend that the Employer identify both internal and external departmental deficiencies and implement improvements with respect to the Extra Help monitoring process. Human Resources should enforce stricter departmental protocols that improve the monitoring and regulation of Extra Help positions, and employees assigned to those positions, in accordance with Section 250.70(f) of the Code.