

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

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



*Jill Smart
Merit Board Chair
Jeff Brownfield
Executive Director*

January 11, 2019

Dr. Elaine Maimon
President
Governors State University

Mr. W. Paul Bylaska
Vice President for Administration and Finance
Governors State University

Ms. Anne Gill
Interim Associate Vice President for Human Resources and Diversity
Designated Employer Representative
Governors State University

Ms. Kris Evangelista
Chief Internal Auditor
Governors State University

Mr. Carney Barr
Merit Board Member
State Universities Civil Service System

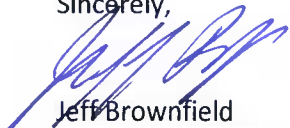
The State Universities Civil Service System respectfully submits the Governance, Risk, and Compliance Audit of the Office of Human Resources at Governors State University, covering the period of April 1, 2014 through September 30, 2017. The following report is intended to communicate the findings, recommendations and corresponding institutional responses formulated through a comprehensive human resource compliance and operational audit.

As a matter of record, it is important to recognize the efforts and considerable amount of time that the University System Auditor spent in collaboration, training, and follow-up with the Employer in an attempt to rectify issues that may have otherwise been cited as findings during this audit process. The University System Auditor prefers a process of collaboration when Employers are willing to engage and exchange information; and to revise or update data or commit to new systems that ensure compliance with the Act and Code. In this respect, the University System continues to take the approach that the audit should not simply be a vehicle that produces audit findings; but that instead fosters relationships by working in conjunction with our human resource representatives to ensure that personnel programs comply with state law and administrative regulations.

Please note that the designation and exemption of §36e(3) appointments (principal administrative employees) were not reviewed as part of this audit. As stated in a letter dated June 8, 2017, the University Civil Service Merit Board directed this office to review, coordinate, and develop standards related to the exemption of positions. **These new standards became effective October 1, 2018.** The Auditor will resume standard audit practices related to this topic during the next scheduled audit period.

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.

Sincerely,



Jeff Brownfield
Executive Director

STATE UNIVERSITIES CIVIL SERVICE SYSTEM



Governance, Risk, and Compliance Audit Report (Final)

January 11, 2019

GOVERNORS STATE UNIVERSITY

Audit Time Frame:
April 1, 2014 – September 30, 2017

On-Site Visit:
April 30 – May 2, 2018

Prepared by:

Lucinda M. Neitzel
Assistant Director, Legal and Compliance Services

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

Table of Contents

| | |
|--|----------|
| Authority and Jurisdiction. | 1 |
| Overview of Specific Areas Evaluated | 2 |
| Audit Objective and Scope | 3 |
| Risk Assessment Categories..... | 3 |
| Executive Summary..... | 5 |
| Findings, Recommendations, Responses, and Additional Auditor Comments | 6 |

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

Authority and Jurisdiction

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.

The Legal and Compliance Services Division is responsible for enforcing and making determinations as to whether existing personnel programs are 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.

Prior to the on-site visit, the employer was provided with the Audit Charter, which was voted into the record and approved by the Merit Board on August 17, 2016. The employer was also provided with a detailed audit scope statement and associated risk assessment evaluation for each area or program being evaluated.

This report serves to formally communicate the final outcome of the Governance, Risk, and Compliance Audit, which included an extensive evaluation of data outcomes, questionnaires, interviews, and an on-site records evaluation conducted on April 30-May 2, 2018. A Preliminary Observation Report was provided to the Employer on May 8, 2018, a Post Audit Conference was held on May 9, 2018 with a Draft Audit Report issued on October 4, 2018. There were two training sessions held on June 28, 2018 and August 23, 2018.

The following staff members from the University System Office were directly responsible for conducting various aspects of this audit:

Lucinda M. Neitzel, Assistant Director – Legal and Compliance Services Division
Paula Mitchell, Human Resource Assistant

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

Overview of Specific Areas Evaluated

Prior to selecting the audit criteria for any Employer, the following Human Resource topic areas were reviewed as part of the overall Audit Objective, Scope, and Risk Assessment Category:

Assignment of Positions to Class

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.

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

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 FY2018 Audit Cycle for Governors State University included a comprehensive evaluation of employment designations and/or category of status and non-status appointments, Civil Service position control management and desk audits, position description reviews, use of approved rates and ranges, examination security, register maintenance, compliance with the 900-hour limitation with respect to Extra Help appointments, timeframe requirements for temporary upgrade assignments, contract appointments, demonstration project data, and personnel record 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 FY2018 Governance, Risk, and Compliance Audit at Governors State University, 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, Layoff Transactions, Specialty Factor Designations, Extra Help Appointments, and Temporary Upgrade Assignments.

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

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

The Legal and Compliance Division recognizes and identifies these three categories of findings based on the facts and data 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. As part of a holistic review of each category, the overall risk of compliance or continued non-compliance is based on the history of the issue for a specific employer and/or the magnitude of the issue with respect to a particular topic.

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

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

Governors State University
Executive Summary
YEAR ENDED—FY2018

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> |
|--------------------------------------|---------------------------|
| Category 1 Findings | 3 |
| Category 2 Findings | 1 |
| Category 3 Findings | 1 |
| Repeat findings from previous audit® | 2® |

SCHEDULE OF FINDINGS

| <u>Item</u> | <u>Page</u> | <u>Description</u> |
|----------------------|--------------------|--|
| <u>Number</u> | | |
| GSU FY18-01 | 6 | FINDINGS (ILLINOIS ADMINISTRATIVE CODE) Non-Compliance with Merit Board Provisions Regarding Promotions |
| GSU FY18-02 | 9 | FINDINGS (ILLINOIS ADMINISTRATIVE CODE) Non-Compliance with Extra Help Employment and Position Limitations® |
| GSU FY18-03 | 14 | FINDINGS (ILLINOIS ADMINISTRATIVE CODE) Non-Compliance with the Utilization of Temporary Upgrade Assignments |
| GSU FY18-04 | 19 | FINDINGS (ILLINOIS ADMINISTRATIVE CODE) Non-Compliance with Cyclic Review of Civil Service Position Descriptions® |
| GSU FY18-05 | 22 | FINDINGS (ILLINOIS ADMINISTRATIVE CODE) Non-Compliance with Position Classification Assignment |

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

Risk Assessment Category 1 Finding,
Recommendation, and Administrative Response

| | |
|--------------------|--|
| GSU FY18-01 | NON-COMPLIANCE WITH MERIT BOARD PROVISIONS REGARDING PROMOTIONS |
|--------------------|--|

CRITERIA/STANDARDS:

- 1) *State Universities Civil Service Act (Act), Section 70/36d(2), Powers and Duties of the Merit Board*
- 2) *Illinois Administrative Code (Code), Section 250.30(b) The Classification Plan*
- 3) *Classification Plan Procedures Manual, Section 2.1 Employer Responsibilities*

According to Section 36d(2) of the Act, paragraph 8 states, “The Merit Board shall have the power and duty – to provide by its rules for promotions in the classified service. Vacancies shall be filled by promotion whenever practicable. For the purpose of this paragraph, an advancement in class shall constitute a promotion.”

Section 250.30(i) of the Illinois Administrative Code regarding the reallocation or reclassification of existing positions states, “...when material changes occur in the duties and responsibilities of a position, the employer shall reallocate or reclassify the position to its appropriate class.”

The Classification Plan Procedures Manual, Section 2.1 states, “...The Merit Board has delegated the final responsibility for the assignment of positions to classes to the Director. In order to facilitate day-to-day Employer activities with respect to the classification of positions, the Director has delegated to each Employer the authority for (1) the assignment of positions to classes; (2) the reclassification of positions; and (3) the reallocation of positions, subject to post-action audit or review by the Director.”

CONDITIONS/FACTS:

As a matter of standard protocol, the Auditor examines whether all Civil Service classifications utilized at a place of employment are authorized, identified, and transacted in accordance with the Act, Code, and System classification plan. As part of routine sampling and through a payroll document analysis, the Auditor reviewed the classifications utilized within the Department of Public Safety. Of specific concern was the analysis of the Civil Service payroll document. The Auditor discovered that no other classifications in the Police Series promotional line are utilized at Governors State University. These classifications include Corporal, Sergeant, Lieutenant, Captain, and Major (Alternate Title: Deputy Chief).

During the on-site visit, the Auditor became aware of an issue in which employees classified as entry level Police Officers had been routinely performing higher level supervisory duties on a regular and rotational basis, specifically being assigned as ‘Watch Commanders’. These supervisory duties are typically assigned

and performed at the Lieutenant level or higher within the Police Series, consistent with the duties outlined in the classification plan.

Through a review of payroll documents, it was discovered that as of the pay period end date of 9/30/2017, the following Police Officers were assigned to the department:

| Employee Name | Pay Type | Date of Employment | Civil Service Title | Date of Appointment to Classification |
|---------------|----------|--------------------|---------------------|---------------------------------------|
| ██████████ | N | 9/16/99 | Police Officer | 6/1/04 |
| ██████████ | N | 6/12/06 | Police Officer | 6/12/06 |
| ██████████ | N | 3/18/13 | Police Officer | 4/1/14 |
| ██████████ | N | 10/22/08 | Police Officer | 10/22/08 |
| ██████████ | N | 3/16/06 | Police Officer | 8/1/08 |
| ██████████ | N | 4/16/14 | Police Officer | 4/16/14 |

Additionally, when reviewing the Extra Help hours in the title of Protective Aide, which functions as a Police Officer with respect to duties being performed, the following data was extrapolated:

| Employee Name | Position Start Date | Pay Period End Date | Hours Worked |
|---------------|---------------------|---------------------|--------------|
| ██████████ | 4/4/2016 | 9/30/2017 | 1,057.00 |
| ██████████ | 10/19/2013 | 9/30/2017 | 10,632.50 |
| ██████████ | 4/10/2013 | 10/15/2015 | 6,364.50 |
| ██████████ | 1/15/2016 | 9/30/2017 | 7,176.00 |
| Total | 4/10/2013 | 9/30/2017 | 25,230 |

CAUSE/SOURCE OF CONDITION:

Even though the Department of Public Safety is relatively small, there are no other ranking officers assigned except for Police Officers and the Police Chief. Supervisory functions, in the form of General Orders, are routinely assigned to Police Officers by the Police Chief; which equates to a bonafide need for a rank and file police force. In addition, the Employer has elected to utilize excessive Extra Help hours in order to supplement their police force, when it is clearly evident that status positions are warranted.

EFFECT/IMPACT:

The Act, under the provision of 36d, under "Power and duties of the Merit Board" states the following:

§ 36d. Powers and Duties of the Merit Board. The Merit Board shall have the power and duty –

(8) To provide by its rules for promotions in the classified service. Vacancies shall be filled by promotion whenever practicable. For the purpose of this paragraph, an advancement in class shall constitute a promotion.

The foundation of the Merit System and the primary concept of a classification plan management system are that employees be placed in job classifications based on the prominence of actual duties and level of responsibility. The Auditor discovered that no other classifications in the Police Series promotional line

are being utilized at Governors State University, therefore in this particular instance with Police Officers, there are no promotional opportunities available outside of temporary monetary changes when performing 'Watch Commander' duties.

During the on-site visit, the Auditor was provided a copy of General Order 24, in which the duties are assigned by the Chief of Police at his discretion to Police Officers. It should be noted that changes in job function or duties performed at the higher level in the series indicate that either a Temporary Upgrade is assigned, or when a demonstrated need is clearly evident, the creation of status positions at those levels through a reclassification transaction.

In addition to this discovery, the Auditor determined that through a review of Extra Help hours for Protective Aides, who function as Police Officers, had accumulated thousands of hours in a non-status employment capacity. Supplementing Police Officers with Extra Help employees in order for status employees to perform supervisory functions is an inappropriate utilization of Extra Help and inconsistent with the 'casual and emergent' nature that the Administrative Rule requires in this non-status employment category.

FINDING(S) FROM PREVIOUS AUDIT(S):

No findings in this topic area were made during the last operational audit in FY2015.

RECOMMENDATION TO EMPLOYER:

It is crucial that the Employer conduct a departmental review and determine proper manpower needs that are in compliance and consistent with the State Universities Civil Service Act, Illinois Administrative Code, and Merit Board Procedures. Consistent with these regulatory guidelines, it is strongly recommended that the Employer immediately establish business protocols and outline a detailed plan of implementation regarding police testing, ensure the proper management of Temporary Upgrades, and monitor Extra Help hours by employee and position. This plan, with designated time frames, must be submitted to the University System Auditor no later than **November 30, 2018**. Additionally, the proposal to remedy this issue will be briefed as an agenda item at the February 2019 Merit Board Meeting.

EMPLOYER'S ADMINISTRATIVE RESPONSE – PROVIDED BY MS. ANNE GILL, INTERIM ASSOCIATE VICE PRESIDENT FOR HUMAN RESOURCES & DIVERSITY:

The University is in the process of filling status positions for police officers and security guards in order to reduce and/or eliminate the use of extra help within the Department of Public Safety. HR recently initiated the testing process for Police Officer and looks to complete the process by January 31, 2019 in order to have the positions filled shortly thereafter. In addition, the University will implement a process to provide promotional exams for police officers who serve in the capacity of "Officer in Charge" in order to provide promotional opportunities. HR is hiring a second Civil Service tester, who will assist in the Civil Service testing process in order to conduct the promotional exams as requested. HR looks to have this position filled in January 2019.

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

Risk Assessment Category 1 Finding

Recommendation, Administrative Response, and Additional Auditor Comments

| | |
|--------------------|---|
| GSU FY18-02 | NON-COMPLIANCE WITH EXTRA HELP EMPLOYMENT AND POSITION LIMITATIONS |
|--------------------|---|

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 they "... shall review the status of the position at least every three calendar months. If at any time it is found that the position has become an appointment that is other than Extra Help, the employer shall terminate the Extra Help appointment." Understanding the need for continued temporary assistance, Extra Help extensions are allowed in specific instances in accordance with procedural guidelines.

BACKGROUND/CONTEXT:

The Governance, Risk, and Compliance (GRC) Audit time frame for Governors State University was April 1, 2014 through September 30, 2017. The utilization of Extra Help appointments and positions are typically 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.

Historically, this topic has been an issue of concern with this Employer over the course of several audits, especially in the public safety area. Following the previous FY2015 Biennial Compliance Audit, the University System requested follow-up compliance activities be conducted with the Employer, which was initially denied. Essentially, the Employer indicated through correspondence that the campus would continue its practice in allowing Extra Help employees and positions to exceed the 900-hour limitation since it was serving their campus needs.

The matter was then referred to the Merit Board Chair, and in a letter dated May 28, 2015 to the Designated Employer Representative at GSU, Ms. Joyce Coleman, requested that the Employer consult with the Executive Director of the University System to develop a solution to resolve the issue that meets the needs of the campus and still complies with the Illinois Administrative Code. On July 1, 2015, the DER assured the Merit Board Chair that the Employer would plan to take action to resolve the issue by planning to create status positions and commit to consulting with the University System to develop solutions under the Illinois Administrative Code.

CONDITIONS/FACTS:

During the FY2018 Governance, Risk, and Compliance Audit, the Auditor reviewed one-thousand, one-hundred sixty-six (1,166) Extra Help appointments encompassing thirty-six (36) employees and fifty-three (53) Extra Help positions utilized during the audit time frame. As documented below in **Table 1.1, eighteen (18) instances** appear to have worked beyond the 900-hour limitation without the required 30-day break in service.

Table 1.1

| <i>FY2018 Governance, Risk, and Compliance (GRC) Audit</i> | | |
|---|------------------------|-------------------------------------|
| <i>Extra Help Employees Exceeding the 900-Hour Limitation</i> | | |
| <i>Employee Name</i> | <i>Position Number</i> | <i>Total Number of Hours Worked</i> |
| ██████████ | T17251067SD#2 | 6,355.25 |
| ██████████ | T10352010PA#16 | 1,057.00 |
| ██████████ | T17251067SD#1 | 6,527.25 |
| ██████████ | T10352010T#1 | 15,726.00 |
| ██████████ | T10352010T#1 | 2,680.00 |
| ██████████ | T10352010T#8 | 4,453.00 |
| ██████████ | T17352010PA#4 | 10,632.50 |
| ██████████ | T10352010T#2 | 1,117.50 |
| ██████████ | T10352010T#2C | 972.00 |
| ██████████ | T232000020SAT28B | 942.75 |
| ██████████ | T232000020SAT28C | 914.75 |
| ██████████ | T232000020PST | 1,071.75 |
| ██████████ | T232000020PSTB | 1,289.25 |
| ██████████ | T232000020ST4#7 | 1,803.00 |
| ██████████ | T232000020ST#4C | 1,234.00 |

| <i>FY2018 Governance, Risk, and Compliance (GRC) Audit</i> | | |
|---|------------------------|-------------------------------------|
| <i>Extra Help Employees Exceeding the 900-Hour Limitation (Continued)</i> | | |
| <i>Employee Name</i> | <i>Position Number</i> | <i>Total Number of Hours Worked</i> |
| ██████████ | T232000020ST#4D | 977.50 |
| ██████████ | T10352010PA#8 | 6,364.50 |
| ██████████ | T10352010PA#8 | 7,176.00 |

As documented below in **Table 1.2** below, **sixteen (16) 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

| <i>FY2018 Governance, Risk, and Compliance (GRC) Audit</i> | | |
|---|--------------------|-------------------------------------|
| <i>Extra Help Positions Exceeding the 900-Hour Limitation</i> | | |
| <i>Position Number</i> | <i>Employee(s)</i> | <i>Total Number of Hours Worked</i> |
| T10352010PA#16 | ██████████ | 1,057.00 |
| T10352010PA#8 | ██████████ | 13,828.50 |
| T10352010T#1 | ██████████ | 20,456.00 |
| T10352010T#2 | ██████████ | 1,117.50 |
| T10352010T#8 | ██████████ | 4,453.00 |
| T17101024SCE#3 | ██████████ | 988.00 |
| T17251067SD#1 | ██████████ | 6,527.25 |
| T17251067SD#2 | ██████████ | 6,355.25 |
| T17352010PA#4 | ██████████ | 10,632.50 |
| T232000020LPST | ██████████ | 1,071.75 |
| T232000020LPSTB | ██████████ | 1,289.25 |
| T232000020SAT28B | ██████████ | 942.75 |
| T232000020SAT28C | ██████████ | 1,314.50 |
| T232000020ST#4C | ██████████ | 1,234.00 |
| T232000020ST#4D | ██████████ | 1,044.00 |
| T232000020ST4#7 | ██████████ | 1,803.00 |

During the on-site visit and exit conference, a Preliminary Observation Report was provided to the Employer. During that meeting, the Employer confirmed the accuracy of the Extra Help data analyzed by the Auditor. The Auditor discussed the excessive number of hours in many of these instances (indicated in red) with the Employer and conveyed to Human Resources staff that several status positions could be established as a result of these 'hours worked' totals.

CAUSE/SOURCE OF CONDITION:

As an overall evaluation of the use and monitoring of Extra Help appointments, there is a staggering increase in the quantity of hours reported by both appointment and position in this employment category.

This is due to a significant lack of management and monitoring of hours over an extended period of time. In addition, the refusal to comply with the Illinois Administrative Code by initiating Extra Help control mechanisms, and failing to coordinate with the University System in accordance with a directive from the Merit Board Chair, to resolve the issue severely impacted the outcomes documented in this finding.

EFFECT/IMPACT:

The Employer's employee and position management practices related to Extra Help appointments and executed during the audit time frame are clearly inadequate and extremely difficult to determine whether or not an Extra Help position, or employee, has exceeded employment limitations and should be terminated. Extra Help positions are utilized longer than allowed, impacting the overall employment environment, which is inconsistent with the Code and Employment/Separation Procedures Manual.

It appears that the condition has significantly worsened since the FY2015 Biennial Compliance Audit and has clearly caused additional issues. **The thousands of Extra Help hours revolving in and through these appointments and positions is excessive.**

FINDING(S) FROM PREVIOUS AUDIT:

During the FY2015 Biennial Compliance Audit, the Auditor reviewed two-hundred forty three (243) Extra Help appointments utilized during the audit time frame. During that period, it was determined that **twenty (20) employee appointments** were found to have worked beyond the 900-hour Extra Help limitation without the required 30-day break in service. It was further 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.

RECOMMENDATION TO EMPLOYER:

Compliance with Extra Help appointment and position regulations must be enforced and validated by adequately demonstrating the proper management and monitoring of this employment activity through strict adherence to time frame limitations. ***The Auditor requests that the Employer conduct an operational analysis to determine the need for the creation of status appointments to address the long term extensive use of Extra Help appointments and positions in this respect. In addition, the University System Office is available to assist the Employer with this endeavor and provide additional training and guidance with respect to validating compliance with the Extra Help regulatory limitations.***

While conducting this operational analysis, 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 only to assist during position vacancies, leaves of absence, and during peak work periods in accordance with established regulations and procedures. In conjunction with an operational analysis, the Auditor requests that the Human Resource Office conduct an in-depth internal review of their procedures to identify deficiencies with respect to the Extra Help monitoring process and implement stricter 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. ***In addition, the Auditor requests documented evidence that additional enforcement processes from campus administrators be communicated to departments to properly address this topic and alleviate future findings this respect.***

EMPLOYER'S ADMINISTRATIVE RESPONSE – PROVIDED BY MS. ANNE GILL, INTERIM ASSOCIATE VICE PRESIDENT FOR HUMAN RESOURCES & DIVERSITY:

The University has implemented greater control on filling positions with extra help staff. Departments must now memorialize the rationale for their request for an extra help position, which includes an end date for the use of the extra help employee with a comprehensive plan to fill any position that requires more than a 90-day use of extra help. Once an extra help position is filled, Human Resources monitors the time worked in order to prevent extra help from working beyond the allotted approval. In addition, the University has reviewed extra help positions throughout campus in order to determine if a status position is needed and is working with departments to develop status positions. This is an ongoing process; however, HR will provide copies of the new HR policies related to the hiring of extra help to auditors once it is reduced to writing. It should be noted that [REDACTED], [REDACTED], and [REDACTED], have been/were all transferred to status positions. The following employees are no longer employed with the University: [REDACTED], [REDACTED] and [REDACTED].

ADDITIONAL AUDITOR COMMENTS:

The Employer is reminded that extra help employees are not transferred to status positions; rather, they must qualify for a classification's MAQ's, be admitted to take and pass the respective examination, and be referred among the 'Top 3' scoring candidates. This ensures the proper administration of merit and fitness within our system and is consistent with requirements outlined in the Act, Code, and Procedures Manuals.

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

Risk Assessment Category 1 Finding,
Recommendation, and Administrative Response

| | |
|--------------------|---|
| GSU FY18-03 | NON-COMPLIANCE WITH THE UTILIZATION OF TEMPORARY UPGRADE ASSIGNMENTS |
|--------------------|---|

CRITERIA/STANDARDS:

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

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

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

BACKGROUND/CONTEXT:

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 (C), Employment and Separations, *Temporary Downgrade and Temporary Upgrade Assignments* as outlined in the Audit Request Material Checklist, sent to the Employer on March 23, 2018. 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.

The utilization of Temporary Upgrade Assignments are typically analyzed and reviewed under the purview of a **Category 1 Risk Assessment** to determine compliance with the 30-day limitation in accordance with the Illinois Administrative Code.

CONDITIONS/FACTS:

During the on-site visit, the Auditor became aware of an issue in which entry level classification Police Officers had been routinely performing supervisor level duties on a regular and rotational basis, specifically being assigned as 'Watch Commanders'. Ordinarily, 'Watch Commander' supervisory duties would be performed at the Lieutenant level or higher within the Police Series, consistent with the duties outlined in the classification plan. Any changes in job function or duties at the higher level in the series

indicate that either a Temporary Upgrade is assigned, or when a demonstrated need is clearly evident, the creation of status positions at those levels or reclassification transactions are initiated and conducted. During the audit, the Auditor was provided a copy of the below referenced policy, referred to as General Order 24, in which the duties are assigned by the Chief of Police at his discretion to Police Officers and described below:

Effective Date: July 1, 2006

Annual Review Date: February 27, 2014

Issuing Authority: Chief of Police and Director of Public Safety

PURPOSE: This order outlines the authority, responsibilities, and duties of the watch commander.

AUTHORITY: The watch commander will command his specific watch during duty hours, unless otherwise directed. He will direct all police functions during his duty hours. He is accountable for the decisions and actions, as well as the performance and productivity of his/her subordinates.

GENERAL RESPONSIBILITIES: The Watch Commander will:

- 1. Direct the enforcement of all laws and ordinances during his tour of duty.***
- 2. Apply management principles, which will maintain a unified, efficient, enthusiastic, and informed patrol force.***
- 3. Develop and refine the leadership potential of the personnel under his command.***
- 4. Promote the philosophy and concepts of community oriented policing to those under his command.***
- 5. Equitably deal with personnel matters (including grievances) brought to his attention.***
- 6. Ensure proper appearance, conduct, and performance of duty by all of his subordinates, initiating corrective action when warranted.***
- 7. Enhance overall job satisfaction by striving to achieve and maintain a high level of morale as well as acknowledge consistently good performance and cause appropriate recognition to be extended for outstanding achievements***

The Watch Commander will be responsible for, but not limited to the following functions:

- 1. Conducting all roll calls, unless emergencies or other police functions demand his presence elsewhere. In such instances, the next officer in command will perform this function. The roll call procedure will consist of:***

- a. Inspecting personnel, noting deficiencies, and taking appropriate corrective action.***
- b. Issuing sound instructions regarding day-to-day police operations.***
- c. Participating in the preparation and presentation of roll call training.***

- d. Deploying patrol personnel in a manner, which will provide the optimum level of performance within the directed, patrol strategy.***
- e. Responding to and assuming command of all immediate emergency plans, all Hostage/Barricaded/Terrorist (HBT) incidents and all other major incidents that occur,***

directing the performance of his subordinates and coordinating the operations of all Department units at the scene, unless relieved by a higher-ranking officer.

2. Manage the following incidents:

- a. Incidents involving discharge of any weapon by Department members.*
- b. Incidents in which gunfire is directed at the police.*
- c. Incidents in which police officers are gunshot victims or sustain serious injury in any manner.*
- d. Incidents wherein persons are shot or injured by police officers.*
- e. Alleged criminal or otherwise improper conduct of Department members on their shift and to immediately report conduct to the chief of police.*
- f. Incidents wherein a charge of resisting arrest, interfering with a police officer or assault and/or batter of a police officer is placed.*

NOTE: *The on-duty watch commander's responsibility in these matters will terminate upon completion of the investigation, regardless of the hour. The responsibility will not be delegated to subordinate or turned over to another watch commander unless directed to do so by higher authority.*

- g. Reviewing each arrest situation to determine the propriety of the charge. Certain instances of charging persons with minor law violations can be counterproductive to the goals of the Department and the criminal justice system. If an alternative to arrest (i.e., release or referral to an appropriate social service agency, etc.) better serves the Department's goals, that course or action will be taken. The watch commander will inform the arresting officers of the alternative course of action taken and the considerations involved in his rendering that judgment.*
- h. Ensuring that Department issued equipment, radios, shotguns, vehicles, etc., and properly maintained and accounted for.*
- i. Conducting daily informal inspections, thereby ensuring that station facilities and equipment are kept in good order and the security of the Physical Plant is maintained.*
- j. Ensuring that personnel assigned during irregular hours properly report on or off duty.*
- j. Conform to all of the investigative guidelines contained in Department directives regarding complaint, disciplinary, and summary punishment procedures.*
- k. Ensuring compliance with arrestee processing, bail bond, and search warrant procedures set forth in Department directives.*
- l. Preparing a Watch Commander Log summarizing all-important incidents that occurred during his tour of duty.*

This log will be a continuous record of important incidents during a 24-hour period, commencing at 0000 hours. A new log sheet will be prepared by each watch commander and will be forwarded to the relieving watch commander. All required notifications would be made in addition to completing the Watch Commander Log.

James R McGee
Chief of Police and Director of Public Safety

As a result of this policy, Police Officers have been routinely “upgraded” to a higher classification without any administrative or Human Resources oversight, and whose implementation does not comply with requirements outlined in the Illinois Administrative Code.

CAUSE/SOURCE OF CONDITION:

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 did not meet the requirements in providing data to properly validate the utilization of temporary upgrade transactions during the audit time frame. It is unknown whether the Employer utilized this type of transaction in other classifications.

EFFECT/IMPACT:

The foundation of the Merit System and the primary concept of a classification plan management system are that employees be placed in job classifications based on the prominence of actual duties and level of responsibility. The Auditor discovered that no other classifications in the Police Series promotional line are being utilized at Governors State University, therefore in this particular instance with Police Officers, there are no promotional opportunities available outside of temporary monetary changes when performing ‘Watch Commander’ duties.

The Auditor was unable to collect and analyze any Temporary Upgrade data elements with respect to the audit time frame to determine compliance with the Act, Code, and Procedures. This is especially problematic when the concepts involved in Temporarily Upgrading employees are outlined and consistent with other policies, only they are simply not referred to what they truly are. Temporary Upgrades are subject to review during the audit process; and without data to review, determining compliance with codified rules is impossible.

FINDING(S) FROM PREVIOUS AUDIT(S):

No findings in this topic area were made during the last operational audit in FY2015.

RECOMMENDATION TO EMPLOYER:

As a matter of standard protocol for each audit, the University 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 what appears to be relevant data, in particular with the Public Safety Department during this current audit time frame. In discussions with the Police Chief, this practice under General Order #24 has been in place for several years.

It is recommended that the Employer review the provisions regarding the utilization of Temporary Upgrades 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. 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 pay adjustments each pay period. ***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 amount being paid for any 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.

EMPLOYER’S ADMINISTRATIVE RESPONSE – PROVIDED BY MS. ANNE GILL, INTERIM ASSOCIATE VICE PRESIDENT FOR HUMAN RESOURCES & DIVERSITY:

The University is in the process of reviewing the provisions regarding the utilization of Temporary Upgrades and will conduct a comprehensive review of current employees who may be eligible for Temporary Upgrades. This review will be completed by February 28, 2019.

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

Risk Assessment Category 2 Finding,
Recommendation, and Administrative Response

GSU FY18-04 NON-COMPLIANCE WITH CYCLIC REVIEW OF CIVIL SERVICE POSITION DESCRIPTIONS

CRITERIA/STANDARDS:

- 1) *Illinois Administrative Code (Code), Section 250.30(b) The Classification Plan*
- 2) *Classification Plan Procedures Manual, Section 2.2 Job Descriptions*

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 Procedures Manual, Section 2.2 states that the proper administration and communication of position descriptions is a fundamental element in any human resource program and the precursor to many ‘best practice’ human resource policies and procedures, particularly those related to classification plan management and performance evaluation. Classification Procedures Manual, Section 2.2 Job Descriptions requires that “All job descriptions shall be reviewed and updated at least every three years, *including the signatures of the incumbent and supervisor.*” Our biennial audit process includes both a general review of all descriptions and a comprehensive review of a random sample of position descriptions.

CONDITIONS/FACTS:

As a routine audit requirement, the Auditor requested the Employer’s Civil Service position description log, which by procedure is required to include a list of all civil service positions utilized and the date of the most recent review and update. As of the on-site visit, this report included twenty-three (23) position descriptions listed below that require updating in order to be compliant with the cyclic review standard:

| Person Full Name | Position ID | Position Class Description | Date of Last Position Description Review |
|--------------------|-------------|----------------------------|--|
| ██████████ | C093 | Chief Broadcast Engineer | 6/13/2001 |
| ██████████ | C1059 | Admin Assistant | 12/12/2003 |
| ██████████ | C844 | Office Support Specialist | 8/6/2004 |
| ██████████ | C847 | Office Manager | 12/21/2005 |
| ██████████████████ | C058 | Human Resource Manager | 3/16/2007 |
| ██████████ | C977X | Business/Admin Associate | 1/3/2008 |

| Person Full Name | Position ID | Position Class Description | Date of Last Position Description Review |
|------------------|-------------|----------------------------|--|
| ██████████ | C690 | Library Operations Assoc | 2/17/2008 |
| ██████████ | C855 | Office Manager | 2/6/2008 |
| ██████████ | C1098 | Steam and Power Plant III | 2/25/2008 |
| ██████████ | C846 | Office Manager | 3/17/2008 |
| ██████████ | C063 | Business/Admin Associate | 7/23/2008 |
| ██████████ | C208 | Building Service Worker | 4/23/2009 |
| ██████████ | C023 | Gym & Facilities Supv | 4/24/2009 |
| ██████████ | C150 | Security Guard | 4/29/2009 |
| ██████████ | C692 | Senior Library Specialist | 5/8/2009 |
| ██████████ | C044 | Staff Clerk | 1/11/2010 |
| ██████████ | C673 | Accounting Associate | 2/8/2010 |
| ██████████ | C1085 | Graphic Designer | 4/1/2010 |
| ██████████ | C271 | Police Telecommunicator | 7/12/2010 |
| ██████████ | C272 | Police Officer | 7/19/2010 |
| ██████████ | C1006X | Office Manager | 7/29/2010 |
| ██████████ | C892 | Clerk | 10/1/2010 |
| ██████████ | C1065 | Admin Assistant | 2/4/2011 |

CAUSE/SOURCE OF CONDITION:

It appears that the Employer has not maintained adequate business processes to properly manage Civil Service position descriptions as procedurally required and do not ensure that they are updated within the appropriate time frame designated.

EFFECT/IMPACT:

The foundation of the Merit System and the primary concept of a classification plan management system are that employees be placed in job classifications based on the prominence of actual duties and level of responsibility. The inaccurate assignment of positions negatively affects the overall classification plan management process, resulting in inaccuracies related to job content, work assignments, and compensation components.

Incomplete or outdated position descriptions may cause misunderstandings between supervisors and employees related to performance expectations. Incomplete or outdated descriptions do not allow for the proper designation of work duties and can result in erroneous classification designations that unfavorably affect employee compensation and seniority benefits. Incomplete or outdated position descriptions may also compromise the integrity of the performance review and disciplinary process.

FINDING(S) FROM PREVIOUS AUDIT(S):

The Auditor reviewed the Civil Service position description log submitted by the Employer. Out of approximately two-hundred fifty-nine (259) position description entries, it was determined eight (8) position description documents did not appear to be updated or reviewed for currency or content in accordance with cyclic review guidelines. *[Finding Code GSU FY15-04, pages 15-16]*

RECOMMENDATION TO EMPLOYER:

The Auditor requested that the position descriptions referenced in this finding be updated and submitted to the University System Office no later than **May 31, 2018**. However, as of the date of this report, they have not been submitted to the System Auditor to ensure or determine compliance.

In addition to the position descriptions that are identified on the Civil Service Position Description Log as being out of date, there are twenty-nine (29) listed as “N/A” and one-hundred sixty-seven (167) others that are listed on the log as “Pending”.

The Auditor requests that the Employer indicate an aggressive timeframe for updating these position descriptions and report their findings to the System Office as part of their Administrative Response.

EMPLOYER’S ADMINISTRATIVE RESPONSE – PROVIDED BY MS. ANNE GILL, INTERIM ASSOCIATE VICE PRESIDENT FOR HUMAN RESOURCES & DIVERSITY:

In 2017, the University implemented a project to review all job descriptions but the Department of Human Resources lost several team members and the project was put on hold. Currently, HR is in the process of staffing the department and will begin the stalled project. This is a time intensive project and will require a great deal of manual work; therefore, HR anticipates this project to be completed by June 28, 2019 and will provide SUCSS with the information requested as the information becomes available.

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

Risk Assessment Category 3 Finding,
Recommendation, and Administrative Response

GSU FY18-05 NON-COMPLIANCE WITH POSITION CLASSIFICATION ASSIGNMENT

CRITERIA/STANDARDS:

- 1) *Illinois Administrative Code (Code), Section 250.30(b) The Classification Plan*
- 2) *Classification Plan Procedures Manual, Section 2.1 Employer Responsibilities*

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 Procedures Manual, Section 2.1 states, “...The Merit Board has delegated the final responsibility for the assignment of positions to classes to the Director. In order to facilitate day-to-day Employer activities with respect to the classification of positions, the Director has delegated to each Employer the authority for (1) the assignment of positions to classes; (2) the reclassification of positions; and (3) the reallocation of positions, subject to post-action audit or review by the Director.”

CONDITIONS/FACTS:

While on-site, the Auditor conducted random interviews of Civil Service employees. As a result, it was determined that three (3) Civil Service employees listed below may be potentially misclassified. Review of the position description with the employee suggests a move to the recommended classification.

| <u>Employee</u> | <u>Current Classification</u> | <u>Recommended Action/Classification</u> |
|------------------------|--------------------------------------|---|
| ██████████ | Admissions and Records Specialist I | TBD Due to Incumbent Retirement |
| ██████████████████ | Library Operations Associate | Systems Administrator Series |
| ██████████ | Police Officer | Police Corporal or Police Sergeant |

CAUSE/SOURCE OF CONDITION:

According to the Employer, the duties and responsibilities assigned to these positions have evolved in response to the operational needs of the department. At the time of the Auditor’s visit, department representatives and/or employees had not requested desk audits for these positions. It was the Auditor’s conclusion, through the interview of these incumbents, that a formal HR desk audit be conducted, consistent with audit protocols.

EFFECT/IMPACT:

The foundation of the Merit System and the primary concept of a classification plan management system are that employees be placed in job classifications based on the prominence of actual duties and level of responsibility. The inaccurate assignment of positions negatively affects the overall classification plan management process, resulting in inaccuracies related to job content, work assignments, and compensation components.

FINDING(S) FROM PREVIOUS AUDIT(S):

No findings in this topic area were made during the last operational audit in FY2015.

RECOMMENDATION TO EMPLOYER:

The Auditor requested through the Preliminary Observation Report that these formal desk audits be conducted no later than June 15, 2018, with the outcome submitted to the University System Auditor at the conclusion of the position review. As of the writing of this report, the Auditor has not received this information. It is recommended that the Office of Human Resources conclude the reviews of these positions for proper classification assignment and report their findings to the System Office as part of their Administrative Response.

EMPLOYER'S ADMINISTRATIVE RESPONSE – PROVIDED BY MS. ANNE GILL, INTERIM ASSOCIATE VICE PRESIDENT FOR HUMAN RESOURCES & DIVERSITY:

The University will conduct desk audits for [REDACTED] and [REDACTED] as suggested in the audit. It should be noted that [REDACTED] retired and therefore a desk audit may not be conducted. The University will report the finding of the desk audits conducted by January 31, 2019.