

**STATE UNIVERSITIES CIVIL SERVICE ADVISORY COMMITTEE QUARTERLY MEETING**  
10:00 a.m. on Wednesday, April 14th, 2021. Meeting conducted via Zoom video conferencing per  
Executive Order 2020-07 due to COVID-19 restrictions.

**Connection Information:**

Meeting URL: <https://illinois.zoom.us/j/81613147935?pwd=UnpJYk5BN0pXR2V0SEVIODBoQVpQdz09>

Meeting ID: 816 1314 7935

Password: 429834

**Chair Odom called the meeting to order at 10:05 a.m. on April 14th. Roll call was taken and a quorum was present.**

**Present:** Shauna Bishop, Tony Craven, Shari Garnett, Gary Gilpin, Andy Harpst, Tenea Harris, Andrea Hoskinson, John Hulseberg, Sheryl Jones-Harper, Rick Marr, Mark Murphy, Jill Odom, Jacqueline Pointer, Michael Pulley, Mary Serio, Peter Skrypkun, Clay Stalter, and LaVitta Steward.

**Continued Suspension of Article VI Section 1.2 & 1.3 of SUCSAC Constitution & Bylaws:**

Motion approved by Executive Committee on 6/11/20:

*Temporarily suspend Article VI Section 1.2 and 1.3 until SUCSAC is able to return to in-person meetings as determined by Illinois Department of Public Health guidelines and lifting of university travel restrictions.*

**Introduction of Guests:**

*Jeff Brownfield, Executive Director - SUCSS*

*Cindy Neitzel, Assistant Director, Legal and Compliance Services – SUCSS*

*Gail Schiesser, Legal Counsel – SUCSS*

*Lauren Aceves, Human Resource Officer – SUCSS*

*Danielle Routh, Human Resource Manager - SUCSS*

**Orientation Update: Cindy**

The System Office prefers to do Orientation in 1 full day from about 9:00 a.m. to 2:30/3:00p.m. Preference is that the newer members do it sooner rather than later. Hopefully within the 1st 4-6 months of their term. Orientation is not a deep dive into a specific topic but just a general and complete overview. We can request a specific topic to be added if we want.

**Designated Employer Representative (DER) of Host Campus:**

None

**Public Comments:**

None

**Review of Correspondence:**

None

**Approval of minutes of the October 2020 Quarterly Meeting:**

John Hulseberg motioned to approve the October 2020 minutes. Shari Garnett seconded the motion. A roll call vote was taken, and the motion passed.

|                     |     |                    |     |  |  |  |  |
|---------------------|-----|--------------------|-----|--|--|--|--|
| Shauna Bishop       | Aye | Rick Marr          | Aye |  |  |  |  |
| Tony Craven         | Aye | Mark Murphy        | Aye |  |  |  |  |
| Shari Garnett       | Aye | Jill Odom          | Aye |  |  |  |  |
| Gary Gilpin         | Aye | Jacqueline Pointer | Aye |  |  |  |  |
| Andy Harpst         | Aye | Michael Pulley     | Aye |  |  |  |  |
| Tenea Harris        | Aye | Mary Serio         | Aye |  |  |  |  |
| Andrea Hoskinson    | Aye | Peter Skrypkun     | Aye |  |  |  |  |
| John Hulseberg      | Aye | Clay Stalter       | Aye |  |  |  |  |
| Sheryl Jones-Harper | Aye | LaVitta Steward    | Aye |  |  |  |  |

**Approval of minutes of the January 2021 Quarterly Meeting:**

Shari Garnett motioned to approve the January minutes. Mark Murphy seconded the motion. A roll call vote was taken, and the motion passed.

|                     |     |                    |     |  |  |  |  |
|---------------------|-----|--------------------|-----|--|--|--|--|
| Shauna Bishop       | Aye | Rick Marr          | Aye |  |  |  |  |
| Tony Craven         | Aye | Mark Murphy        | Aye |  |  |  |  |
| Shari Garnett       | Aye | Jill Odom          | Aye |  |  |  |  |
| Gary Gilpin         | Aye | Jacqueline Pointer | Aye |  |  |  |  |
| Andy Harpst         | Aye | Michael Pulley     | Aye |  |  |  |  |
| Tenea Harris        | Aye | Mary Serio         | Aye |  |  |  |  |
| Andrea Hoskinson    | Aye | Peter Skrypkun     | Aye |  |  |  |  |
| John Hulseberg      | Aye | Clay Stalter       | Aye |  |  |  |  |
| Sheryl Jones-Harper | Aye | LaVitta Steward    | Aye |  |  |  |  |

**Report of Chair – Jill Odom**

No Report. Thanks for being here and for all that you do.

**Report of Executive Committee – No Report attached**

No official report. Shari Garnett motioned to approve the March 18, 2021 meeting minutes. Mark Murphy seconded. All in favor, no opposition. Motion passed.

**Report of Legislative Committee – Report/Notes Attached from Shauna Bishop**

Motion to table meeting minutes until next meeting. Shauna would like to motion to table...Gail pointed out that you can't have a meeting within a meeting to approve minutes for a subcommittee. Discussion regarding this.

Shauna gives the following report:

**Legislation as of 4/14/21**

- Corona Virus Response and Relief Supplemental Appropriations Act (FED)
  - FAFSA easier to complete by reducing # of questions on app to max of 36 and removing ?s on drug convictions
  - Pell Grant eligibility based on family's adj. gross income compared to fed poverty level for family size, eligibility restored for incarcerated students/students who have been convicted of drug-related offenses
- HB 0012 – House second reading – Education Family Leave Eligibility

- School employees are eligible for FMLA if employed for at least 12 mos. and worked 1,000 hrs. in previous 12-mo. period.
- Illinois House Joint Resolution 27 introduced – Higher Education Programs for Incarcerated Individuals
  - Create Higher Education in Prison Task Force to analyze existing programs and recommend legislative action to expand access to incarcerated individuals
- HB 0037 – in Rules Committee – Higher Ed Lactation Rooms
  - Universities must provide at least one private lactation room or secure area for students on campus
  - If adopted, effective 1/1/22
- HB 0039 – in Rules Committee – Partial Tuition Waivers
  - Removes requirement of university employees to have been employed by an IL university or college for 7 years for their children to be eligible for 50% tuition waiver for undergrad education.
  - Change to being employed at time of enrollment and continued employment for duration of enrollment (4 years)
- HB 113 – in Rules Committee – Higher Education Mental Health Act
  - Requires BoHE to establish Advisory Commission on Serving and Supporting Students with Mental Health Disabilities in Institutions of Higher Education
- SB 576 – in Senate Executive Committee – Higher Ed Classes on Election Day
  - No classes on election days, but may remain open for other purposes
- SB 657 – in Senate Appropriations-Higher Education Committee – Higher Ed Illinois Promise Grants
  - Universities to implement the Illinois College Promise program, which provides grant assistance for certain eligible students
- SB 1610 – Senate second reading – Preventing Sexual Violence in Higher Education Act
  - Requires each Higher Ed institution to conduct sexual misconduct climate survey of all students annually
- See SUAA’s last briefing from March 2021.

**Report of Election Committee – No Report attached**

Hasn’t met. Do we need to hold a special election for Lori’s position?

*See left for another meeting at 10:48 a.m.*

**Report of SUCSS Executive Director – Jeff Brownfield:**

***Grant Funded Employees***

Civil Service employee who is successful in the essential duties to the grant. Essential grant person gets paid on a grant. Bob Curry at SUCSS is an example of what Jeff considers an “essential grant employee”. Jeff can be replaced easier and quicker than Bob due to his IT expertise. Bob’s IT skills make him a valuable and sought after asset to have.

Base layer still consisting of Civil Service employees; not A&P. Minimum of 51% of the positions funding must come from non-state appropriated funds. Also restrict the number of employees that can fall into this program under these guidelines. Let’s call it a maximum of 3% of the total number of status Civil Service employees per campus.

MAQ qualification process would be the same as a regular status vacancy. There would still be an employment register and a testing process involving the same rule of 3 we abide by now. People

would come into these positions in the same way you would come to any other status appointment. Top 3 scores, not the top 3 people.

Designated essential grant appointments are exempt from the standard Civil Service seniority rights; i.e. bumping. Super seniority/ultra protected employee...why are we protecting this employee with such a high level of importance? This causes an erosion of our Civil Service System as a whole. The concept of bumping in general is rare, like insanely rare. The last time it happened was at WIU when they had a massive layoff situation. It's not lifetime protection. These types of grants come and go in general. An employee working under a grant should know and understand that fact.

Not trying to protect a particular employee. They are trying to protect that particular grant from catastrophe. Time on task; how long has this person been working on this kind of grant? It's like a life insurance policy for the grant.

Are these positions actually considered "essential"? Who writes the grant? Who knows how to administer the grant and reapply for it? When we're considering someone to be essential, are they the Stephen Boppart who knows enough about Science that we absolutely cannot do without him? Who makes the determination of the essentialness of these employees? This has not been figured out yet but could play a huge factor in all of this.

A reporting/tracking mechanism will have to be developed for this. Campuses should be using this sparingly and in a variety of different departments. UIUC currently has the SHIELD Illinois and Carle programs. Employees hired under SHIELD are essential with a special skill set. Once the world is right again and SHIELD is no longer needed, can they bump into the College of Med's Carle program? They have their own set of special skills as Carle employees.

*Vee returns at 11:43 a.m.*

If an employee has been in that job, why wouldn't they accrue seniority in that position? Position protection is not the same as employee protection.

Are we opening a can of worms by approving/passing this? Will campuses eventually want to make other employees considered "essential" in some way? Not every employee loss would be considered a catastrophic loss. Is referring to these employees as "essential" the problem here? Not just essential; protection against catastrophic loss.

Carving out a particular set of Civil Service employees goes against the Civil Service System that has afforded us all of our protections all these years. Campuses already have problems reporting accurate numbers to the System Office. If they don't report correct numbers now, what makes new reporting for something like this any different with all these new added restrictions?

This is a subjective and slippery slope. There are lots of concerns from EAC in general surrounding this topic. Who is pushing for this and why? It seems to have started with UIC and UIUC. The "essential" element is something we need to look at in order to keep the Civil Service System viable. The larger campuses are more vulnerable. Need to look for an alternative system for funding. The System is not going away. Addressing issues like this is important for our System overall and these employees should be Civil Service employees. This is the way to ensure that. Why is this even an issue? Why is this really necessary? If they're that important to the university, why would they need extra protection? We have to be fair; fair to all of our

employees. Give everyone a fair chance at their opportunity. The System Office cannot run without Bob; it can run without Gail.

*Break for lunch at 12:08 p.m.  
Return from lunch at 12:51 p.m.*

**Roll call was taken and a quorum was present.**

*Gary not present for roll call*

**Report of SUCSS Executive Director – Jeff Brownfield: (cont.)**

***Grant Funded Employees (cont.)***

How are we going to monitor this?

Who is designated?

How does it become approved?

When something does change, how does it get noted?

How are people hired or promoted?

*Gary returns at 12:57 p.m.*

This will be discussed at the Merit Board meeting in May. There will not be a formal vote. It will be on the agenda for them in terms of whether or not this is something that we need to keep exploring.

It is critical that they go through the MAQ's, testing, and register process. Bob started off as a programmer when he started. Over time, he morphed into the important Bob we have in the System Office today.

Would we allow someone to just bring someone with them from MIT or wherever they're from? Civil Service spousal hires have no preference over anyone else.

Do not diminish current Civil Service employee rights or limit our opportunities. It is a diminishment of rights for someone who is getting laid off.

This whole thing is difficult to monitor and even more difficult to enforce. This authority should be delegated. You should ask the System Office for this tag.

Until the State of Illinois is willing to fund the universities the way they should be, other means of funding needs to be sought out. We have 2 big research institutions going after precious dollars.

The situation with the PAA's got out of hand because it was delegated. It was a gentlemanly agreement. We needed to have something in writing to make it a law.

“My whole campus would suffer catastrophic failure if this BSW is laid off.”  
But if we're not in a layoff situation right now, why are we tagging them?

What is going to be built into this to make them accountable? How will we go about having an approval or determination process for this? This is something Cindy would have to work on with Danielle. Especially since campuses abused the PAA process. Because of this, the bar is set higher on this topic. Why does this particular position decree such a high degree of super seniority? What makes them so special?

Cindy's level of tracking is not continuous. There is always a backwards review of what they have done. The data tells the story of how campuses behave in their audits. During an audit, a sample is audited. It's a sampling method based on risk, history, and assessment. We want to give them more tools to work with, but they can't keep their house in order with the tools they currently have.

How is it that some offices have the ability to allocate or reallocate funds?

UIUC has restrictions within their universities. You do have the ability to move funds internally to pay someone from general funds or grant funds. Some campuses may not have as many checks and balances as UIUC. This can become a shell game since campuses are audited every 2-3 or 4-5 years. This can get lost, which is a huge concern. There's lots of manipulation of funds on the part of the campus. Universities always find a way to manipulate the system. Universities will follow rules that they know are being monitored. They do what they want and exercise their own judgement when they're not being watched. They will try to get away with whatever they can get away with. SUCSS needs to be hyper vigilant. An example of this would be like trying to add a specialty factor to someone when they're going through a layoff process in order to protect this one employee. Why is it urgent now? Why this topic and not extra help? Can campuses be trusted with this authority? This is for large center grants. We're not talking about the \$5,000 or \$50,000 grants. This is about big research grants, million dollar grants. NIH is big right now. This is for the rainmakers.

We as EAC will have to decide whether or not we support this. By July we should see something with more definitions. If we disagree, are we disagreeing with certain aspects of the program? What exactly are our concerns? If this is something that we do end up disagreeing on, we need to make that very known. Be forceful of our concern about tracking and enforcement. Our MB members know that as members of their BOT, they know the importance of protecting their faculty. If the MB sees that there is a lot of concern about this, they're not going to want to pass it and they'll look more at it as well. Make your own personal commitment to this. We serve the MB. Unions are opposed to this.

If bumping is such a rare occurrence, is the risk so high that it would require a statute change? Usually if there is a layoff on campus, that position is absorbed.

Actual harm vs perceived danger

- We're writing language for perceived danger.
- From an abuse standpoint, shaming them via an audit means absolutely nothing.
- Can we narrow it down so the campuses can't abuse this?

*Jeff leaves at 1:57 p.m.*

- If we have to pay a fine for not doing/completing our ethics training, can we have the System Office enforce fines on the Universities to serve as teeth and enforce the statute? Where is the System Office's stick?

Penalties - Class B Misdemeanor - \$1,500 fine - Violation of our Act

We don't prosecute. Look at the SIUE electrician situation. This still hasn't gone to trial. It's a criminal penalty if someone violates our Act. A letter from the Auditor General will get things moving. A letter from the System Office doesn't seem to have the same effect. Is this something that is being considered as a pilot program for maybe 5 years? Not pursuing it as a pilot program. A pilot program cannot violate our own Act. This violates our Act.

***Merit Board Update - Gail***

Jill Smart's term ended. UIUC has a new trustee that replaced her and will join the MB. Kareem Dale was appointed, and his first meeting will be May 13th. He is visually impaired and is persistent about accessibility needs. What can the System Office do to meet his needs? They are meeting with him to discuss these things and make any necessary arrangements. Julie Jones (ISU) was elected Chair. Sherry Eagle (NEIU) was elected Vice-Chair. Pedro Cevallos-Candau (GSU) and Naomi Jakobsson (UIUC) were elected along with Jones and Eagle as part of the Executive Committee.

***Agency Budget Update - Gail***

They are meeting with the House Appropriations Committee tomorrow. So far, it looks like they will be receiving a flat budget.

***Governance Risk & Compliance Audit – Cindy***

Cluster schedule is the goal.

UIUC, IBHE, DSCC, IBBC, WIU, UIS, SIUC, SIUE - pending draft report

NEIU - coming up in May (remote)

UIC - coming in June (remote)

**Motion to Adjourn:** Andy Harpst      **Seconded by:** Mark Murphy

***The meeting was adjourned at 2:24 p.m. by Jill Odom.  
We will reconvene tomorrow at 10:30 a.m.***

**STATE UNIVERSITIES CIVIL SERVICE ADVISORY COMMITTEE QUARTERLY MEETING**

10:30 a.m. on Thursday, April 15th, 2021. Meeting conducted via Zoom video conferencing per Executive Order 2020-07 due to COVID-19 restrictions.

Connection Information:

Meeting URL: <https://illinois.zoom.us/j/81613147935?pwd=UnpJYk5BN0pXR2V0SEVIODBoQVpQdz09>

Meeting ID: 816 1314 7935

Password: 429834

**Chair Odom called the meeting to order at 10:35 a.m. on April 15th. Roll call was taken and a quorum was present.**

**Present:** Shauna Bishop, Tony Craven, Shari Garnett, Gary Gilpin, Andy Harpst, Tenea Harris, Andrea Hoskinson, John Hulseberg, Sheryl Jones-Harper, Rick Marr, Mark Murphy, Jill Odom, Jacqueline Pointer, Michael Pulley, Mary Serio, Peter Skrypkun, Clay Stalter, and LaVitta Steward.

**Continued Suspension of Article VI Section 1.2 & 1.3 of SUCSAC Constitution & Bylaws:**

Motion approved by Executive Committee on 6/11/20:

*Temporarily suspend Article VI Section 1.2 and 1.3 until SUCSAC is able to return to in-person meetings as determined by Illinois Department of Public Health guidelines and lifting of university travel restrictions.*

**Introduction of Guests:**

*Cindy Neitzel, Assistant Director, Legal and Compliance Services – SUCSS*

*Gail Schiesser, Legal Counsel – SUCSS*

*Lauren Aceves, Human Resource Officer – SUCSS*

*Danielle Routh, Human Resource Manager – SUCSS*

*Gail Hankins, Human Resource Officer – SUCSS*

*Jeff Brownfield, Executive Director - SUCSS*

**Report of SUCSS Executive Director – Jeff Brownfield: (cont.)**

***Principal Administrative Appointments Update – Gail***

We are not as far ahead on this as we hoped due to reporting errors.

***Class Plan Update – Danielle***

They've been really busy working on several classifications. There are several custom class classifications in process.

Admissions and Records Associate went into effect yesterday.

Community Worker is now Community Outreach Worker. This went into effect on February 26<sup>th</sup>.

Greens Worker went into effect today.

Currently working on about 20 other classifications. There are ongoing revisions and deletions of classifications so they can be deleted or consolidated due to being obsolete. Their group is very productive. They've got a lot going on.

***Legal Update – Gail***

There are 2 discharge matters that will be discussed at the May MB meeting.

There is also 1 Administrative Review that has been out there since 2017/2018. At this point they're asking for dismissal. There is 1 pending labor relation charge. An employee from UIC is charging SUCSS for labor relations charge because of dismissal.



The Act itself and any rules cannot be diminished by bargaining contracts. They can be expanded on. The MB sets the benefits System-wide to make them uniform across the state.

*Jeff joins at 10:47 a.m.*

JCAR advised that SUCSS needs to move a bunch of policies and procedures to rules. Act is law. Rules are the effect of law. Move policies and procedures to rules so they have the effect of law. Otherwise, they're just considered advice.

Benefits cannot be diminished or expanded because they were designed to be uniform throughout the System. A benefit that is provided before it is earned doesn't have to be paid out when an employee leaves.

UIUC – CS exempt employees receive their time up front, instead of accruing it like everyone else. Potentially changing the way benefits are paid out.

If 1 of these campuses changes their benefits, then it's no longer uniform across the state and the System is not what the MB intended for it to be. The way the U of I System receives/accrues time than everyone else. U of I employees have 13 extra days that they cannot rollover. This policy isn't even uniform within the U of I System as a whole. Benefits are different for FLSA positions. Look at the way our retirement benefits are different now. Gail's is different from Jeff's since she is a newer employee. The more time you give people, the more time they'll take, and the less overall productivity you'll have because of this.

***Discharge Rule Update – Gail***

The discharge rule is in place and effective.  
HR is still attaching the old rule to discharges.

**Discussion:**

Since we're working from home right now, what happens with our out of state recruitment and residence if someone decides to move out of the state?

Should someone still be allowed to work for the University if they're not in the state?

How effective are employees working from home?

There is cause for concern that there would be an incentive to diminish the state funding for universities if we have fewer physically present employees.

What happens in a bumping situation where the person in Florida working from home is laid off and I bump them, does that mean I can work from home now since they did?

Do we really need to look at other states for employees as we have so many people here in Illinois? There are only so many "widget makers" and there are only so many widgets that need to be made.

Will there be vaccine requirements to return to work?

EEOC has a bit of rulemaking. Employers have the right to require their employees to be vaccinated before they return to work. With necessary exceptions to meet constitutional requirements, an employer can require an employee to take a vaccine that has Emergency Use Authorization and not full FDA approval.

*Jeff leaves at 11:25 a.m.*

Employers can require masking and vaccinations. Employers and employees need to keep up with current CDC regulations because it's constantly changing.

There's an OMA ruling. We need to have a calendar and have it published a year in advance. This is for EAC since we have regular quarterly meetings.

If there is a vaccination requirement, how do you prove it since there's a HIPAA regulation? HR is bound by HIPAA.

Gail will leave but is still in the office due to OMA.

*Danielle leaves at 11:35 a.m.*

### **EAC Calendar – Meeting dates and locations for 2021**

- Wednesday, July 28<sup>th</sup> & Thursday, July 29<sup>th</sup> – *Tentatively scheduled to meet at SIUE or via zoom, dependent on current restrictions. Will reserve a block of rooms in case we're able to meet in person.*
- Wednesday, October 20<sup>th</sup> & Thursday, October 21<sup>st</sup> – *Wed & Thu for SUCSAC meeting and Fri for Council of Councils. NEIU to host Council of Councils virtually. Can NEIU host our meetings in person?*
- SIUC is looking to host Council of Councils for 2022. NEIU is considering this as well.
- There are travel concerns on campuses. Some individuals need at least 30 days in advance to request the time as well.
- Next Merit Board meeting is May 13<sup>th</sup>.

### **Discussion: (cont.)**

Jeff is expecting us to have a firm opinion on the grant funded topic, not just a blanket approval or disapproval. There's a vast amount of history where HR abuses things like this, even though the System Office can monitor it. There needs to be a better way of enforcing, tracking, and monitoring things like this. There is ample of abuse on the part of HR.

We need a clear definition of what we are talking about. Which positions? There are very few people that truly irreplaceable. It's a way for HR to hire whoever they want to hire. We need to stop this cherry picking of employees.

80-100% of their salary should be from the grants in order for their positions to be exempt from bumping. They should not be referred to as essential. With the pandemic, the term essential means something different right now. It needs another name. Jeff mentioned yesterday that if this doesn't change, the Civil Service System as a whole would change. What does that mean? Is this really the way to attract top talent? This seems to be a modified custom class.

*Gail Hankins leaves at 12:03 p.m.*

If a university is found to be in violation, then that university should lose their overall right to designate employees into this category.

Open up the PAA process and put these people in that. Let's not make them CS employees. Approvals for PAA's are currently in the hands of our campuses. What about granting grant funded employees CS employee rights? Grant funded employees should eventually be granted CS employee rights. But when? Monitoring and approval process needs to be clearly defined. Carving out a small group of people and treating them differently than others causes a slippery slope. Is this special designation really necessary? Why not just use or add specialty factors? Is this to protect a newly hired person or to entice a new hire? What's the real drive behind this? There are way too many loopholes in this.

Tuition waivers apply to state funded schools and programs. Law and business school at UIUC are funded by alumni. Where money comes from is a huge task to follow and track those fluctuations. There are too many types of monies out there. Calling it "non-state" money can't be it. Shell game with accounts makes it easy to avoid monitoring. It takes 1 piece of paper with a few signatures to change what accounts pay an employee. If this were to become official, it must be a true grant account, and not local or state funds.

**Motion to Adjourn:** Clay Stalter      **Seconded by:** Shari Garnett

*The meeting was adjourned at 12:38 p.m. by Jill Odom.*

**Respectfully submitted,**

  
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Mary Serio, Secretary

  
\_\_\_\_\_  
Jill Odom, Chair