State Universities Civil Service System
Human Resource Directors Advisory Committee
Agenda

October 28, 2011

1) Welcome and Introductions

2) Review and update on revisions to SUCSS Salary Data System

3) Review and Discussion of Proposed Rule Changes

   a) Exemptions
   b) Probationary Period
   c) Register Maintenance
   d) Discharge
   e) Intern

4) Classification Plan Management

   a) Typing Test – update and revisions
   b) Transition of Pilot Program classes
   c) Other classification revisions

5) Principal Administrative Appointments

   a) History
   b) Audit Findings
   c) Quarterly Reports
   d) Pilot Program Proposal

6) Other System Office Activities
   - Budget Update
   - Audit Update
   - Legal Update

7) 2012 Meeting Dates
   - January 27, 2012
   - April 27, 2012
   - July 27, 2012
   - October 26, 2012

8) Other Topics

State Universities Civil Service System

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217.278.3150

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Salary Data System :: Ranges

Welcome Jane

Salary Data System

Establish New Range

Select Classification (2-level drop down) ▼ Establish Range

Current Ranges

Classification	Min	Max	No. Emp	Options
Administrative Assistant II	$4,042.000	$8,101.000	1	
Administrative Clerk	$2,539.000	$4,430.000	3	
Assistant Legal Counsel	$4,837.000	$8,266.000	1	
Human Resource Assistant	$17.380	$32.700	1	
Human Resource Manager	$4,240.000	$8,499.000	2(1)	
Office Administrator	$2,539.000	$4,430.000	6	

Mass Update by Salary ▼ Mass Update by Percent ▼

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Salary Data System :: Ranges :: Add/Edit

Welcome Jane

Edit Range

Assistant Legal Counsel (2255)

Current Range

ID: 00001

Rate Type	R
Minimum Range	4,837.000
Maximum Range	8,266.000
Effective Date	04/01/2007
Work Week	37.5
Alternate Title	Assistant Director, Legal Services

Revised Range

Rate Type	R
Minimum Range	4,837.000
Maximum Range	8,266.000
Effective Date	04/01/2007
Work Week	37.5
Alternate Title	Assistant Director, Legal Services
Justification	List of common reasons Ex: Fiscal Year Increase

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Submit Range

If Request denied, reason for denial.

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Salary Data System :: Ranges :: Add/Edit

Welcome Jane

Add Range

Administrative Assistant II (0172)

Rate Type	R
Minimum Range	
Maximum Range	
Effective Date	
Work Week	37.5
Alternate Title	
Justification	List of common reasons

Ex: Fiscal Year Increase

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Submit Range

If Request denied, reason for denial.

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Salary Data System :: Ranges :: Add/Edit

Welcome Jane

Delete Range

Administrative Assistant II (0172)

Are you sure you want to delete this range?

This action will remove this range after the approval by the State Universities Civil Service System.

Effective Date of Deletion 04/01/2012

Yes, Delete Range

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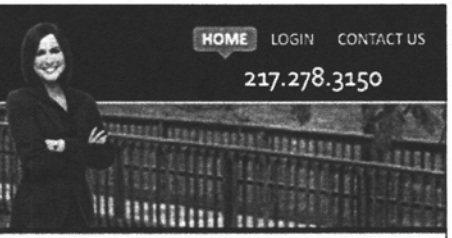

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Salary Data System :: Ranges :: Add/Edit

Welcome Jane

Mass Update by Percentage

The following classifications will be updated:
Electrician
Electrician Foreman
Electrician Sub-Foreman

Minimum Range	3.0	%
Maximum Range	3.5	%
Effective Date	04/01/2012	
Justification	List of common reasons	

Wage Addendum c:\addendum.doc Browse

Update Range

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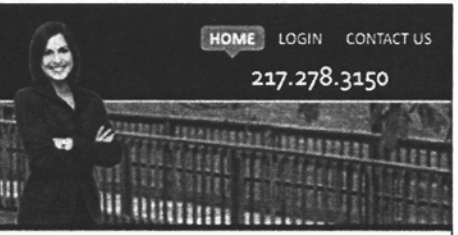

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Salary Data System :: Ranges :: Add/Edit

Welcome Jane

Mass Update by Salary

The following classifications will be updated:

Electrician
Electrician Foreman
Electrician Sub-Foreman

Minimum Range	3,500.000	$
Maximum Range	5,200.000	$
Effective Date	04/01/2012	
Justification	List of common reasons Ex: Fiscal Year Increase	

Wage Addendum c:\addendum.doc Browse

Update Range

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Salary Data System :: Change Requests

Welcome Jane

Change Requests

ILLINOIS STATE UNIVERSITY

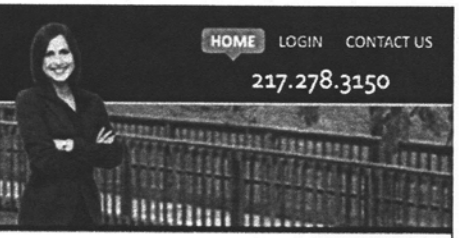
	Min:	Max:	Eff. Date
☐ Police Officer (revision)	$1,740.333 ($1,701.000)	$2,109.667 ($2,003.333)	7/1/2011
Police Corporal (deletion)			
☐ Carpenter (addition)	$1,740.333	$2,109.667	7/1/2011

SOUTHERN ILLINOIS UNIVERSITY EDWARDSVILLE

	Min:	Max:	Eff. Date
☐ Plumber Foreman (revision)	$3,199.000 ($3,100.000)	$3,199.000 ($3,100.000)	8/15/2011
Pipefitter (deletion)			

Mass Approve

State Universities Civil Service System



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Salary Data System :: Change Requests :: Revision

Welcome Jane

Request

Police Officer

Illinois State University

Rate Type	N
Minimum	$23.56
Maximum	$27.96
Eff. Date	7/1/2011
Work Week	40.0
Alt. Title	

Justification Completed contract negotiations with this unit.

Wage Addendum attached
Requested 4/15/2011 by Teresa R.

Reason for Denial

Yes, Deny Cancel

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STATE UNIVERSITIES CIVIL SERVICE SYSTEM

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: State Universities Civil Service System

2) Code Citation: 80 Ill. Adm. Code 250

3)

Section Numbers:	Proposed Action:
250.60	Amend
250.70	Amend
250.90	Amend
250.110	Amend

4) Statutory Authority: 110 ILCS 70

5) A Complete Description of the Subjects and Issues Involved: Section 250.60(h) is amended by adding a new section 10 to provide for the permissive removal of names from certain registers, when a vacant position has been posted and the posting includes a timeline for removal or discontinuation of the register for that specific vacancy. Section 250.70(d) is amended to change the name from the Trainee program to the Intern program. Section 250.90(b)(2) is amended to allow for the extension of the probationary period for a comparable amount of time for any required off-site training period, as approved by the Executive Director. Section 250.110(b)(1) is amended to reflect the name change from the Trainee program to the Intern program. Section 250.110(f)(16) and (17) is amended to eliminate language regarding a rehearing and reconsideration of the final Merit Board order or decision in discharge cases, providing for appeal through the provisions in the Administrative Review Act.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None.

7) Will this rulemaking replace any emergency rulemaking currently in effect? No.

8) Does this rulemaking contain an automatic repeal date? No.

9) Does this rulemaking contain incorporations by reference? No.

10) Are there any other proposed amendments pending on this Part? No.

11) Statement of Statewide Policy Objectives: These proposed amendments will not create or enlarge a State mandate.

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

NOTICE OF PROPOSED AMENDMENTS

12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments on this proposed amendment within 45 days after the date of publication to:

Abby K. Daniels
Legal Counsel Manager
State Universities Civil Service System
1717 Philo Road, Suite 24
Urbana, IL 61802
Phone: 217/278-3150, ext. 226

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

14) Regulatory Agenda on which this rulemaking was summarized: The agency did not anticipate this rulemaking when the recent regulatory agenda was published.

The full text of the Proposed Amendments begins on the next page:

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

NOTICE OF PROPOSED AMENDMENTS

Section 250.60 Eligible Registers

h) Permissive Removal of Names from Registers. The employer may remove the names of candidates from original entry registers and from promotional registers for the reasons set forth in this subsection (h). Names of candidates may be removed from reemployment registers for the reasons set forth in subsections (h)(1) through (7). The reasons include, but are not limited to, the following:

1) Failure of a candidate to report for work without good cause within the time prescribed by the employer, after accepting a status or a temporary appointment.

2) Leaving the service of any employer served by the University System by an employee with a status appointment.

3) Failure to reply to the employer within seven calendar days immediately following an offer of a status or a temporary appointment by an employer.

4) Notice by postal authorities of their inability to locate the candidate at his/her last known address, or verbal notice from the owner or occupant of the premises that the candidate is no longer at his/her last known address and that no forwarding address has been provided.

5) Failure of a candidate, upon request, to furnish written evidence of availability for employment.

6) Failure, without reasonable cause, to reply to the employer or appear for an interview within a reasonable time prescribed by the employer, when the employer has mailed either a notice of a vacancy in a status or temporary position or a letter of interest to the candidate's last known address.

7) Upon the candidate's acceptance of a promotion.

8) Failure of a candidate to be selected for employment after four referrals for a status appointment in the same class.

9) When candidates' names have remained on original entry registers for two consecutive years following date of most recent examination, or following

date of original entry restoral on the basis of service or seniority in accordance with subsection (j)(3), (4), or (5).

10) In classifications identified by the Executive Director, upon the expiration of the designated timeframe specified in a formal position vacancy posting.

(Source: Amended at 36 Ill. Reg._____, effective _____)

Section 250.70 Nonstatus Appointments

d) Intern ~~Trainee~~ Appointments

1) With the approval of the Executive Director, an employer may appoint an intern ~~a trainee~~ to any position, provided all of the following criteria have been met:

A) no qualified candidates are available from a reemployment register or promotional register for the class;

B) a predetermined and scheduled program of development, training or experience has been established and approved for the candidate;

C) a compensation program has been developed that provides for progressively increasing salary levels payable upon completion of defined phases of training. The intern's ~~trainee's~~ starting salary shall not be more than 95% of the minimum of the approved pay range for the class. The intern's ~~trainee's~~ salary, after increases have been awarded, shall not exceed 95% of the midrange of the approved pay range for the class; and

D) the employer can verify that one of the following factors exists:

i) the candidate lacks one or more of the minimum qualifications for the class;

ii) recruitment efforts have failed to attract qualified candidates;

iii) operating needs warrant ongoing training programs to supplement staffing recruitment efforts;

iv) there is a recognized need for specialized training programs in technical or professional fields.

2) If, in the opinion of the employer, the intern ~~trainee~~ completes the prescribed training ~~training program~~ in accordance with the standards established by that intern program, he/she shall be certified to a position of the class for which he/she completed his/her intern ~~training~~ program.

3) Following successful completion of an intern ~~a training~~ program and probationary period, seniority in the promotional line, or in the class, shall be counted from the date that the employee satisfactorily completes the intern ~~training~~ program.

4) If a class has fewer than 10 positions, an employer may have one intern ~~trainee~~ appointment in the class. If a class contains 10 or more positions, not more than 10% of the total positions in the class may be filled by intern ~~trainee~~ appointments on any day of operation.

(Source: Amended at 36 Ill. Reg._____, effective _____)

Section 250.90 Probationary Period

b) Duration of Probationary Period

1) Candidates employed from the reemployment register shall not be required to serve a new probationary period.

2) An employee who has accepted a status appointment shall be on probation for no less than six months and no longer than 12 months. The probationary period shall be extended by a comparable amount of time for the following personnel actions: a paid or unpaid leave of absence that exceeds more than five consecutive work days; a layoff of any duration; a suspension of any duration; or a designated off-site formalized training session, provided the Executive Director has approved the off-site training for such an extension. ~~If the probationary period is interrupted by a paid or unpaid leave of absence that exceeds more than five consecutive work~~

~~days, a layoff, or a suspension, a comparable amount of time shall be added to the probationary period.~~ The probationary period shall begin on the date of assignment to duty and shall expire at the close of business on the last working day that completes the probationary period for the class, regardless of percentage of time of employment during the probationary period. If the employee is not dismissed during the probationary period, the employee shall become a status employee at its conclusion.

3) An employee reinstated to a register in accordance with Section 250.60(j)(4) who is subsequently appointed to a position of his/her former class shall complete his/her probationary period in the former class, if he/she has not already done so.

4) An employee who goes on layoff status during the probationary period may, upon written request of the employer, be reinstated by the Executive Director on either the original entry register or promotional register, as appropriate, in accordance with total service earned as of the date of the layoff and may be appointed thereafter to the same or similar position. The reinstated employee shall complete the probationary period for the class in which eligibility has been established, although his/her service may be interrupted by one or more layoffs.

5) Service in a higher class shall count toward completion of the probationary period in a lower class in the same promotional line. Service in a lower class shall not be counted toward completion of probationary period in a higher class of the same promotional line.

6) A provisional employee shall begin a probationary period on the date of entrance into a status appointment for which the employee is eligible.

(Source: Amended at 36 Ill. Reg._____, effective _____)

Section 250.110 Separations and Demotions

b) Leave of Absence

1) Leave of Absence for Classification Changes. A status employee who accepts a position that represents a promotion in a class outside his/her promotional line shall be granted a leave of absence from a position of

his/her former class for the duration of any intern appointment~~trainee~~, provisional appointment, and/or probationary period in the new class.

2) Leave of Absence for Disciplinary Actions. An employee placed on a Disciplinary Suspension or on a Suspension Pending Discharge shall be placed on a leave of absence from his/her position.

3) Leave of Absence for Disability Leave

A) If an employee is no longer able to perform the duties and responsibilities of his/her position in the class due to a disability as determined by the employer's medical and/or psychological evaluation procedures, and/or in accordance with State and federal law, the employee will be required to take disability leave in accordance with subsection (b)(3)(B).

B) A status employee who becomes eligible for disability benefits to be paid by the employer or, as later determined, by the Illinois State retirement system to which the employee contributed, or becomes eligible for payment benefits as defined by the Workers' Compensation Act [820 ILCS 305], the Illinois Occupational Diseases Act [820 ILCS 310], or a State self-insurance program, shall be granted a disability leave. The disability leave shall be the period for which the employee applies for such benefits, until the time of the expiration of the benefits or a final administrative decision denying or terminating the benefits, including any gap in benefit payments between the expiration of institutional benefits and those available under the approving authority.

C) The employer may require an employee to take a medical and/or psychological examination prior to returning to work after a disability leave. The examination shall be conducted by a licensed practitioner selected by the employer to determine the physical and/or mental capability to perform the essential duties of the employee's position. The employer may supply the examining practitioner with facts relating to the employee's difficulty or inability to perform the essential functions of the job and may supply additional information, including but not limited to physical and mental requirements of the employee's position, duty

statement, job classification specification, and position description. The employee may also present an alternative opinion provided by a licensed practitioner to be selected and paid for by the employee. If there is a difference of opinion, a third outside practitioner shall be selected by the two physicians. The employer shall pay for all examinations, except those initiated by the employee.

D) An employee's refusal to submit to an examination as described in subsection (b)(3)(C), the unexcused failure to appear for such an examination, or the refusal to release the results of the examination may be deemed by the employer as an acknowledgement that the employee is not fit for duty and may subject the employee to termination actions as defined in subsection (c).

E) A disability leave may be revoked by the employer upon evidence that the cause for granting the leave was misrepresented.

F) At the expiration of all disability benefits, an employee shall be entitled to return to a position in his/her class without any loss of status due to the disability leave, providing that he/she returns upon the expiration of all disability benefits to which entitled.

G) Reemployment

i) If an employee does not return to work at the expiration of all disability benefits and is terminated in accordance with subsection (c)(2), the employee may, within one year following the expiration of all disability benefits, request reinstatement and, upon approval of the Executive Director, the employee's name may be placed on the reemployment register in the class in which he/she was employed at the time the disability leave was granted and in accordance with total seniority earned.

ii) If, within one year following the expiration of all disability benefits, the employee requests reinstatement, but, because of his/her disability, is deemed unable to perform the duties in the class, the employee may be required to pass physical

or other tests to determine employability under the University System.

4) Military Leave of Absence. An employee shall be granted a Military Leave of Absence in accordance with State and federal law and regulations.

5) The Executive Director shall be notified promptly by the employer of all leaves of absence, including military, disability, or any other leave otherwise granted. The notification shall include the beginning and ending dates of leaves that exceed 30 calendar days of non-pay status.

f) Discharge Proceedings and Effective Date of Discharge

1) Pre-discharge Proceedings

A) Prior to initiating any proceedings before the Merit Board for the discharge of an employee, the employer shall notify the employee in writing, served upon the employee in person if the employee is present on the job or, otherwise, by certified mail or by overnight delivery service that requires signature upon receipt to the most recent address of the employee as shown on the employer's records, of the employer's intention to initiate the proceedings. The notification shall advise the employee of the substance of the charges proposed to be filed in sufficient detail to inform the employee of the nature of the conduct on which the proposed charges are based. The notification shall also advise the employee that either or both of the following options are available to the employee:

i) within 3 work days after service of the employer's notification, the employee may notify the employer of his/her decision to require the employer to hold a conference with the employee or his/her representative for the purposes of responding to the matters contained in the notification and of attempting to achieve a reconciliation or understanding; and

ii) within 3 work days after service of notification, the

employee may deliver to the employer a written response to the matters contained in the employer's notification; provided that, if the employee elects to require the conference identified in subsection (f)(1)(A)(i), at that conference the employee may request and receive an opportunity to respond further in writing within 3 work days after the conclusion of the conference.

B) Employer's Decision

i) Within 7 work days after compliance with the provisions of subsection (f)(1)(A), the employer shall either:

- notify the employee that no further action will be taken to initiate discharge proceedings with the Merit Board against the employee based solely on the matters contained in the employer's notification; or

- initiate proceedings before the Merit Board under this subsection (f) seeking discharge of the employee based solely on the matters contained in the employer's notification.

ii) The employer's election not to initiate discharge proceedings with the Merit Board shall not preclude the employer from imposing a suspension in accordance with subsection (e) or some lesser penalty.

C) An employee who has been served with an employer's notification as provided in subsection (f)(1)(A) may be placed on excused absence with pay during all or any part of the period covered by this subsection (f)(1) to provide the employer an opportunity to investigate serious charges.

2) Actual Discharge Proceedings

A) Proceedings before the Merit Board seeking the discharge of an employee shall be initiated by the employer filing Written Charges

for Discharge with the Merit Board setting forth the causes for discharge in sufficient detail to inform the employee of the nature of the conduct on which the charges are based. The Written Charges for Discharge shall be set forth in separately numbered charges. The Written Charges for Discharge shall contain the dates, names of persons, places, and facts necessary to properly allege cause for discharge. If a breach of duty, statute, or rule of the employer is alleged, the statute, law, or rule shall be cited in connection with the charge.

B) The Written Charges for Discharge shall be accompanied with a certification by the employer that all procedures set forth in subsection (f)(1) have been followed and that there has been full compliance with any options elected by the employee. At the time the Written Charges for Discharge and the certification are filed with the Merit Board, the employer shall serve copies upon the employee in person if the employee is present on the job; otherwise, service shall be by certified mail or by overnight delivery that requires signature upon receipt to the most recent address of the employee as shown on the employer's records, and the employer shall file a proof of the service with the Merit Board.

C) At any time prior to commencement of the hearing, the Executive Director may direct or authorize the Written Charges for Discharge to be amended to correct technical defects or to set forth additional facts or allegations related to the subject matter of the original charges. The amendments shall relate back to the original date of service of the Written Charges for Discharge. The employer shall serve copies of the Amended Written Charges for Discharge upon the employee in person if the employee is present on the job; otherwise, service shall be by certified mail or by overnight delivery that requires signature upon receipt to the most recent address of the employee as shown on the employer's records, and the employer shall file a proof of the service with the Merit Board.

D) An employee who has been served with Written Charges for Discharge in accordance with subsections (f)(2)(A) and (B) may be suspended without pay by the employer during all or any part of the period that the discharge proceeding is pending, and until final

disposition, if the employer is of the opinion that the employee's presence on the job might constitute a substantial risk of injury to life or property, or might cause a disruptive effect on employer's operations. Any suspension without pay shall become effective on the date the employer serves the Suspension Notice Pending Discharge upon the employee, which may be served with the Written Charges for Discharge or on any date thereafter. Service shall be upon the employee in person if the employee is present on the job; otherwise, service shall be by certified mail or by overnight delivery that requires signature upon receipt to the most recent address of the employee as shown on the employer's records, and the employer shall file with the Merit Board a copy of the Suspension Notice Pending Discharge and proof of service.

3) Hearing Request

A) An employee who has been served with Written Charges for Discharge may request a hearing by filing a written request for hearing with the Secretary for the Merit Board within 15 calendar days after the date of personal delivery or mailing of the Written Charges for Discharge to the employee. The Secretary for the Merit Board shall immediately notify the employer of the filing of the written request by the employee. Thereafter, further proceedings shall be as provided in this subsection (f) and any discharge shall be effective on the date of the discharge order of the Merit Board, unless otherwise expressly stated in the order.

B) If the employee does not file a written request for hearing with the Secretary for the Merit Board within 15 calendar days, the employee's discharge shall become effective at the end of the 15-day period without further action by the Merit Board. The Secretary for the Merit Board shall promptly notify the employer of the employee's failure to file a timely written request for hearing.

4) Hearing Proceedings

A) Upon receipt of the employee's written request for hearing on the Written Charges for Discharge, the Merit Board shall promptly

appoint a Hearing Board or Hearing Officer to hear the charges and the employee's response. All hearings relating to discharge proceedings shall be convened by and conducted under the control of the Executive Director or his/her authorized representative. The Executive Director, the Hearing Board or Hearing Officer, the employee and the employer shall all make good faith efforts to commence the hearing within 10 calendar days after receipt of the employee's written request for hearing, but in no event shall the hearing commence later than 45 days after service of the Written Charges for Discharge, unless a continuance is granted pursuant to subsection (f)(19)(B). Dilatory tactics or actions will not be permitted and the Executive Director, the Hearing Board or Hearing Officer, the employee and the employer shall all make good faith efforts to conduct the hearings in no more than three hearing days, unless justice, due process, and fundamental fairness require otherwise. All hearings shall be open to the public unless, upon motion of either party, the Hearing Board or Hearing Officer finds it necessary to close the hearing or parts of the hearing in instances where personal safety is of concern or when confidential testimony/exhibits are to be referenced or revealed. There shall be a presumption that hearings will be closed only under extraordinary circumstances. A transcript of the hearing, including exhibits, shall be made and shall be filed with the Secretary for the Merit Board as soon as possible following conclusion of the hearings.

B) Within 15 calendar days after receipt of the transcript from the Secretary for the Merit Board, the Hearing Board or Hearing Officer shall file its findings of fact and any other recommendations with the Secretary for the Merit Board, unless that time is extended by the Executive Director for good cause shown. For the purpose of this Section, good cause shall include, but not be limited to: sickness, attendance at court proceedings, death, weather conditions that prevent the members from meeting. If by that time the findings of fact have not been received by the Secretary for the Merit Board, the Executive Director will either appoint another approved Hearing Board or Hearing Officer that will then review the record and submit findings of fact within 10 calendar days after the appointment, or the Executive Director will

give written notice to all Hearing Board members or the Hearing Officer and to all parties to the proceeding that he or she will, within 10 calendar days, discontinue the hearing and commence a new hearing and the present Hearing Board or Hearing Officer will be dismissed without pay. Within this 10-day period following the Executive Director's notice, the Hearing Board or Hearing Officer can appeal to the Executive Director by showing cause why time should be extended.

C) The Executive Director shall certify as the Hearing Record the Written Charges for Discharge, the Suspension Notice Pending Discharge, the employee's request for hearing, the transcript and exhibits, the Hearing Board's or Hearing Officer's findings of fact and other recommendations, and other documents that have been filed.

D) Upon certification by the Executive Director, the Secretary for the Merit Board shall, by certified mail or by overnight delivery that requires signature upon receipt, immediately forward a copy of the Hearing Record, along with notice that the Hearing Record has been certified, to all parties of record. Any objections to the form or contents of the Hearing Record, or briefs, abstracts, or excerpts from the Hearing Record, or arguments, motions, or recommendations, relating to the hearing proceedings or the Hearing Record, or requests for further hearing or for permission to supplement further the Hearing Record by other evidence, must be filed with the Secretary for the Merit Board within 14 calendar days after the date of the postmark of the certified mail notice or the mailing date of the overnight delivery that the Hearing Record has been certified, with proof of service on all parties. No answer or reply briefs and arguments in response to these filings will be permitted unless expressly authorized by the Executive Director or the Merit Board or its Chair.

E) A party requesting oral argument before the Merit Board in cases of discharge must file an appropriate motion with the Secretary for the Merit Board with notice to all parties within 14 calendar days after the date of the postmark of the certified mail notice or the mailing date of the overnight delivery of the certified hearing

record, with proof of service on all parties. The motion must specifically state the issues and any relevant law that will be the subject of argument. The Merit Board will grant or deny the motion at the Merit Board meeting at which oral argument is requested. Oral argument in cases of discharge will generally not be allowed unless novel or precedent setting questions of law or policy are at issue.

5) Conduct of Hearing

A) Pre-hearing Conference. In all hearings, it is recommended that the Hearing Board or Hearing Officer hold a pre-hearing conference immediately preceding the hearing on the day of the hearing. The Hearing Board or Hearing Officer will give the parties an opportunity to discuss issues and share information at the pre-hearing conference that will allow them to present their cases in a fair, efficient, and timely manner. Generally, the Hearing Board or Hearing Officer will conduct the pre-hearing conference for the purpose of achieving one or more of the following points, as determined by the Hearing Board or Hearing Officer on a case by case basis:

i) defining and simplification of the issues;

ii) negotiating admissions or stipulations of fact to avoid unnecessary proof;

iii) reviewing each party's witness and exhibit list;

iv) limiting redundant witness testimony or duplication of evidentiary material, if necessary;

v) determining the length of time each party will need to present its case;

vi) exchanging exhibits; and

vii) discussing any matter that may aid in the efficient and timely disposition of the case.

B) Following the Pre-hearing Conference. The Hearing Board or Hearing Officer shall enter into the record any action taken and any agreements made by the parties as to the matters considered. The length and scope of the pre-hearing conference is at the discretion of the Hearing Board or Hearing Officer, but should generally be concluded within a one hour timeframe.

6) Order of Hearing

A) The Executive Director, or authorized representative, shall open and convene the hearing.

B) The Executive Director, or authorized representative, shall request all persons who have been asked to serve as witnesses, other than a party or employer representative, to be excluded from the hearing room while the hearing is in process, except during their own testimony and cross-examination. Except as he/she might intervene, or be requested to intervene, the Executive Director, or authorized representative, shall empower the Hearing Board or Hearing Officer to proceed with the hearing in such a manner as to provide the employer and the employee a full opportunity to present their positions to the Hearing Board or Hearing Officer.

C) The parties may make a brief opening statement at the beginning of the hearing. The employer will proceed first, followed by the employee. Opening statements may be waived or may be reserved and presented at the commencement of the party's case-in-chief.

D) The employer shall first present its case-in-chief, with an opportunity for the employee to cross-examine the employer's witnesses. The employee may be called as an adverse witness during the course of the hearing.

E) The employee shall then present his/her case-in-chief, with an opportunity for the employer to cross-examine the employee's witnesses.

F) Each party may call rebuttal witnesses if found to be necessary by the Hearing Board or Hearing Officer.

G) At the conclusion of the hearing, each party may make an oral closing argument. The employer may be permitted a brief rebuttal at the end of the employee's closing argument.

H) The hearing shall be closed when the employer and the employee have had a fair and reasonable opportunity to present their positions to the Hearing Board or Hearing Officer.

I) In addition, each party may submit written arguments, summary statements, and/or briefs within 10 calendar days after conclusion of the hearing. A copy of the written closing arguments must be provided to all parties of record and filed with the Executive Director, with proof of service included. Only written materials submitted within the 10 calendar day timeframe will be forwarded with the transcript of evidence and considered by the Hearing Board or Hearing Officer, unless otherwise extended by the Executive Director.

7) Evidence and Motions

A) As a general matter, the rules of evidence and privilege as applied in civil cases in the circuit courts of the State of Illinois shall be followed. However, evidence not admissible under those rules may be admitted (except where precluded by statute) if it is of a type commonly relied upon by reasonably prudent persons in the investigation and conduct of serious matters of this nature. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded.

B) All testimony shall be presented under oath or affirmation. Objections to testimony or evidentiary offers shall be noted in the record. Consistent with these requirements and in order to expedite the hearing, any part of the evidence may be received in written form, provided the interests of the parties are not jeopardized.

C) The standard of proof applied by the Hearing Board or Hearing Officer when evaluating the charges will be the preponderance of the evidence.

D) The Hearing Board or Hearing Officer may, on its own motion or upon motion of one of the parties, take notice of matters of which the circuit courts of the State of Illinois take judicial notice.

E) The Hearing Board or Hearing Officer has the authority to rule on all motions that do not dispose of the proceedings. Examples of motions that can be ruled on by the Hearing Board or Hearing Officer are motions in limine or motions to suppress evidence. Motions directed at the Hearing Board or Hearing Officer shall be presented at the pre-hearing conference, if possible, and actions taken by the Hearing Board or Hearing Officer shall be entered into the record.

F) Motions that dispose of the proceedings must be directed to the Merit Board. Examples of motions that are to be directed to the Merit Board are motions to dismiss, motions to decide a proceeding on the merits, or motions claiming lack of jurisdiction. Motions must be filed with the Secretary for the Merit Board within 14 calendar days after the date of the postmark of the certified Hearing Record. Motions will be ruled on by the Merit Board at the Merit Board meeting in which the case is being considered. The filing of a motion of this nature shall not be allowed to cause any delay in the proceedings.

G) Performance records of the employee or past disciplinary records are admissible and relevant for the purpose of mitigation or aggravation, except if otherwise excluded by a local employer policy or collective bargaining agreement.

8) Stipulations. Parties may agree by stipulation upon any facts involved in the hearing. The facts stipulated shall be considered as evidence in the hearing. It is the policy of the Merit Board to encourage stipulation of facts whenever practicable.

9) Evidence Depositions. Upon request to the Executive Director and upon good cause shown (which shall include, but is not restricted to, potential unavailability of a witness at the time the hearing is scheduled, scheduling or travel arrangement considerations, or agreement of the parties) any party may request a deposition of any witness to be taken for evidence in a hearing. If desired, subpoenas may be requested upon application to the Executive Director in a manner consistent with this Part. The deposition shall proceed in the manner provided by law for depositions in civil actions in the circuit courts of the State of Illinois.

10) Subpoenas. Requests for subpoenas shall be directed to the Executive Director at least five work days before the hearing, unless an exception is granted by the Executive Director. Subpoena requests may be granted if reasonably designed to produce or lead to the production of evidence related to the alleged charges and the terms of compliance are reasonable given the time frames and other circumstances. The party requesting the subpoenas shall be responsible for service and costs related to the subpoena of a witness. The fees of the witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit courts of the State of Illinois. Subpoenas are effective throughout the course of the proceedings. Requests for subpoenas must be submitted in writing and include the following:

A) The name and address of the witnesses sought;

B) Any specific documents the witnesses will be required to bring; and

C) A brief statement of the relevant facts or testimony that the witnesses will be providing.

11) Request for Documents. Prior to the hearing, each party shall serve upon the other party and file a copy with the Secretary for the Merit Board, to be submitted to the Hearing Board or Hearing Officer, the following information, to the extent available at that time:

A) A list of the names and addresses of the witnesses the party proposes to call; and

B) All documents the party proposes to offer in its case-in-chief.

12) Failure to Appear. Failure of a party to appear on the date set for hearing may result in findings of fact unfavorable to that party and may result in a loss of rights by default.

13) Disqualification of Assigned Hearing Board or Hearing Officer. A Hearing Board or Hearing Officer may be disqualified on grounds of bias or conflict of interest. An adverse ruling, or the fact that a Hearing Board or Hearing Officer has had contact with the University System, by itself, shall not constitute bias or conflict of interest. Whenever any party believes a Hearing Board or Hearing Officer should be disqualified from conducting an assigned proceeding, that party may file a request with the Executive Director to disqualify the Hearing Board or Hearing Officer, setting forth by affidavit the alleged grounds for disqualification, with proof of service on all parties. The Executive Director shall rule and make the final determination on all requests for disqualification.

14) Ex Parte Communications

A) Except in the disposition of matters they are authorized by law to entertain or dispose of on an ex parte basis, the Merit Board, the Executive Director, employees of the University System Office, and the assigned Hearing Board or Hearing Officer shall not, after Notice of Convening of Hearing has been issued, communicate, directly or indirectly, with any party or the party's representative regarding any issue of fact or with any person or party in connection with any other issue regarding the case, except upon notice and opportunity for all parties to participate. However, the Merit Board, the Executive Director, employees of the University System, and the Hearing Board or Hearing Officer may communicate with each other. Also, members of the Merit Board and the Hearing Board or Hearing Officer may have the aid and advice of one or more personal assistants.

B) Communications regarding procedure, including interpretation and application of Section 36o of the Act, subsection (f), and related procedures, are not considered ex parte communications.

15) Role and Responsibilities of the Hearing Board or Hearing Officer. The Hearing Board or Hearing Officer shall be responsible for the following activities:

A) Conduct the pre-hearing conference;

B) Facilitate the timely completion of the hearing process, taking necessary steps to avoid delay;

C) Establish reasonable limits on the duration of witness testimony;

D) Limit repetitive or cumulative testimony;

E) Rule on motions, objections or evidentiary questions;

F) Hear evidence as presented at the hearing by the employer and the employee on behalf of their respective positions (the evidence may include matters in aggravation, mitigation and justification, which may pertain to the question of "just cause" for discharge);

G) Direct questions to witnesses at any time, but restrict questioning to the clarification of the testimony already presented;

H) Prepare a signed findings of fact within 15 calendar days after receipt of the transcript of the hearing proceedings to be transmitted to the Merit Board. The findings of fact shall set forth each of the written charges alleged in the Written Charges for Discharge, including an evaluation of the facts presented by the employer and employee with respect to each charge, and based on this evaluation, a determination as to whether the charges are sufficiently supported by the evidence presented. The findings of fact shall be based exclusively on the evidence and on matters officially noticed. The findings of fact presented by the Hearing Board or Hearing Officer are advisory only to the Merit Board. It is not the role of the Hearing Board or Hearing Officer to determine whether just cause for discharge exists. The determination of just cause is the sole province of the Merit Board; and

I) Enter any order that further carries out the purpose of this Section.

16) Final Decision of the Merit Board. In the course of reaching its decision, the Merit Board may request the Executive Director to make recommendations that he/she deems appropriate with respect to the discharge proceedings. Nothing in subsections (f)(16)(A) and (B) is intended to eliminate or limit the Merit Board's discretion to determine the appropriate disposition on a case-by-case basis. The Merit Board shall enter findings of fact and shall order the following decision and order or any other decision and order it deems appropriate:

A) Discharge, if just cause is found to exist. No employee shall be discharged except for just cause. Just cause is defined as some substantial shortcoming that renders the employee's continuance in his/her position in some way detrimental to the discipline and efficiency of the service and that the law and sound public opinion recognize as good cause for the employee no longer holding the position; or

B) Reinstatement, if just cause for discharge is found not to exist. An employee shall be reinstated as follows:

i) Reinstatement with no loss of compensation when none of the significant charges are proven.

ii) Reinstatement with a 60-day suspension when the proven charges do not rise to the level of just cause for discharge, but some disciplinary action is justified based on the severity of the proven charges. If the Merit Board orders reinstatement with a 60-day suspension, any time served while on suspension pending discharge will be applied towards the fulfillment of the 60-day suspension.

17) Final Decision and Order of the Merit Board. The Secretary for the Merit Board shall immediately forward copies of all Merit Board orders to the employer and the employee by certified mail or by overnight delivery that requires signature upon receipt. ~~Request for a rehearing, or for a reconsideration of a Merit Board order or decision, shall not extend any appeal period for administrative review, except by express order of the~~

~~Merit Board or its Chair.~~

18) Administrative Review. All final decisions of the Merit Board shall be subject to appeal by the parties to the proceedings under the Administrative Review Law [735 ILCS 5/Art. III]. A complaint for administrative review must be filed and summons issued within 35 days after the date that a copy of the final Merit Board decision has been served upon the party affected. A final decision of the Merit Board shall be deemed served either when personally delivered or when deposited in the United States mail in a sealed envelope or package, with postage paid, addressed to the party affected by the decision at his/her last known residence or place of business.

19) Time Period Proceedings

A) On the motion of either party with notice to the other party, or by independent action of the Chair of the Merit Board or the Executive Director communicated to both parties, any time period set forth in this subsection (f) may be extended by the Chair of the Merit Board or by the Executive Director for good cause shown.

B) No extension may be beyond a period established by statute, except for cases in which a written motion for continuance of a scheduled hearing is filed with the Secretary for the Merit Board at least 48 hours prior to the time scheduled for hearing, unless an exception is granted by the Executive Director. The moving party must set forth emergency grounds for a continuance, which are limited to unforeseen, unavoidable or uncontrollable circumstances, such as an Act of God; the sudden illness or death of the movant, a member of his or her immediate family, or his/her legal counsel; or if the movant is able to demonstrate some other real and compelling need for additional time. If there is an arrest or criminal indictment of any employee that resulted from an employee's conduct in the course of employment duties, the Executive Director, at the request of the employee, may grant a continuance of hearing pending some resolution of the criminal charges. Requests for continuances must be preceded by contacting the opposing party and asking for agreement to the continuance.

C) The time periods set forth in this subsection (f), except for the 15-day period set forth in subsection (f)(3)(B) and except for any time period provided for seeking administrative review of a final decision of the Merit Board, shall be deemed directory and not mandatory; and no failure to comply with any of the time periods set forth in this subsection (f), except for the 15-day period set forth in subsection (f)(3)(B) of this Section and except for any time period provided for seeking administrative review of a final decision of the Merit Board, shall cause the Merit Board to lose jurisdiction of any matter.

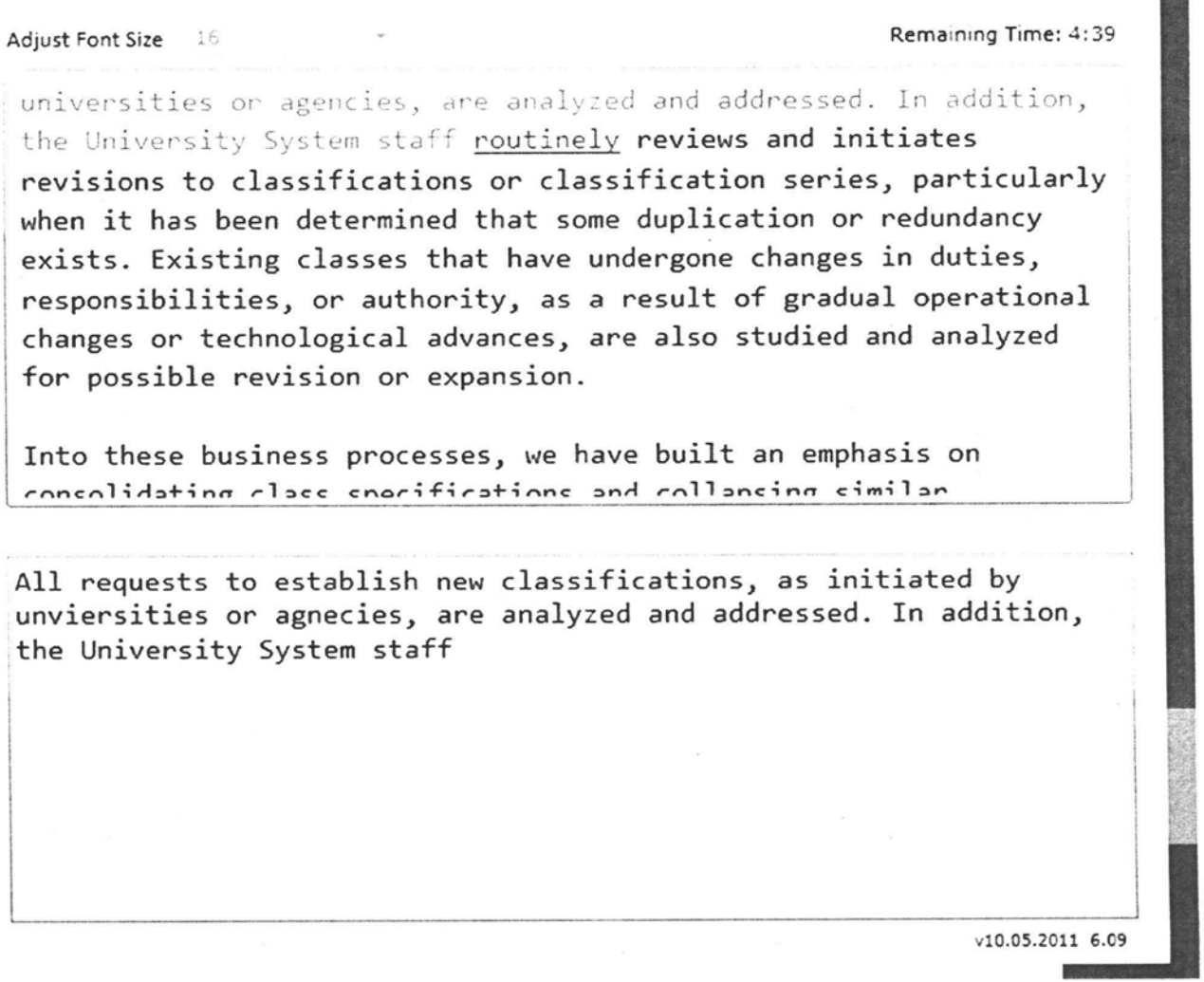
D) If the last date for filing falls on a weekend or legal holiday, the last date for filing is the first business day following that weekend or legal holiday.

20) Reason for Discharge. Causes justifying discharge and any suspension during the discharge proceedings shall include, but are not limited to: all those listed as cause for suspension if they become recurring offenses; and, in addition, theft; drinking intoxicating liquors on institutional time or property; inability to perform satisfactorily assigned duties as a result of drinking alcoholic beverages; malicious damage to property, tools, or equipment; immoral or indecent conduct that violates common decency or morality; conviction of an offense involving moral turpitude; illegal or excessive use of drugs, narcotics, and/or intoxicants.

21) Hearing Expenses. All customary and reasonable court reporter and copying expenses incident to the preparation of the Hearing Record and providing copies to parties to the proceedings shall be paid by the employer. The Merit Board shall pay all expenses of the Hearing Board or Hearing Officer and any legal expenses incurred by a Hearing Board or Hearing Officer, to the extent that those expenses have been approved by the Merit Board or its Executive Director.

(Source: Amended at 36 Ill. Reg._____, effective _____)

- Written in Microsoft Silverlight, eliminating Java issue
- Adjustable font size (12 to 20)
- Continual scrolling
- Removed live WPM scoring
- Removed error highlighting
- Reduced timer size
- Ability to customize



FY12 EXAMINATIONS IN PROGRESS CHART
July 1, 2011 - July 30, 2012

	Employers
NEW / REVISED EXAMINATIONS	
Administrative Aide	ALL
Administrative Assistant Series –	
Administrative Assistant I & II	ALL
Assistant Director of Physical Plant	SIUC, ISU, NIU, WIU, UIC
Assistant Director of University Union	ISU, UIC, UIUC, SIUC, EIU, SIUE
Benefits Counselor Series	ALL
Benefits Representative, Officer, Counselor, & Services Supervisor	
Call Center Representative Series (PROPOSAL)	
Catering Advisor	
Client Relations Representative Series	CSU, ISU, ISAC, & WIU
Client Relations Representative I, II, III, IV, & V	
Collection Specialist Series	ALL
Collection Specialist I, II, III, IV, and V	
Cook Series –	UIUC, EIU, NIU, ISU, WIU, NIU-LT, SIUE, SIUC, UI-AH, NIU-NC, NIU-RC, UIS, NIU-HE
Cook, Cook's Helper, Head Cook, First, Second, Test Kitchen, & Catering Supervisor	
Grill Cook (T & E)	NIU, SIUC
Food Service Worker Series	UIS, EIU, UIC, UICH, CSU, NEIU, UIR, ISU, UIS
Food Service Worker I, II, III, IV, & V	
Financial Aid Adviser Series –	SIUSMS, SIUC, GSU, CSU, UIUC, NEIU, EIU, ISAC, UIS, UIC, SIUE, NIU, WIU
Financial Aid Adviser I, II, III, & IV	
Institutional Research Data Coordinator	UIC, ISAC, NIU, EIU, GSU, UIMC, SIUC, WIU, NEIU
Institutional Research Data Specialist	ISAC, NEIU, EIU, UIC, NIU, UIS
Internal Auditor Series	ISU, UIC, ISAC, SURS, SIUC, EIU, NIU, WIU

FY12 EXAMINATIONS IN PROGRESS CHART
July 1, 2011 - July 30, 2012

Internal Auditor I, II, III, IV, & V	
Laboratory Mechanic Series –	UIUC, UIC, SIUC, SIUSM, SIUE, ISU
Asst. Lab Mech, Lab Mech, Senior Lab Mech, & Instrument Maker	
Loan Service Officer Series	ISAC
Loan Service Officer I, II, & III	
Medical Insurance Specialist Series	UIUC,SIUC,EIU,SIUE,UICH,UI-COMP,UI-COMR,SIU-SOM,WIU,ISU,DSCC
Medical Insurance Specialist I, II, III, & IV	
Medical Office Series	
Medical Office Assistant, Associate, Specialist, Supervisor, & Coordinator	
Ambulatory Care Series – (formally)	NIU, UIMC, UIR, UIC, SIUC, SIUSMS, UIP, SIUE,
Ambulatory Care Aide I & II, Ambulatory Care Assistant, Supervisor, & Manager	
Patient Unit Series - (formally)	SIUC, ISU, UIC, NIU, UIR, UIMC, UIP
Patient Unit Clerk I & II, Manager, & Patient Support Services Coordinator	
Multimedia Communications Series	
Multimedia Communications Associate, Specialist, & Supervisor	
Former Classifications: Instructional Communications Programmer I, II, & III, Video Production Assistant, Musical Instruction Specialist, Instructional Materials Specialist, & Video Post Production Supervisor	
Multimedia Technical Support Series	
Multimedia Assistant, Operator, Technician, & Supervisor	
Former Classifications: Instructional Communications Technical Operator I, II, & III, Audio Visual Aids Technician I, II, & IIII, Instructional Materials Technician I & II, Audio-Visual Services Manager, & Multimedia Technician	

FY12 EXAMINATIONS IN PROGRESS CHART
July 1, 2011 - July 30, 2012

Payroll Specialist Series	ALL
Payroll Clerk, Specialist I, II, & III, Assistant Payroll Manager, & Payroll Manager	

Program Adviser	SIUE, NEIU, SIUC, NIU, UIC, CSU, UIUC
Purchasing Officer Series	ALL
Purchasing Officer I, II, III, & IV	
Reimbursement Coding Specialist Series –	UIC, SIUSM
Reimbursement Coding Specialist I, II, & III	
Service Enterprises Manager	UIC, SIUC, EIU
Statistical Clerk	UIP, UIR, SIUC, UIC, ISU, NIU, CSU, UIS, SIUE, ISAC, EIU
Statistician Series	ISAC, UIC, SIUE, UIMC, NIU
Statistician I & II	
Initial Development	
Power Plant	All
Clerical	All
Secretarial Series/Clerk Series	
Building Service Worker	All
Pipefitter Series	ALL
Refrigeration Mechanic Series	SIUE, SIUC, UIC, UIUC, NIU, ISU, EIU,
Refrigeration Mechanic, Sub-Foreman, & Foreman	
Temperature Control Series	UIUC, EIU, WIU
Temperature Control Mechanic, Sub-Foreman, & Foreman	

October 2011

HISTORY OF SECTION 36(e) OF THE STATE UNIVERSITIES CIVIL SERVICE ACT GOVERNING EXEMPTIONS FROM CIVIL SERVICE REGULATIONS

I. Current laws and guidelines governing exemptions

A. Section 36(e) of the State Universities Civil Service Act governing exemptions from Civil Service

All employees of the Illinois Community College Board, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, University of Illinois, State Universities Civil Service System, State Universities Retirement System, the Illinois Student Assistance Commission, and the Board of Higher Education shall be covered by the University System described in Sections 36b to 36q, inclusive, of this Act, except the following persons:

(1) The members and officers of the Merit Board and the board of trustees, and the commissioners of the institutions and agencies covered hereunder;

(2) The presidents and vice-presidents of each educational institution;

(3) Other principal administrative employees of each institution and agency as determined by the Merit Board;

(4) The teaching, research and extension faculties of each institution and agency;

(5) Students employed under rules prescribed by the Merit Board, without examination or certification.

B. Section 250.30(a) of the Illinois Administrative Code governing exemptions from Civil Service

Coverage. The classification plan shall include all classes, as approved, and from time to time amended, by the Merit Board, except those exempted by Section 36e of the Statute. Exemptions under Section 36e(3) of the Statute shall be by position. When approved by the Merit Board, a position shall remain exempt until such exemption is terminated by the Merit Board. The Director shall publish guidelines for such exemptions, as approved by the Merit Board. This classification plan shall apply to all positions subject to Section 250.20(a).

C. Section 250.5 of the Illinois Administrative Code defining "position"

"Position" a group of duties and responsibilities, assigned or delegated by competent authority, requiring the full-time service of one person, or the part-time service of one or more persons.

D. ***Current criteria used to determine exemptions***

CRITERION A (36e2 – Primary Administrator):
(1) Whose primary duty is administrative management of a Campus or Agency division or like unit, and who reports to the Chief Executive Officer of the Campus or Agency; or
(2) Who performs an independent administrative function and reports to the Chief Executive Officer, President, Vice-President, Chancellor, Vice Chancellor or Provost of the Campus or Agency

OR

CRITERION B (36e4 - Faculty):
(1) Whose primary responsibility is the administration of an academic unit engaged in academic instruction or research (e.g.,Dean, Associate and Assistant Dean, Department Head, Associate and Assistant Department Head)

OR

CRITERION C (36e3 – Principal Administrative Appointments):
(1) Who is charged with high level administrative responsibilities and whose decisions are based on administrative polices; and
(2) Who performs these duties with only general administrative supervision or direction and who exercises discretion and independent judgment (e.g., Director, Associate or Assistant Director)

OR

CRITERION D (36e3 – Principal Administrative Appointments):
(1) Who is in a position requiring a knowledge of an advanced type in a file of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study (as distinguished from a general academic education) and which requires the consistent exercise of discretion and judgment (e.g., physician, attorney, engineer, architect, archeologist, physicist, biochemist)

II. History of the Exemption Process

- In February 1973, the Merit Board approved a resolution recommended by the AAC to have each governing board submit "lists of classes of positions claimed to be exempt under Section 36(e)(3)." The Chairman of the Board acknowledged that the Board and AAC had been concerned about employer compliance with section 36(e)(3) and that submission of the lists would help them determine which positions should be covered by the University System. The Board also approved a recommendation by the AAC that the Director develop procedures "regarding the protection of the seniority and status of employees moving from exempt to Civil Service status…" (Merit Board Minutes, Vol. 10, page 68.)

- In February 1973, the Merit Board approved a resolution recommended by the AAC that "on a temporary basis" the Merit Board would determine exemptions in accordance with the lists of classes claimed to be exempt by the employer and, in addition, would require Director approval for any changes in the lists. The Merit Board expressed a concern that not all the classes on the lists were proper exemptions and noted that once an exemption is approved it would be difficult to correct an improper exemption. The Merit Board suggested that a committee be created to

establish guidelines and define criteria for exemptions. (Merit Board Minutes, Vol. 10, pages 136-38.)

- In September 1974, the Merit Board approved criteria for approving PAA exemptions. The criteria, as provided approve, has since been amended. The criteria was drafted by members of the HR Committee and EAC and circulated to all the DERS and members of the University Civil Service Advisory Committee. At the same time, the Merit Board approved a rule change to section 250.30(a) that included the underlined language as noted above. At this time the Illinois Administrative Procedures Act had not yet been enacted so approval of the rule change by the Merit Board was all that was necessary. (Merit Board Minutes, Vol. XI, pages 45-48.)

- In March 1975, the Merit Board approved a recommendation by the AAC to amend the PAA exemption criteria by adding professional positions. The Merit Board also approved an AAC resolution recommending that the authority be delegated to the Director to approve or disapprove PAA exemptions based on the criteria. The employer would then be allowed to appeal the Director's decisions to the Merit Board. (Merit Board Minutes, Vol. XI, pages 80-82.) The use of the lists of classes claimed to be exempt by employers and the Director's approval process relating to any additions to the lists stood until 1997.

- In February 1990, the Merit Board approved a recommendation by the AAC to amend the PAA exemption criteria by adding Criteria C, which allowed PAA exemptions for Director, Associate or Assistant Director titles. (Merit Board Minutes, Vol. 106th -117th page 6.) In 1990, the Merit Board minutes indicate that this office was becoming concerned that the lists of exempt PAA classifications where becoming outdated. AAC members agreed to speak with their respective HR Directors to review the lists and delete any unused classifications. (Merit Board Minutes, Vol. 106th -117th .)

- In September 1993, the Merit Board expressed some concern that there was no statutory authority for the criteria exempting professional positions, presumably criteria D. There was some discussion regarding the need to formalize the exemption process in a rule or legislative change. (Merit Board Minutes, Vol. 118th-129th pages 18-19.)

- In September 1996, discussion began regarding the need to collapse the lists of PAA exempt positions into a set of uniform standard job descriptions by institution. The uniform descriptions would have consistent job responsibilities (4 or 5 common attributes to all the positions in the standards job), i.e., an Assistant Dean might have high level administrative responsibilities; budget; policy formulation; mission planning; and management of operations. A PAA Review Committee was established.

- In September 1997, the Merit Board approved a proposal prepared by the PAA Review Committee and approved by the AAC, which collapsed the previous lists of PAA positions into 17 new standard job descriptions, revisions to procedures that allowed the use of standard title exemptions without prior approval, subject to the audit process, and guidance for exempting 36e(4) positions (teaching, research, and extension faculties.) The 17 standard titles consisted of Associate Dean; Associated Department Head/Chair; Associate Director; Associate VP/ Associate Vice Chancellor/Associate Chancellor, Assistant Dean; Assistant Department Head/Chair; Assistant Director; Assistant to President/Chancellor; Assistant to VP/Vice Chancellor/Associate Chancellor; Assistant VP/Assistant Chancellor/Assistant Vice Chancellor; Dean; Department Head/Chair; Director; Executive Assistant to President/Chancellor/Executive

Director; Licensed professionals (physician, attorney; engineer; architect.); Archeologist. (Merit Board Minutes, 134th meeting, page 12.)

- In September 1998, a proposal from the PAA Committee was presented to the Merit Board for three additional exemption standards: Coordinator, Assistant To, and Specialist. Marcia Miller, Chair of the State Universities Civil Service Advisory Committee, who had written a letter on behalf of the Committee, was invited by the Chair to comment on the proposal. She pointed out that the EAC believed the automatic exemption of the proposed standards would lead to erosion of the promotional opportunities for civil service employees within the civil service system. She said that the EAC believed that the positions that fell within the proposed standards were more appropriately reviewed and approved by the System Office. The Chair noted that the AAC took a strong position in support of the proposal. After further discussion by the Merit Board, it was agreed to table the proposal until the next meeting to allow those in support of the motion to have their side represented (Merit Board Minutes, 137th meeting, page 8.)

- In February 1999, the Merit Board approved the proposal to add the three exemption standards discussed at the September 1998 meeting. (Merit Board Minutes, 138th meeting, pages 11-12.)

- In September 2001, the Merit Board discussed changes that had been made to the PAA Procedures, section 1.2 Position Standards, which would now require prior approval by the Director whenever a Civil Service employee or position in the same organizational unit is to be exempted from Civil Service. The discussion indicated that a lot of authority to approve positions to be exempt from Civil Service had been delegated to the employers, and that the Merit Board was now moving some of that authority back to the Merit Board staff. In addition, the PAA Review Committee was reactivated to look at issues to ensure Civil Service employment is not being abused. The Chair noted that the solution to the problem was not to make everyone exempt from Civil Service. The Chair indicated that it was important for Merit Board members to discuss problems with their Presidents when there are audit concerns involving their schools. (Merit Board Minutes, 146th meeting page 16.)

- In January 2002, the Merit Board was advised that the PAA Review Committee had met on two occasions. During those meetings the Committee's major concerns involved the employers use of the Assistant to, Coordinator, and Specialist criteria standards. It was discussed that some employers were of the opinion that implementation of the 20 criteria standards allowed them the freedom to choose between utilizing a PAA and a Civil Service appointment whenever a job met the criteria standards for exemption. It was also discussed that this office disagreed that employers have the option of choosing between either hiring under Civil Service or exempting the jobs when a Civil Service appointment is viable. The Merit Board was asked to tell their administrations the concerns about the misuse of PAAs.

- In September 2002, the Merit Board approved the Pilot Program. The program was designed to address the increase in PAA exemptions. The program focuses on more flexible credential review employment process, including a review of the application, degree, and the training and experience of the applicant. The program was to conclude after 3 years in September 2005. (Merit Board Minutes, 149th meeting, pages 12-13.)

- In September 2003, the Merit Board approved the expansion of the Pilot program to include a broad-banded IT classification structure, and provided a more flexible employment process and

classification plan management system for this occupational area. (Merit Board Minutes, 153rd meeting, page 22)

- In September 2005, the Merit Board approved an extension of the Pilot Program to September 2008. Statewide budget reductions restricted participation and limited the capacity to properly evaluate this program. More time was needed to properly assess it benefits. (Merit Board Minutes, 156th meeting, page 11)

- In November 2006, the Merit Board approved the initiation of a rule change process to formalize their ability to establish pilot programs or demonstration projects. This was intended as a research opportunity to formally validate the Pilot Program activities through proper administrative and regulatory rules. (Merit Board Minutes, 163rd meeting, pages 6-7)

- In April 2007, the Merit Board discussed the possibility of transitioning the current Principal Administrative Appointment employment procedures to administrative rules. Internal legal counsel suggested these procedures should be included in administrative rules. Instead, the merit Board authorized the System office to initiate a process of review and development of more extension procedures regarding the exemption of various employment categories as referenced in 36(e) of the Act. (Merit Board Minutes, 164th meeting, page 11)

- In November 2007, the Merit Board was informed of the JCAR approval of rule changes regarding their ability to establish pilot programs or demonstration projects. This provides the ability to temporarily set aside regulatory guidelines to research new and progressive human resource programs. (Merit Board Minutes, 166th meeting, page 3)

- In August 2008, the Merit Board officially recognized and approved the Pilot Program in accordance with the new rules regarding demonstration projects. A formal application was processed and approved. The Pilot Program was to conclude in September 2011. (Merit Board Minutes, 169th meeting, pages 14-15)

- A significant amount of interaction with the many campus constituency groups led to a final draft proposal of a new Exemption Procedures Manual. In February 2009, the Merit Board delayed action on this new revised Exemption Procedures Manual, due to conflicting comments on this topic. Further discussions were needed. (Merit Board Minutes, 171st meeting, pages 5-6)

- In May 2009, the Merit Board approved the new Exemption Procedures Manual. Modifications were made to the original draft to address some employer concerns. (Merit Board Minutes, 172nd meeting, pages 7-8)

- Based upon some significant increases in exemptions and civil service audit findings in this respect, most specifically at UIC, a joint Senate Committee was created to examine this topic. In August 2010, this Committee met to discuss this matter. They focused on issues at UIC and possible legislation was suggested. The Merit Board was informed of these activities at their August 2010 meeting. Several recommendations were provided to the Merit Board and Senate Committee in response to this issue and their concerns. (Merit Board Minutes, 177th meeting, pages 9-10)

- In November 2010 and after much discussion, the Merit Board authorized the initiation of the rulemaking process to transition the Exemption Procedures to administrative rules and provide

public notice. The Merit Board also took action to direct the System Office to work UIC to develop a monitoring system to manage this issue and routinely report back to the Merit Board. (Merit Board Minutes, 178th meeting, pages 18-19)

- In December 2010, HB2386 was amended and would have required each principal administrative appointment exemption to be approved by the Merit Board, or the System office. This bill was formally held in a Senate Committee and was not acted on during the end of that legislative session.

- In April 2011, SB1150 was amended to include language in our Act to require Merit Board or System Office approval for every Principal Administrative Appointment exemption. This amended bill passed the Senate and went to the House. Our office worked with several legislators and other stakeholders to possibly amend this language prior to any action by the House. This bill was ultimately held in a House Committee and no action has been taken this far. The Merit Board was informed of these activities.

- In May 2011, the Merit Board reviewed recent legislative activities regarding the exemption issue and was presented an initial draft of a proposed rule change regarding this topic, along with some corresponding modifications to the Exemption Procedures Manual. Public comments were made on this topic by various constituency groups. This rule change is designated to be presented for the 1st Public Notice Period. The Merit Board will have to take final action to formally present this to JCAR and adopt this rule change. There was also further discussion on managing the exemption issues at UIC. (Merit Board Minutes, 180th meeting, pages 2-5, 21-22)

- At its August 2011 meeting, the Merit was informed that the proposed rule change regarding the exemption issue would be presented for the First Public Notice Period, consistent with the JCAR rulemaking process. The Merit Board was also informed that they had sole authority over the final adoption of any rule change proposal.

State Universities Civil Service System

Exemptions (36e3/36e4) by Title - June Quarterly Totals

Standard Titles	Jun-00	Jun-01	Jun-02	Jun-03	Jun-04	Jun-05	Jun-06	Jun-07	Jun-08	Jun-09	Jun-10	Jun-11
1. Executive Assistant to President	3	5	5	5	4	3	2	2	4	3	4	2
Executive Assistant to Chancellor	3	3	3	4	3	3	3	2	1	2	2	2
2. Assistant to President	13	11	12	8	9	8	10	8	8	11	8	9
Assistant to Chancellor	6	5	6	5	4	5	4	10	11	7	7	7
3. Associate Vice President	18	27	26	29	29	29	29	23	28	32	40	32
Associate Provost	16	19	28	23	19	20	17	19	16	18	14	13
Associate Vice Chancellor	26	26	29	29	22	20	20	17	22	22	20	18
Associate Chancellor	12	15	16	17	12	12	14	15	12	11	11	13
4. Assistant Vice President	31	34	35	40	34	36	35	41	42	41	37	36
Assistant Provost	8	11	17	11	10	8	8	11	10	10	8	4
Assistant Vice Chancellor	14	14	17	20	18	21	18	13	17	14	9	9
Assistant Chancellor	2	2	3	4	4	3	3	2	2	1	2	2
5. Assistant to Vice President	8	10	11	8	11	12	12	9	16	13	10	10
Assistant to Vice Chancellor	12	10	11	11	10	10	10	10	10	10	9	7
Assistant to Associate Chancellor	9	7	8	9	0	0	0	4	3	2	2	1
Assistant to Provost	4	3	8	7	3	2	3	5	6	7	6	6
6. Dean	35	45	44	50	50	53	48	55	42	49	41	44
7. Associate Dean	58	77	70	78	75	92	99	79	84	75	68	63
8. Assistant Dean	104	116	110	116	113	123	130	103	106	104	97	70
9. Executive Director	34	41	43	43	62	82	87	91	96	94	90	81
10. Director	891	991	1061	1100	1081	1188	1252	1177	1239	1230	1238	1219
11. Associate Director	309	362	397	420	442	477	497	504	570	567	564	529
12. Assistant Director	623	707	771	800	796	779	791	818	893	895	904	862
13. Department Head/Chair	106	113	141	145	160	181	191	166	186	164	150	133
14. Associate Department Head/Chair	4	4	6	6	8	13	22	10	8	7	2	2
15. Assistant Department Head/Chair	7	9	6	7	6	8	8	3	3	3	5	4
16. Physician	63	65	69	72	67	296	271	81	89	68	76	73
Attorney	34	55	34	35	30	34	34	35	42	53	41	45
Engineer	1	1	1	15	15	12	13	8	10	11	11	9
Architect	1	2	1	2	1	10	13	12	14	15	14	12
17. Archeologist	20	21	21	20	3	22	22	25	25	26	31	4
18. Assistant to	289	355	382	414	409	436	425	414	409	418	390	365
19. Coordinator	725	869	1025	1101	1113	1257	1437	1594	1676	1671	1662	1575
20. Specialist	1479	1700	2083	2325	2232	2391	2568	2746	2779	2701	2756	2522
20 Standard Title Exemptions	*4968*	*5735*	*6500*	*6979*	*6855*	*7646*	*8096*	*8112*	*8479*	*8355*	*8329*	*7783*
Individual Exemptions	*715*	*773*	*795*	*733*	*712*	*699*	*633*	*559*	*581*	*544*	*521*	*515*
Total 36e(3) Exemptions	**5683**	**6508**	**7295**	**7712**	**7567**	**8345**	**8729**	**8671**	**9060**	**8899**	**8850**	**8298**