



**MINUTES OF THE TWO-HUNDRED-AND-SEVENTEENTH
MEETING OF THE UNIVERSITY CIVIL SERVICE MERIT BOARD –
December 9, 2021**

***State Universities Civil Service System (University System) Office
1717 Philo Road, Suite 24
Urbana, Illinois 61802***

***Chicago State University
Cook Administration Building
9501 South King Drive
ADM Room 202
Chicago, IL***

***Eastern Illinois University
600 Lincoln Avenue
Union Building, Room 1895
Charles, IL***

***Governors State University
Room B2201
1 University Parkway
103 University Park, IL***

***Northeastern Illinois University
5500 North St. Louis Avenue
Student Union Building, Room
(Golden Eagles Room)
Chicago, IL***

***Northern Illinois University
1120 East Diehl Road, Room 119
Naperville, IL***

***Southern Illinois University
Edwardsville
Office of Human Resources
Rendleman Hall, Room 3234
#6 Hairpin Drive
Edwardsville, IL***

***&
(WebEx)***

Call to Order and Roll Call – Julie Jones, Chair

Chair Jones called the meeting to order at 1:09 pm and read the following statement regarding the Executive Orders allowing the meeting to be held via WebEx.

For the record, I (Chair Jones) will note that we are holding this meeting by means of video-conference, in compliance with Executive Orders 2020-07, 2020-33, 2020-44, 2020-48, and 2020-71 which state:

“During the duration of the Gubernatorial Disaster Proclamation, the provisions of the Open Meetings Act, 5 ILCS 120, requiring or relating to in-person attendance by members of a public body are suspended. Specifically, (1) the requirement in 5 ILCS 120/2.01 that ‘members of a public body must be physically present is suspended; and (2) the conditions in 5 ILCS 120/7 limiting when remote participation is permitted is suspended.”

I note for the record that the Agenda for this meeting was posted in accordance with the Open Meetings Act. The posted Agenda included directions on how to access the meeting.

Members present via WebEx were: Chair Julie Jones, representing Illinois State University; John R. Butler, representing Northern Illinois University; Joseph Dively, representing Eastern Illinois University; Sherry Eagle, representing Northeastern Illinois University; Naomi Jakobsson, representing the University of Illinois; Kisha Lang, representing Western Illinois University; and John Simmons, representing Southern Illinois University.

Members absent were: Pedro Cevallos-Candau, representing Governors State University; Stuart King, representing the University of Illinois; and Andrea Zopp, representing Chicago State University.

Also present were: Gail Schiesser, Interim Executive Director; and Teresa Rademacher, Secretary for the Merit Board. Various other university employees and State Universities Civil Service System (University System) staff were also in attendance.

Approval of the Agenda for the 217th Meeting of the Merit Board – Julie Jones, Chair

Chair Jones asked for a motion to approve the Agenda for the 217th Meeting of the University Civil Service Merit Board (Merit Board).

Mr. Simmons moved to approve the Agenda for the 217th Meeting of the Merit Board. Dr. Eagle seconded Mr. Simmons’s motion. In accordance with the Merit Board Bylaws, a roll call vote was taken, and the motion was approved with the following vote:

Mr. Simmons.....	Aye
Ms. Zopp	Absent
Dr. Butler.....	Aye
Dr. Cevallos-Candau.....	Absent
Mr. Dively.....	Aye
Dr. Eagle	Aye
Ms. Jakobsson	Aye
Chair Jones	Aye
Dr. King.....	Absent
Ms. Lang.....	Aye

Consideration of the Minutes of the 216th Meeting of the Merit Board, May 13, 2021

The minutes of the 216th Meeting of the Merit Board, May 13, 2021, had been transmitted to members of the Merit Board with the agenda materials.

Mr. Simmons moved to approve the minutes of the 216th Meeting of the University Civil Service Merit Board. Ms. Jakobsson seconded Mr. Simmons’s motion.

A roll call vote was taken, and the motion was approved with the following vote:

Mr. Simmons..... Aye
Ms. Zopp Absent
Dr. Butler..... Aye
Dr. Cevallos-Candau..... Absent
Mr. Dively..... Aye
Dr. Eagle Aye
Ms. Jakobsson Aye
Chair Jones Aye
Dr. King..... Absent
Ms. Lang..... Aye

Consideration of the Closed Minutes of the 216th Meeting of the Merit Board, May 13, 2021

The Closed Minutes of the 216th Meeting of the Merit Board, May 13, 2021, had been transmitted to members of the Merit Board with the agenda materials.

Ms. Jakobsson moved to approve the Closed Minutes of the 216th Meeting of the University Civil Service Merit Board. Mr. Simmons seconded Ms. Jakobsson’s motion.

A roll call vote was taken, and the motion was approved with the following vote:

Ms. Jakobsson Aye
Chair Jones Aye
Dr. King..... Absent
Ms. Lang Aye
Mr. Simmons..... Aye
Ms. Zopp Absent
Dr. Butler..... Aye
Dr. Cevallos-Candau..... Absent
Mr. Dively..... Aye
Dr. Eagle Aye

Public Comments

Chair Jones stated that one request had been submitted to present public comments. Brett Schnepfer, Assistant Counsel for the University of Illinois at Urbana-Champaign, asked to speak regarding Agenda Item 6, Kody L. Hiles v. the University of Illinois at Urbana-Champaign discharge case.

Chair Jones requested that a motion be made to allow Mr. Schnepfer to present public comments during the appropriate agenda item. Dr. Eagle made a motion to move Mr. Schnepfer's public comments to the agenda item where the matter would be presented. Mr. Dively seconded Dr. Eagle's motion.

A roll call vote was taken, and the motion was approved with the following vote:

Dr. Eagle	Aye
Ms. Jakobsson	Aye
Chair Jones	Aye
Dr. King.....	Absent
Ms. Lang	Aye
Mr. Simmons.....	Aye
Ms. Zopp	Absent
Dr. Butler.....	Aye
Dr. Cevallos-Candau.....	Absent
Mr. Dively.....	Aye

Consideration of Discharge Proceedings Number UIUC-21-5 filed against Kody L. Hiles by the University of Illinois at Urbana-Champaign

Ms. Schiesser, Interim Executive Director and Legal Counsel, provided a summary of the Hiles discharge case. Ms. Schiesser stated that the University of Illinois at Urbana-Champaign (UIUC) had filed Written Charges for Discharge against Kody Hiles on July 30, 2021. Mr. Hiles, a Building Service Worker (BSW) since February 9, 2020, made a timely request for a discharge hearing. UIUC charged Mr. Hiles with the following charges:

- 1) violation of Campus Administrative Manual, Policy Number FO-54, Possession of Weapons – by possessing a handgun on University property on May 13, 2021;
- 2) violation of University of Illinois Policy and Rules, Rule 16.01 – Employee Conduct in the workplace by taking a break at an unauthorized time at an unauthorized location on May 13, 2021; and
- 3) leaving work without prior authorization by taking a break at an unauthorized time and unauthorized location on May 13, 2021.

The Hearing Record showed the following:

On the night of May 13, 2021, Mr. Hiles stated that he had left Brian Hollis' office (Mr. Hiles' supervisor) around 11:30 [or] 11:35 pm, got into his car and drove to his work location for his shift. After Mr. Hiles

had driven to the parking lot between the Business Instructional Facility and Huff Hall, the location of his work assignment for that night, Mr. Hiles noticed a coworker in his car. When he arrived, Mr. Hiles grabbed his mask out of the car's center console and saw that he had left his firearm with him. Mr. Hiles stated that he considered calling his supervisor but instead got into his coworker's car to discuss what he should do.

On the night of May 13, 2021, a Police Officer observed two vehicles parked in the parking lot east of Huff Hall, with two men sitting in one of the vehicles. He thought it was a little suspicious, so he conducted an investigative stop. Before he stepped out of the car's passenger side, Mr. Hiles told the officer that he had a firearm in a side holster. Another officer arrived on the scene and was present when Mr. Hiles was asked to get out of the car, took possession of the weapon, and determined that the gun was loaded and not stolen. The officer secured the gun in the car's trunk and instructed Mr. Hiles to never bring a weapon again onto the university campus. Mr. Hiles did have a Firearm Owner Identification (FOID) card but did not have a concealed to carry permit.

During his testimony at the hearing, the Training Foreman, Mr. Hollis, recalled personally training Mr. Hiles. During cross-examination, Mr. Hiles asked Mr. Hollis if he remembered that he had been on vacation during the week Mr. Hiles began work. Mr. Hollis did testify that if he had been on vacation during Mr. Hiles's first week of employment, another trainer would have provided the same training Mr. Hollis would have provided.

Mr. Hollis testified that Mr. Hiles was punctual and present at the worksite during his regularly scheduled work hours on the night of May 13, 2021. Mr. Hollis's expectation for all BSWs is for the employee to pick up their keys, report to their job site and begin work as soon as possible. Mr. Hollis stated that an employee arriving at their job site at 11:41 pm would not be punctual.

Mr. Hiles stated that he left Mr. Hollis' office around 11:30 [or] 11:35" p.m. just prior to being stopped by the university patrol officer and therefore not on an unauthorized break.

The Hearing Officer, Michael Dudek, stated that the university had met its burden of proof on charge 1. However, the Hearing Officer found that the university failed to meet its burden of proof on charges 2 and 3.

Chair Jones asked Mr. Schnepfer to present public comments. Mr. Schnepfer stated the facts are straightforward and not in dispute regarding this discharge case. Mr. Hiles admitted during the hearing that he possessed a loaded weapon in his vehicle and later carried the loaded gun to a friend's vehicle, all while on campus property, on duty, and without permission. Mr. Hiles' conduct not only demonstrates the extreme failure in judgment by possessing a loaded handgun on campus, but it is a plain violation of university policy prohibiting the possession of weapons of the Illinois criminal code in the Illinois Higher Education. The university's seriousness of Mr. Hiles's conduct could not be overlooked and warranted termination. Mr. Schnepfer asks that the Merit Board uphold the termination of Mr. Hiles.

Mr. Simmons made a motion to discharge Mr. Hiles. Mr. Dively seconded Mr. Simmons' motion.

Dr. Butler asked for further clarity in regards to the discharge. Ms. Schiesser stated that the Merit Board members only needed to consider if there is just cause for discharge in this matter.

Dr. Eagle asked for the record to reflect that the employee acknowledged that he was in the wrong and should not have had the gun on campus.

Dr. Butler questioned why termination was the university's only course of action when the employee noted wrongdoing. The patrol officer had determined the weapon did not need to be removed from campus because the officer did not feel the employee was a threat. Mr. Schnepfer stated that termination was appropriate because possessing a loaded weapon on campus was a serious violation. It was not the officer's right to enforce discipline on any employees. Dr. Eagle questioned why the gun was not removed from campus.

Dr. Butler asked the length of suspension the employer can enforce on an employee. Ms. Schiesser stated that the university could issue a suspension up to 30 days without pay; beyond that would be up to the Merit Board. The Merit Board can suspend an employee for 30 – 120 days and return an employee back to work.

A roll call vote was taken and the motion was approved with the following vote:

Mr. Simmons..... Aye
Ms. Zopp Absent
Dr. Butler..... Aye
Dr. Cevallos-Candau Absent
Mr. Dively..... Aye
Dr. Eagle..... Aye
Ms. Jakobsson Aye
Chair Jones Aye
Dr. King..... Absent
Ms. Lang..... Aye

Therefore, the following Decision and Order of the University Civil Service Merit Board was adopted.

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

KODY L. HILES,)	BEFORE THE UNIVERSITY CIVIL
)	SERVICE MERIT BOARD
Employee,)	
)	DISCHARGE PROCEEDING
v.)	
)	No. UIUC-21-5
UNIVERSITY OF ILLINOIS AT)	
URBANA-CHAMPAIGN,)	
)	
Employer.)	

**DECISION AND ORDER OF THE
UNIVERSITY CIVIL SERVICE MERIT BOARD**

PROCEDURAL HISTORY

Discharge proceedings have been commenced by the **UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN**, employer, against **KODY L. HILES**, employee, by service of Written Charges for Discharge by USPS overnight mail on July 30, 2021, and the Employee, **KODY L. HILES**, has filed a timely written request for hearing. A Hearing has been duly convened, held on and concluded on September 8, 2021 in conformity with the procedures set forth in Section 250.110(f) of the Illinois Administrative Code (Code) (80 Ill. Adm. Code §250.110(f)). The complete Hearing Record has been certified and placed on file in this cause.

FINDINGS

The University Civil Service Merit Board has examined and reviewed the Hearing Record, as supplemented, which includes the following:

1. Written Charges for Discharge, dated July 30, 2021
2. Suspension Notice Pending Discharge, dated July 30, 2021
3. Employee's Request for Hearing, filed on August 11, 2021
4. Acknowledgment of Hearing Request, dated August 12, 2021
5. Notice of Convening of Hearing to Hearing Officer, dated August 25, 2021
6. Notice of Convening of Hearing to the parties of record, dated August 25, 2021
7. Order provided to the parties of record, dated August 25, 2021
8. Employer's Witness List, received September 3, 2021
9. Transcript of Hearing and Exhibits, September 8, 2021
10. Request for Findings of Fact from Hearing Officer, dated September 29, 2021
11. Findings of Fact rendered by Hearing Officer, dated October 15, 2021
12. Certification of Hearing Record, dated November 4, 2021

Now being fully advised of the matters contained in the Hearing Record, as supplemented, and based solely on the matters contained in the Hearing Record, as supplemented, the University Civil Service Merit Board makes the following jurisdictional and factual findings and issues the following Decision and Order:

1. That this discharge proceeding has been commenced and conducted in compliance with Section 250.110(f) of the Code and all applicable State and Federal Laws and that the University Civil Service Merit Board has jurisdiction of the parties and subject matter thereof.
2. That the Hearing Record, as supplemented, supports and sustains one or more of the following charges of the employer, **UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN**, against the employee, **KODY L. HILES**, and establishes just cause for discharge, as follows:
 - Violation of Campus Administrative Manual, Policy Number FO-54, Possession of Weapons – by possessing a handgun on University property on May 13, 2021
 - Violation of Policy and Rules: Rule 16.04 – Employee conduct in the workplace by taking a break at an unauthorized time and at an unauthorized location on May 13, 2021

- Leaving work without prior authorization by taking a break at an unauthorized time and unauthored location on May 13, 2021

DECISION AND ORDER

WHEREFORE, IT IS HEREBY ORDERED:

1. The Findings of Fact of the Hearing Officer, attached hereto, are approved and certified to the employer, **UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN**, to the extent not inconsistent with the findings made herein.
2. The employee, **KODY L. HILES** is hereby separated from the service of his employer, **UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN**, and that the effective date of his discharge shall be as of December 9, 2021.
3. This Order is FINAL and is subject to the Administrative Review Law. Section 250 of Title 80 of the Illinois Administrative Code does not authorize the Merit Board to hear any motion or request for reconsideration.
4. The names of the Hearing Officer and each of the parties is as follows:

Hearing Officer

Mr. Michael Dudek
Attorney at Law

Parties of Record

Mr. Brett Schnepfer
Attorney at Law

Mr. Kody L. Hiles

DATED AND ENTERED this 9th day of December, 2021.

UNIVERSITY CIVIL SERVICE MERIT BOARD

By: /s/ Julie Jones

Julie Jones, Chair

University Civil Service Merit Board

ATTEST:

/s/ Teresa M. Rademacher

Teresa Rademacher

Secretary for the Merit Board

Discussion and action on proposed changes to the State Universities Civil Service Act

Ms. Schiesser stated six changes are recommended to the State Universities Civil Service Act.

The first change, Section 36d(4) of the Act, authorizes the Merit Board to recommend benefits for the universities and agencies under the Act. The agency is recommending this proposed change to clarify that the benefits established by the Merit Board are minimum requirements and not just recommendations.

The second change, Section 36d(12) of the Act, requires the Executive Director to appoint a designated employer representative (DER) at each location. This change will codify the current practice where the employer appoints the DER, and the Executive Director acknowledges the appointment.

The third change, Section 36f(4) of the Act, requires only current residents of Illinois to qualify to take a civil service examination for a civil service position. The Human Resource Directors have discussed that this requirement makes it more challenging to find qualified applicants. This change would remove this requirement and allow anyone to test for a civil service position. Ms. Schiesser read a statement from Dr. Ginsburg, “for example positions such as IT positions where other organizations allow for 100% remote work to stay competitive in the recruitment of IT talent we would need to hire out of state and not require relocation. We want to be able to hire the most qualified candidate for a position, we are not able to do that, instead we have to hire the most qualified with an Illinois address.” Ms. Schiesser stated that there is an understanding that there may be a concern with employees living out of state from a legislative perspective as these employees are not paying taxes or contributing to the community. However, these employees would contribute to the organization just like any employee. Ms. Schiesser stated that there was opposition to this change the last time the Act was amended but stated there had been significant changes to the state since that modification was proposed. It has been communicated to the Human Resource Directors that if there is considerable opposition to the change, the agency would likely remove this change from the bill.

The fourth change, Section 36h(1) of the Act, currently requires employers to notify the Executive Director of positions that need to be filled, and then the Executive Director would certify the names and addresses of the people with the top three scores. This change codifies the existing practice that eliminates the need for DERs to notify the Executive Director of vacancies, and the DER would be certifying the registers. The Auditor General has cited at least two institutions with an audit finding and recommended the ACT be updated to reflect current practices.

The fifth change, Section 36h(2) of the Act, requires employers to notify the University System Office of all employee transactions. The process was changed in the 1980s, and employers maintain records of their employment transactions.

The last change, Section 45(a) of the Act, this change adds Juneteenth as a legal holiday. This was added to the Personnel Code in June of 2021; the agency believes our ACT was inadvertently omitted when the legislation was added. The Personnel Code currently has thirteen holidays in 2022, and this change would give University System employers the same number.

Mr. Simmons made a motion to accept the changes as suggested. Dr. Eagle seconded Mr. Simmons' motion.

Mr. Dively stated that he struggles with the residency requirement change. He understands the Human Resource Directors' challenges but struggles when we start saying we will recruit people from all over the country to fill positions. Our taxpayers fund these Illinois institutions, and he thinks there should be a residency requirement. Therefore, Mr. Dively stated that he could not vote on all the changes as they were presented at the meeting.

Dr. Butler was happy to see the changes proposed, and this is the beginning of bringing the Act into the 21st Century. He further stated that it is important to put our institutions in a position to compete for the best people to fill these roles. This is one of the areas the institutions have been talking about for some

time. We need to recognize that we are entering a new era where employees do not have to be here in Illinois. There may be circumstances where the institutions are looking for expertise and are unable to find suitable applicants in their region. This is an outstanding change, and he suggested splitting the sections up to get a vote on the other changes so the agency can proceed forward.

Mr. Simmons withdrew his previous motion.

Dr. Butler motioned to accept all the changes except the residency requirement in Section 36f(4) of the Act. Mr. Simmons seconded Dr. Butler’s motion.

A roll call vote was taken and the motion was approved with the following vote:

Dr. Butler.....	Aye
Dr. Cevallos-Candau.....	Absent
Mr. Dively.....	Aye
Dr. Eagle.....	Aye
Ms. Jakobsson.....	Aye
Chair Jones.....	Aye
Dr. King.....	Absent
Ms. Lang.....	Aye
Mr. Simmons.....	Aye
Ms. Zopp.....	Absent

Dr. Butler made a motion to accept the change of the residency requirement in Section 36f(4) of the Act. Mr. Simmons seconded Dr. Butler’s motion.

Mr. Simmons stated that the SIUE university is within nine miles of Missouri, making it very difficult to stick to candidates within the state. There could be many candidates across the river that might be willing to move to Illinois if they secured a civil service job.

Dr. Butler stated there is difficulty hiring traveling spouses, and this proposed change could help recruit other positions.

A roll call vote was taken and the motion was approved with the following vote:

Dr. Butler.....	Aye
Dr. Cevallos-Candau.....	Absent
Mr. Dively.....	No
Dr. Eagle.....	Aye
Ms. Jakobsson.....	Aye
Chair Jones.....	Aye
Dr. King.....	Absent
Ms. Lang.....	Aye
Mr. Simmons.....	Aye
Ms. Zopp.....	Absent

Ms. Schiesser stated that the University System would have a meeting with the local Representative and Senator to sponsor this legislation. The agency will follow up with a meeting with the Human Resource

Directors to help craft a unified message to take to their legislators. We anticipate they will have the same concerns as the Merit Board had. We expect the proposed legislation to be introduced in January.

Discussion and action on proposed change to the Bylaws of the University Civil Service Merit Board

Ms. Schiesser stated the University System had noticed there was no mechanism to call the Executive Committee of the Merit Board to a meeting. The change proposed to the Bylaws would allow the Merit Board to be more flexible and responsible for an emergency through the Executive Committee. She further stated the agency is proposing either by the Chair's call or by the action of any two committee members; the Executive Committee could be called into action. She further stated the Executive Committee has permission in the Bylaws to take any action the Merit Board itself can take.

Ms. Jakobsson made a motion to accept the proposed changes to the Bylaws. Dr. Butler seconded Ms. Jakobsson's motion.

Dr. Eagle said this is an important point to address and put into the Bylaws, and this makes sense to add the proposed changes.

Dr. Butler asked if an Executive Committee meeting was called and additional Merit Board members could attend, then would they be able to vote. Ms. Schiesser stated that only Executive Committee members could vote if an Executive Committee meeting were called. Dr. Butler asked if this was the only circumstance where the Executive Committee could make binding policy. Ms. Schiesser stated that the Executive Committee can meet at any time an Executive Committee meeting was scheduled or if a Merit Board meeting was held and did not have a quorum; but all four members of the Executive Committee were present. Dr. Butler asked if there is an option to allow certain decisions only to be made by the complete Merit Board. He further stated that this might not be how the board wants to proceed but something for the board to think about.

Chair Jones stated that all board members committed when they agreed to serve on this board and hoped that everyone tries to attend the meetings and have a quorum to have full meetings to consider urgent matters.

Dr. Butler added that a task such as hiring an Executive Director would not be an urgent matter and could wait until the next Merit Board meeting. Ms. Lang agreed and stated she felt additional language should be added, giving the Executive Committee power to approve specific issues but not the power to make all the decisions that the whole Merit Board has.

Dr. Eagle stated that this is about trust in the leaders elected to the Executive Committee members to decide on urgent matters only. Mr. Dively agreed with Dr. Eagle, and having the ability to call an Executive Meeting is necessary, and trust in the elected members is needed. Dr. Eagle stated that the only way to amend this language is to quantify defining of emergency and could not be postponed.

Dr. Butler clarified that adding language that excludes certain items that only the entire board can vote on is a possible way to correct the issue. He further stated that Bylaws are created for institutions, not people.

Ms. Jakobsson agreed to withdraw the motion.

Ms. Lang made a motion to table the item. Dr. Butler seconded Ms. Lang’s motion.

A roll call vote was taken and the motion was approved with the following vote:

Ms. Lang.....	Aye
Mr. Simmons.....	Aye
Ms. Zopp	Absent
Dr. Butler.....	Aye
Dr. Cevallos-Candau.....	Absent
Mr. Dively.....	Aye
Dr. Eagle.....	Aye
Ms. Jakobsson	Aye
Chair Jones.....	Aye
Dr. King.....	Absent

Discussion of the FY 23 Budget Recommendation for the State Universities Civil Service System

Ms. Schiesser stated that the University System met with the Illinois Board of Higher Education (IBHE) leadership and provided three different budgets scenarios. A flat budget, a maintenance budget, and a 5% increase budget for FY 23. As of this meeting, the agency has not heard back from IBHE. The agency will be submitting the ISL forms to the General Assembly after the Governor's Budget address which is scheduled for February.

Report of the Human Resource Directors Advisory Committee – Representative from Committee

Michael Ginsburg, Designated Employer Representative for the University of Illinois at Chicago, presented comments for the Human Resource Directors Advisory Committee. The committee has met with the Executive Director twice since the last meeting of the Merit Board. Mr. Ginsburg thanked the members for supporting the requested changes in the residency statute change discussed earlier. UIUC continues to work with the University System to develop a new Qualified Research Program proposal discussed at the May Merit Board meeting. This program would create an updated version of the demonstration project originally utilized at UIC. The research efforts taking place at various universities are mainly funded by nonrecurring sources such as Federal and State Grants, private donations, etc. These funds generally have an expiration, so civil service employees hired to work on these research projects need to be hired quickly, and we need to determine how best to handle these workers when the funding expires. In addition, we continue to work with the University System on classifications to update minimum qualifications and examinations, move away from examinations to credential assessments, create new classifications and delete obsolete classifications. This will help us compete for staff who have less cumbersome hiring processes at other places of employment that we compete with. The Student Pathways Demonstration Program will expire on December 31, 2021. We would like to explore extending

this program or creating a new version that will allow us to hire graduating students from our institutes more easily. We realize that the University System is experiencing a staffing shortage that has elongated the auditing schedule and the approval of some items. We hope that moving forward; the Merit Board will address this issue.

Report of the State Universities Employee Advisory Committee – Jill Odom, Chair

Jill Odom presented comments to the Merit Board. Ms. Odom stated that she is an Administrative Assistant in the office of the Vice President, Chief Financial Officer, and Comptroller at the University of Illinois at Urbana-Champaign. She thanked the Merit Board for their time and stated that during her time with the committee, she has worked with extraordinary individuals; not only her fellow EAC representatives, but also dedicated directors and staff at the University System Office, committed Merit Board members, and the HRDAC group whom many concerns and successes have been shared.

She further stated that during her six years with the committee, the greatest challenge and success for everyone was the changes regarding PAA's. Everyone involved understood this, and it is still an ongoing process but truly value all of the work that everyone put into this issue.

Ms. Odom further discussed the proposed statute change with regards to Section 36d. To "establish minimum requirements for hours of work, holidays, sick leave, overtime compensation and vacation for the purpose of improving conditions of employment covered therein and for the purpose of insuring conformity with the prevailing rate principle." This may seem like a simple change from "recommend" to "establish minimum requirements" however, this clarification moves us all further in recognizing the work, commitment, and value of our civil service employees and we, the employee advisory committee, would like to go on record as fully supporting this change.

She further stated that the committee would also like to go on record as supporting the change to Section 36f of the Act, which eliminates the Illinois residency requirement for an applicant to take an exam. Over the past 20 plus months, many of our processes had to be adjusted, revised, enhanced or converted to respond to the pandemic's effects on our workforce. It was not an easy transition; for others, it was a welcome transition from one process to a more mobile and fluid process. We find ourselves in a different work environment than we were in March of 2020, and for herself, she is confident that we will continue to see changes as we work to find our new balance.

The committee has continued to meet virtually but plans to return to in-person meetings as soon as possible with hopes that state, federal, and health guidelines allow and currently planning to meet in-person at the January meeting.

At our October meeting, the committee received a report regarding legislative matters addressed during the Spring Legislative Session, those carried forward to Veto Session, and those we expect to be reintroduced in the Spring 2022 Legislative Session and will continue to monitor and respond as appropriate.

The Director's report to the committee included a variety of topics such as the progress of compliance audits, class plan updates, a legal update, and continued discussions surrounding Grant-Funded Employees.

In closing, Ms. Odom thanked the Merit Board for their commitment and attention to the significant matters before them as they impact all civil service employees. The next quarterly meeting is scheduled for Thursday, January 27, and Friday, January 28. If any Merit Board member is available, she will look forward to the opportunity for them to join the committee for any portion of the meeting, either in-person or virtually.

Dr. Butler commented that he would like to hear these comments before hearing changes to the statute. Maybe structure the Agenda so the Merit Board can listen to the constituencies before policy matters. Chair Jones thanked Dr. Butler and that his suggestion would be taken under advisement.

Governance, Risk, and Compliance Audit Program review of recent activities – Lucinda Neitzel

Since the last Merit Board meeting, Ms. Neitzel stated that five reports had been finalized since the previous meeting. One draft report was issued in November and is anticipated to be finalized by the end of the calendar year. She further stated that eight audits are currently in various stages, and two more are scheduled for the beginning of 2022. Ms. Neitzel said that a tri-annual review audit schedule had been developed and implemented for all campuses and agencies. She further stated that this allows the agency to focus on more compliance activities in real-time versus looking retrospectively at issues. The agency continues to train compliance activities for Chicago State University. As the agency's division plans for the CSU audit, scheduled for February 2022, the DER and Associate VP of Human Resources, have been very attentive and focused on compliance since arriving on campus. Progress will be assessed in February due to the previous audit conducted in FY20.

Report of the Interim Executive Director – Gail Schiesser

Ms. Schiesser commented that the total budget of \$1.1 million for FY 21 and left \$17K unexpended with the same budget as FY 20, flat budget. The annual report was submitted to the Governor as required by law.

The agency continues to review existing classifications for modification or deletion. Where appropriate, the agency will change from knowledge testing to credential assessment; however, this will not be an overarching change. It is the position of the University System that, in some cases, knowledge tests are more appropriate than credential assessments and will hold to that until there is an indication from a study that proves otherwise. The Classification, Examination, and Compensation division continues to work on several class specs and examinations.

There is a compliance audit with the Auditor General scheduled for February 2022. Ms. Schiesser stated that the IT department has been working with the Auditor General on the expanded IT portion of the audit.

Ms. Schiesser stated that the Student Employment Pathway Program had been designed to allow employers to use intern programs to fill critical positions while developing partnerships with others in the higher education community. The original program expired December 31, 2019, was extended by the Merit Board for an additional two years, and was set to expire on December 31, 2021. During the entire period of the program, only three employers have utilized the program, and only six employees have been hired using this program. She further stated that the agency suggests the program not be renewed for these reasons. If anyone in the HR community would like to propose something additional or new, the University System would be happy to entertain it.

Chair Jones inquired about funds that were left unexpended from the prior year. Ms. Schiesser stated the University System received a Lump Sum budget; most of the budget goes to personnel, with IT purchases and other needs. Also, with the retirement of Mr. Brownfield, the University System needed to reserve funds to ensure proper payouts. Also, Ms. Schiesser stated the agency has recently hired a new position, with this new person coming on board on January 1, 2022.

Dr. Butler asked for a reiteration of the reason for discontinuing the Student Pathway Program. Ms. Schiesser stated that the request for discontinuation was due to the nonuse of the program.

Report of Legal Counsel – Gail Schiesser

Ms. Schiesser stated that there are currently four matters in various courts around the state:

Administrative Review Case in Champaign County, Colwell vs. Merit Board

The Merit Board upheld the Executive Director's Decision regarding the last chance agreement between the University of Illinois at Champaign-Urbana and Ms. Colwell in September 2017. Ms. Colwell filed a petition for Administrative Review in October 2017. In February 2019, the court continued the matter generally. After two years without activity in the case, the court granted the agency's motion made through the Attorney General's Office and dismissed the case for want of prosecution on September 23, 2021.

In Madison County, the State of Illinois vs. Chad Bateman

In June 2019, the Executive Director signed a criminal complaint alleging that an applicant at SIUE attempted to cheat on an Electrician exam. The defendant appeared in court, pleaded not guilty, and demanded a jury trial. In November 2019, the University System provided the Madison County States Attorney with details of damages suffered by both the University System and the university due to the defendant's actions. There have been a number of continuances. This case will appear on a status call in Madison County on February 7, 2022.

Christopher Bean

On January 4, 2021, Christopher Bean, a former University of Illinois at Chicago employee, filed a charge against the Labor Organization against the University System. The Attorney General’s Office is representing the agency in this matter and had filed a motion to dismiss the charges with the investigator at the Illinois Educational Labor Relations Board. That motion remains pending.

Vincent Bradford

On December 10, 2020, the Merit Board dismissed Mr. Bradford from the University of Illinois at Chicago. Mr. Bradford filed a complaint for Administrative Review on January 19, 2021. The Attorney General’s Office represents the agency in this matter and has requested a briefing schedule on Mr. Bradford’s memorandum of law. Cook County Court will hear that motion on December 13, 2021.

Karl Seymour

The Merit Board voted on May 13, 2021, to return Mr. Seymour to work following a 120-day unpaid suspension. On July 1, 2021, Northeastern Illinois University filed a complaint for Administrative Review. This matter is scheduled for a case management conference with the Cook County judge on December 21, 2021.

Consideration of the 2022 Schedule of Meetings of the Merit Board

The University System recommends the following dates for 2022 meetings of the Merit Board:

- Thursday, February 24, 2022;
- Thursday, June 16, 2022; and
- Thursday, October 6, 2022.

Mr. Simmons made a motion to approve the 2022 Schedule of Meetings. Mr. Dively seconded Mr. Simmon’s motion.

In accordance with the Merit Board Bylaws, a vote was taken and the motion carried.

Mr. Simmons	Ayes
Ms. Zopp.....	Absent
Dr. Butler	Aye
Dr. Cevallos-Candau	Absent
Mr. Dively	Aye
Dr. Eagle	Aye
Ms. Jakobsson	Aye
Chair Jones	Aye
Dr. King	Absent
Ms. Lang	Aye

Executive Session

Chair Jones stated that the Merit Board needed to discuss personnel matters and recommended Closed Executive Session.

Ms. Lang made a motion to move to Closed Executive Session to discuss personnel matters. Mr. Simmon’s seconded Ms. Lang’s motion.

In accordance with the Merit Board Bylaws, a vote was taken and the motion carried.

Ms. LangAye
Mr. SimmonsAye
Ms. Zopp..... Absent
Dr. ButlerAye
Dr. Cevallos-CandauAbsent
Mr. DivelyAye
Dr. EagleAye
Ms. JakobssonAye
Chair JonesAye
Dr. KingAbsent

The Merit Board went into Closed Executive Session at 2:58 pm.

The Merit Board returned from Closed Executive Session at 4:05 pm.

Mr. Dively lost video connection at the end of the Closed Executive Session.

Mr. Simmons made a motion to allow Mr. Dively to participate in the meeting via audio. Ms. Lang seconded Mr. Simmon’s motion.

In accordance with the Merit Board Bylaws, a vote was taken and the motion carried.

Mr. SimmonsAye
Ms. Zopp..... Absent
Dr. ButlerAye
Dr. Cevallos-CandauAbsent
Mr. DivelyAbsent
Dr. EagleAye
Ms. JakobssonAye
Chair JonesAye
Dr. KingAbsent
Ms. LangAye

Mr. Simmons made a motion to appoint Ms. Schiesser as the Executive Director with a yearly salary of \$125,000. Ms. Jakobsson seconded Mr. Simmon’s motion.

Dr. Eagle and Chair Jones stated that the Merit Board is honored to have Ms. Schiesser, and she had proven herself to the board and how favorable it is for the board to have her as a resource.

In accordance with the Merit Board Bylaws, a vote was taken and the motion carried.

Mr. SimmonsAye
Ms. Zopp..... Absent
Dr. ButlerAye
Dr. Cevallos-CandauAbsent
Mr. DivelyAye
Dr. EagleAye
Ms. JakobssonAye
Chair JonesAye
Dr. KingAbsent
Ms. LangAye

Mr. Simmons amended his motion to add that December 16, 2021, is the effective date for Ms. Schiesser’s movement to the Executive Director appointment.

The Merit Board congratulated Ms. Schiesser on her appointment as Executive Director. Ms. Schiesser commented that it was a privilege to work with the agency and that she was grateful for the opportunity.

Other Items as presented

Ms. Lang made a motion to adjourn the meeting. Mr. Simmon’s seconded Ms. Lang’s motion.

A roll call vote was taken and the motion was approved with the following vote:

Ms. LangAye
Mr. Simmons.....Aye
Ms. Zopp.....Absent
Dr. ButlerAye
Dr. Cevallos-CandauAbsent
Mr. DivelyAye
Dr. EagleAye
Ms. JakobssonAye
Chair JonesAye
Dr. KingAbsent

The meeting adjourned at 4:18 pm.
Respectfully submitted,

/s/ Teresa Rademacher

Teresa Rademacher
Secretary for the Merit Board

APPROVED:

/s/ Julie Jones

Julie Jones, Chair
University Civil Service Merit Board

April 7, 2022

Date