



**MINUTES OF THE ONE-HUNDRED-AND-NINETY-THIRD
MEETING OF THE MERIT BOARD – August 20, 2014**

**State Universities Civil Service System Office
1717 Philo Road, Suite 24
Urbana, Illinois 61802
&
(Video Conference)
University of Illinois at Chicago
College of Pharmacy
Room 270
833 South Wood Street
Chicago, Illinois
&
(Video Conference)
Southern Illinois University Carbondale
Miles Hall
Conference Room 003A
1255 Douglas Drive
Carbondale, IL**

Chair Montgomery called the meeting to order at 10:01 a.m.

Members present at the primary meeting location were: Karen Hasara, representing the University of Illinois; Robert T. Marshall, Jr.; and Robert D. Webb representing Eastern Illinois University.

Members present at the Chicago videoconference location were: Chair, James D. Montgomery; representing the University of Illinois; Michael Curtin, representing Chicago State University; Marvin Garcia, representing Northeastern Illinois University; and Patricia Brown Holmes, representing the University of Illinois.

Member present by audio conference was: Donna Manering, representing Southern Illinois University.

Members absent were: Lyneir Cole, representing Western Illinois University; Betty Kinser, representing Illinois State University; and Brian Mitchell, representing Governors State University.

Also present were: Lewis T. (Tom) Morelock, Executive Director; Mari Martinelli, Manager, Legal Services and Legal Counsel; Teresa Rademacher, Secretary for the Merit Board; and Michael Pulley, Vice Chair of the State Universities Civil Service Advisory Committee. Various other university employees and University System office staff were also in attendance.

Consideration of participation by other Merit Board members, not physically present at meeting site

No members had requested to participate by teleconference.

Public Comments

The University System Office had received no requests to present public comments.

Consideration of the Minutes of the 192nd Meeting of the Merit Board, May 21, 2014

The minutes of the 192nd meeting of the Merit Board, May 21, 2014 had been transmitted to members of the Merit Board with the agenda materials.

Dr. Webb moved to approve the minutes of the 192nd meeting of the University Civil Service Merit Board held on May 21, 2014. Mr. Garcia seconded Dr. Webb's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

Consideration of the Minutes of the Closed Session of the 192nd Meeting of the Merit Board, May 21, 2014

The minutes of the Closed Session of the 192nd meeting of the Merit Board, May 21, 2014 had been transmitted to members of the Merit Board with the agenda materials.

Mr. Garcia moved to approve the minutes of the Special meeting of the University Civil Service Merit Board held on May 21, 2014. Mr. Marshall seconded Mr. Garcia's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

Request for Review by the Merit Board of the Executive Director's Review Decision in the Robert Carpenter, Case No. MB-RD-SIUE-14-1, filed by Robert Carpenter, pursuant to section 250.130(b) of the Illinois Administrative Code (80 Ill. Adm. Code §250.130(b))

On August 5, 2014, the Secretary for the Merit Board mailed to each Merit Board member an internal summary report and the complete Review Decision of the Executive Director regarding this case. Mr. Morelock further clarified the procedures for the Merit Board Review Decision. The Merit Board was asked to review the case and be prepared to act on this matter at this meeting.

Chair Montgomery asked Mr. Morelock to give a summary of the case. Mr. Morelock summarized the case by stating that on January 23, 2014, Mr. Carpenter participated in the Sergeant's Elongated Oral Board Exam at the University System office. During the final stages of the exam, it was alleged that Mr. Carpenter was in possession of exam information that he had not been given by University System Office Assessors. It was also noted by one of the University System Office Proctors, that Mr. Carpenter did not have nor submit a formal police report for another part of the exam. The Proctor then provided Mr. Carpenter with a police report and allowed him to complete it during the remaining test time.

Mr. Carpenter denies that this transaction occurred and suggests that the Assessor and the Proctor had him confused with another test applicant. After further investigation and interviews were conducted, it revealed that the other test applicant did not have the same Assessor and had the appropriate police report at the beginning of this exam component. Additionally, both the Assessor and the Proctor are firm in their assertions that these transactions occurred during the course of Mr. Carpenter's examination.

After discussion, Chair Montgomery asked for a motion to either affirm the Executive Director's Review Decision as the final decision of the Merit Board or order such further review procedures. Ms. Hasara made a motion to uphold the Executive Director's Decision of May 19, 2014. Dr. Manering seconded Ms. Hasara's motion.

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

Ms. Hasara.....Aye
Judge HolmesAye
Ms. KinserAbsent
Dr. ManeringAye
Mr. MarshallAye
Mr. Montgomery.....Aye
Mr. Mitchell.....Absent
Dr. WebbAye
Mr. ColeAbsent

Mr. CurtinAye
Mr. Garcia.....Aye

The following decision and order was therefore adopted.

STATE OF ILLINOIS



STATE UNIVERSITIES CIVIL SERVICE SYSTEM

In re Robert Carpenter,)	BEFORE THE UNIVERSITY
)	CIVIL SERVICE MERIT BOARD
)	
MERIT BOARD REVIEW DECISION)	
OF THE EXECUTIVE DIRECTOR,)	
)	NO. MB-RD- SIUE-14-1

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

On June 16, 2014, Robert Carpenter, an employee/applicant at Southern Illinois Edwardsville (SIUE), filed with the State Universities Civil Service System Office (University System Office) a request for a Review Decision of the Director questioning the disqualification determination regarding his recent Police Sergeant Oral Board examination which was taken at the University System Office on January 23, 2014. On May 19, 2014, the Executive Director issued a Review Decision verifying that the disqualification determination rendered with respect to Mr. Carpenter’s January 23, 2014 Police Sergeant pre-employment examination, and subsequent scoring indications, were consistent with Civil Service statute, rules, and procedures.

DECISION AND ORDER

Now being fully advised of the matters contained in the Review Decision Record, the University Civil Service Merit Board finds that this review proceeding has been commenced and conducted in compliance with section 250.130(b) of the Code (80 Ill. Adm. Code § 250.130(b)) and that the University Civil Service Merit Board has jurisdiction of the parties and subject matter thereof and issues the following Decision and Order:

The Executive Director's Review Decision rendered in this matter on May 19, 2014 is affirmed and adopted as the Final Decision and Order of the Merit Board. A copy of said Review Decision is attached hereto, and by reference incorporated herein.

DATED AND ENTERED this 20th day of August, 2014.

UNIVERSITY CIVIL SERVICE MERIT BOARD

By: /s/ James D. Montgomery
James D. Montgomery
Chair, University Civil Service Merit Board

ATTEST:

/s/ Teresa M. Rademacher
Teresa M. Rademacher
Secretary for the Merit Board

Report of the Human Resource Directors Advisory Committee – Maureen Parks

The Merit Board heard a report from Maureen Parks, representative of the Human Resource Directors Advisory Committee. Ms. Parks stated that she had previously shared her frustrations regarding issues that are related to efficient civil service operations that are not being addressed. She stated that she spoke from the heart at the last meeting regarding issues that she feels continue to hold back universities from using the most effective and efficient employment practices. She stated that the HRDAC feels the most important issues are: 1) coming up with a way to address the continuous and protracted nature of Civil Service audits, 2) a way to effectively recruit out-of-state applicants, 3) having a consistent and efficient method for getting specialty factors approved for all classifications, and 4) addressing the Rule of 3 requirement to expand the current demonstration project and contemplate a permanent change to the civil service statute. Ms. Parks stated that these are all very important issues to address so that the needs of the state universities and civil service employees are met by utilizing the most modern and efficient employment practices.

She stated that the HRDAC is committed to working with the University System Office and the Merit Board to find solutions to these issues.

Ms. Parks stated that Mr. Morelock would be giving an update on the proposed Exemption Procedures Manual Revisions. She explained that there is continued concern over these proposed changes, not only by the HRDAC, but with campus presidents and chancellors as well. She stated that the issue of how exemptions for civil service are determined has been an issue and topic of discussion for the last several years. Retaining exemption authority is the number one priority of state universities. She stated that she is not confident that a solution will be reached.

Ms. Parks stated that she attended the Merit Board Retreat, held by the University System Office on August 8, 2014. She thanked all Merit Board members for their time and dedication to learning about the University System. She stated that she hoped that one day Merit Board members would be able to attend an orientation focused on campus operations, so that they could get the “full picture” of this complex employment system.

Ms. Parks noted that the HRDAC fully supports the changes to the Employment and Separations Procedures Manual and the Examination Procedures Manual, as presented on the Merit Board agenda for this meeting. She stated that she felt these changes will make the civil service procedures more efficient, modern, and streamlined.

Report of the State Universities Civil Service Advisory Committee – Michael Pulley, Vice Chair

The Merit Board heard a report from Michael Pulley, Vice Chair of the State Universities Civil Service Advisory Committee. Mr. Pulley stated that several meetings ago, the committee was presented with the proposed changes to the Exemption Procedures Manual. He stated that the committee fully supports the proposed changes. In particular, he stated that the grading rubric

and the suggested changes have given more clarity and justification for the exemption process and each exemption.

Andy Small will be contacting each Merit Board member with an invitation to attend future committee meetings at their corresponding universities; he stated that all MB members were welcome at all EAC meetings.

Mr. Pulley stated that the EAC group has been working on establishing a means that allows for electronic voting in EAC elections. Electronic voting will reduce cost in paper supplies, cut down on labor, and make the whole voting process more efficient. Mr. Pulley stated that the committee will also change their by-laws to accommodate these upcoming changes.

Mr. Pulley discussed ways to work together with the HRDAC and University System Office to help resolve some of the issues that face the universities and the Civil Service System. The committee hopes to come up with suggestions to propose to the Merit Board as well.

Mr. Montgomery stated that there is a need for communication between the HRDAC and EAC advisory groups, as it seems they are “on different pages” and possibly coming from two different information bases. Mr. Montgomery commended the group’s effort to find common ground with other advisory committees.

Report of the Administrative Advisory Committee – Tom Morelock

The Merit Board heard a report from Mr. Morelock regarding the Administrative Advisory Committee. The committee last met on August 13, 2014. Mr. Morelock reported that Chair Montgomery had attended that meeting as well. Mr. Morelock stated that the highlights of the meeting were a review of the Police Series Assessment Center Revisions, an update on the proposed changes to the Exemption Procedures Manual, review of Procedure Manual Changes, the Merit Board Retreat, an agency budget and staffing update, classification plan update, audit program update, and legal update.

Consideration of FY 2016 Budget Recommendations for the State Universities Civil Service System Office

Mr. Morelock gave an overview of the FY 2016 budget request to be presented to the Illinois Board of Higher Education (IBHE). The FY 2016 request is for \$71,400, or a 5.94% increase, over the current appropriation of \$1,202,500 for a total request of \$1,273,900. Judge Holmes made a motion to approve the FY 2016 budget proposal and that the proposal be presented to IBHE. Mr. Garcia seconded Judge Holmes’s motion.

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

Judge HolmesAye
 Ms. KinserAbsnet
 Dr. ManeringAye
 Mr. MarshallAye
 Mr. MitchellAbsent
 Mr. MontgomeryAye
 Dr. WebbAye
 Mr. ColeAbsnet
 Mr. CurtinAye
 Mr. GarciaAye
 Ms. HasaraAye

Discussion and Action on No Weapon Policy

Mr. Morelock updated the Merit Board on Public Act 98-63, the Firearm Concealed Carry Act, enacting state law (430 ILCS 66), which was passed on July 9, 2013. The statute authorizes state agencies to promulgate policies regulating the possession and use of weapons on their premises. The University System Office is committed to providing a safe and secure environment for its many statewide functions, staff and guests. In support of this commitment, the University System wishes to establish a policy prohibiting the possession and use of weapons in the University System Office. The University System Office has posted the appropriate sign at all entrances to the office. A copy of the draft of the “No Weapon Policy” was included in the agenda materials. Dr. Webb made a motion to approve the “No Weapon Policy”. Ms. Hasara seconded Dr. Webb’s motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

Discussion and Action on the Proposed Revisions of the Procedure Manuals

Several procedure manual changes were recommended by the University System Office. The Employee Advisory Committee, Human Resource Directors Advisory Committee, and the Administrative Advisory Committee all had a chance to review the proposed changes. Mr. Morelock noted that all groups agreed on the proposed changes and that there was no disagreement regarding these changes that he was aware of. A copy of the procedures changes were included in the agenda materials. Judge Holmes made a motion to approve the proposed revisions to the procedure manuals. Dr. Webb seconded Judge Holmes’s motion. A roll call vote was taken and the motion was approved with the following vote:

Judge HolmesAye
 Ms. KinserAbsent

Dr. ManeringAye
Mr. Marshall.....Aye
Mr. Mitchell.....Absent
Mr. Montgomery.....Aye
Dr. WebbAye
Mr. Cole.....Absent
Mr. CurtinAye
Mr. Garcia.....Aye
Ms. Hasara.....Aye

Update of the Revision of the Exemption Procedures Manual

A sub-committee of the Human Resource Directors Advisory Committee (HRDAC) was formed to assist the University System Office in its review and update of the current Exemption Procedures Manual. The sub-committee has met on several occasions over several months and several proposed changes were suggested and incorporated into the current Exemption Procedures Manual. The entire HRDAC was then presented a copy of the proposed changes and are in the midst of reviewing the entire Manual. A copy of the current Manual and the proposed changes were included in the May 2014 agenda materials.

At the recent Merit Board retreat, members requested some recommendations on how to more effectively address this issue. The Merit Board has been provided significant information on this topic from various resources. An Exemption Booklet was prepared for review, which included historical information and data reports. Following is a brief history of various actions pursued on this topic over the last few years:

- 1) Multiple advisory committee contacts and presentations.
- 2) Procedure manual revision adopted by the Merit Board in 2009.
- 3) Senate Bill 1150 submitted to change Civil Service Act died in House Committee.
- 4) Special committee of constituency groups formed in 2012 to make recommendation – no consensus.
- 5) Rule revision process initiated in November 2010 and withdrawn by Merit Board in January 2013.
- 6) Procedure Manual revision initiated in 2013 – in progress.

Some options for the Merit Board to consider in an attempt to reach a better understanding and strategy for reconciliation of this issue:

- 1) Allow Procedure Revision process to continue and evaluate outcome.
- 2) Active participation by Merit Board members in advisory committee discussions on this topic.

- 3) Establishment of new statewide committee of constituency representatives, including some limited Merit Board participation, to formulate recommendations on this topic.
- 4) Coordinate various statewide forums to receive and discuss comments and opinions from various interested parties.

Update on the Police Series Assessment Center Revisions

On June 30, 2014 the Police Chiefs were notified that the Agreement for the Revision of the Police Series Examinations was signed and that the project would be moving forward. On August 27, 2014, the University System staff will meet with the project vendor, I/O Solutions, to discuss the project and to gather further details. Several universities have already volunteered to send subject matter experts to assist with the project.

Biennial Audit Program – Review of Recent Activities

Mr. Morelock updated the Merit Board on the Final Audit Reports that had been released since the last Merit Board meeting. The following audits have been completed and are posted on the University System office website:

- University of Illinois College of Medicine at Peoria
- University of Illinois at Urbana-Champaign

A copy of the audit schedule was also provided in the agenda materials.

Report of the Executive Director – Tom Morelock

Mr. Morelock provided an agency report which included the following items:

- *FY 2014 and FY 2015 Budget Updates* – The FY 14 budget has been closed; all final obligations have been settled. Current year-to-date expenditures/obligations for FY 15 are at the 90% level, which includes the financial obligations for hiring two new employees. A copy of expenditures for FY 2014 and FY 2015 were included in the agenda materials.
- *Merit Board Retreat and Orientation Conference* – A Merit Board Retreat and Orientation Conference was held on August 8, 2014 at the I-Hotel and Conference Center in Champaign. This provided a learning opportunity and open discussion for those attending. Topics included:

- ✓ System History/Purpose/Mission
- ✓ Merit Board Dynamics
- ✓ Agency Overview
- ✓ Goal Review and Development

A copy of the presentation can be found at our website. Merit Board members who were not able to attend were provided a copy of the presentation and all handouts. At this time, Mr. Montgomery also discussed some confusion regarding Ex-Parte Communications. Mr. Morelock explained that there are legal reference points (different from Ethics law) that also govern communications between public officials, specifically during a time of rule change and in discharge matters. Mr. Morelock stated that he would send those reference points to all Merit Board members.

- Classification/Examination Update – The Merit Board was updated on several revisions to the various class specifications and examinations.
- University/Agency Visits – The Merit Board was updated on various university and agency visits by the University System office.
- Staffing Changes– The Merit Board was updated on staffing changes at the University System office. The University System office is in the process of hiring two Human Resource Associates. A candidate pool has been formed and interviews will begin shortly.

Report of Legal Counsel – Mari Martinelli, Manager, Legal Services and Legal Counsel

Ms. Martinelli updated the Merit Board on some outstanding legal matters. During FY 14 there were 55 Written Charges for Discharge served on employees at the various universities and agencies. Nine employees requested a hearing. Thus far during FY 15, there have been 4 Written Charges for Discharge served on employees at the various universities/agencies and 3 employees have requested a Hearing. Ms. Martinelli further updated the Merit Board stating that there are no administrative review cases pending at this time.

Other Items as Presented

The next meeting of the Merit Board will be held on Wednesday, November 19, 2014.

Judge Holmes made a motion to adjourn the meeting. Mr. Garcia seconded Judge Holmes's motion. A voice vote was taken and approved. The meeting adjourned at 11:09 a.m.

Respectfully submitted,

/s/ Teresa M. Rademacher

Teresa M. Rademacher
Secretary for the Merit Board

APPROVED:

/s/ James Montgomery

University Civil Service Merit Board

November 19, 2014

Date