



UNIVERSITY CIVIL SERVICE MERIT BOARD

MAY 13, 2021



AGENDA FOR THE 216th MEETING OF THE UNIVERSITY CIVIL SERVICE MERIT BOARD

The University Civil Service Merit Board (Merit Board) will convene for its 216th Meeting at **1:00 p.m., Thursday, May 13, 2021** via live stream at the following address: <https://multimedia.illinois.gov/sucss/sucss-live.html>

Note: If you are requesting to make public comments, you will need to contact Teresa Rademacher at teresar@sucss.illinois.gov by May 11, 2021 at 4:30 PM to receive additional information.

1. Call to Order and Roll Call –Julie Jones, Chair

Chair to call meeting to order and roll call of members per Executive Order 2020-07, issued on March 16, 2020 allows for the suspension of physical presents in regards to the Open Meetings Act.

2. Approval of the Agenda for the 216th Meeting of the Merit Board – Julie Jones, Chair – Action Item

The Merit Board will be asked to approve the Agenda of the May 13, 2021 meeting.

3. Consideration of the Minutes of the 215th Meeting of the Merit Board, February 25, 2021 – Action Item

The Merit Board will be asked to approve the Minutes from the February 25, 2021 meeting.

4. Consideration to destroy the recordings of Closed Session Minutes – Action Item

The Merit Board will be asked to determine whether to destroy the recordings of the following Closed Session Minutes – May 13, 2015, May 26, 2015, August 19, 2015, September 17, 2015, May 11, 2016, August 17, 2016, and November 29, 2018.

5. Qualified Research Programs

Discussion and presentation regarding civil service staff that are assigned to campus 'Qualified Research Programs'.

6. Public Comments – Action Item

As of the publication of this agenda, no requests have been submitted to present public comments.

7. Consideration of Discharge Proceedings Number NEIU-21-1 filed against Karl M. Seymour, by Northeastern Illinois University – Action Item

The Merit Board will be asked to consider and act on matters surrounding this discharge case. The Merit Board will then be asked to adopt a decision and order on this matter.

8. Consideration of Discharge Proceedings Number UIUC-21-1 filed against Anthony Brown by the University of Illinois at Urbana-Champaign – Action Item

The Merit Board will be asked to consider and act on matters surrounding this discharge case. The Merit Board will then be asked to adopt a decision and order on this matter.

9. Update and authorization for the Executive Director to implement and administer the Merit Board Budget for FY 2022 – Action Item

The Merit Board will be updated on the status of the budget and asked to adopt a resolution authorizing the Executive Director to implement and administer the FY 2022 budget as funds become available.

10. Discussion and authorization for the use of State Universities Retirement System (SURS) Deferred Compensation Program (DCP) for eligible employees of the State Universities Civil Service System – Action Item

The Merit Board will be updated on the State Universities Retirement Systems (SURS) Deferred Compensation Program (DCP) for eligible employees of the State Universities Civil Service System and asked to adopt the new SURS DCP (457(b) as required by law.

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

A representative from the committee will update the Merit Board on recent committee activities.

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

Chair Jill Odom will update the Merit Board on recent committee activities.

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

The Merit Board will be updated on current audit activities, including a brief recap of on-site visits conducted since the last meeting and the status of current reports.

14. Report of the Executive Director – Jeff Brownfield

The Executive Director's Report will include a recap of each of the following items:

- a. Budget Updates – FY21 and FY 22*
- b. Annual Ethics Training for Merit Board members and Staff*
- c. Classification/Examination Update*
- d. Conversion of procedures to Administrative Rules*

15. Report of Legal Counsel – Gail Schiesser

The Merit Board will be updated on recent legal activities, including discharge and demotion case referred to the Merit Board and pending Administrative Review Cases.

16. Executive Session

Executive Session to discuss personnel matters. This subject matter is specifically authorized for executive session discussion by the Illinois Open Meetings Act.

17. Other Items as Presented

The next meeting of the Merit Board is scheduled for Thursday, August 19, 2021.

AGENDA ITEM 1. Call to Order and Roll Call – Julie Jones, Chair

Submitted for: Information.

Summary: Chair Julie Jones to call the meeting to order and to call for roll call of present members on video and audio conference.

Action Requested: Roll call taken.

AGENDA ITEM 2. Approval of the Agenda for the 216th Meeting of the Merit Board –Julie Jones, Chair

Submitted for: Action.

Summary: Chair Jones to ask the Merit Board to approve the agenda.

Action Requested: That the Merit Board approve the 216th Agenda.

AGENDA ITEM 3. Consideration of the Minutes of the 215th Meeting of the Merit Board, February 25, 2021

Submitted for: Action.

Summary: A preliminary draft of the Minutes of the 215th Meeting of the Merit Board held on February 25, 2021, follows for Merit Board review.

Action Requested: That the Merit Board approve the 215th Minutes of the Merit Board as submitted.

AGENDA ITEM 4. Consideration to destroy the recordings of Closed Session Minutes

Submitted for: Action.

Summary: In accordance with the Open Meetings Act, the recording of closed sessions must be kept for 18 months from the date of the recording, after which the recorded proceedings may be destroyed. The written minutes of these meetings will remain on file and open to the public.

<u>Closed Meeting Date</u>	<u>Date Merit Board approved and released</u>
May 13, 2015	August 19, 2015
May 26, 2015	August 19, 2015
August 19, 2015	November 18, 2015
September 17, 2015	November 18, 2015
May 11, 2016	August 17, 2016
August 17, 2016	November 30, 2016
November 29, 2018	April 17, 2019

Action Requested: That the Merit Board approve to destroy the recordings of the Closed Session Minutes of the meetings of the Merit Board for May 13, 2015, May 26, 2015, August 19, 2015, September 17, 2015, May 11, 2016, August 17, 2016, and November 29, 2018.

AGENDA ITEM 5. Qualified Research Programs

Submitted for: Information.

Summary: University System staff have been in initial discussions with the University of Illinois to determine the necessity to revise our Administrative Rules for a small group of positions/employees that support Qualified Research Centers. Employees/appointments designated to work on behalf and in conjunction of a Qualified Research Program may necessitate creating a third status appointment/employee.

Qualified Research Programs support a research theme and, in full or in part, the Center supplements the salaries of faculty members, research scientists, postdocs, graduate assistants, undergraduate student employees, civil service staff, and at times, principal administrators (AP's).

Brief presentations from members of the University of Illinois faculty and administrative staff will be provided to give the Merit Board insight into the current discussions.

Action Requested: None.

AGENDA ITEM 6. Public Comments

Submitted for: Action.

Summary: Article VI, Section VI, of the Bylaws of the University Civil Service Merit Board provides guidelines for personal appearances before the Merit Board. As of the mailing of the material, the University System has not received any requests.

Action Requested: That the Merit Board grant any requests to present public comments and allow all speakers to address the Merit Board, or take any other action as necessary, consistent with the Bylaws of the University Civil Service Merit Board.

AGENDA ITEM 7. Consideration of Discharge Proceedings Number NEIU-21-1 filed against Karl M. Seymour by Northeastern Illinois University

Submitted for: Action.

Summary: On May 4, 2021, the Secretary for the Merit Board placed in Dropbox the Administrative and Hearing Record of Discharge Proceeding Number NEIU-21-1, which included the following:

Written Charges for Discharge, dated January 8, 2021
Suspension Notice Pending Discharge, dated January 15, 2021
Employee's Request for Hearing, filed on January 26, 2021
Notice of Representation for the employee, dated January 26, 2021
Acknowledgement of Hearing Request to Employee, dated January 26, 2021
Notice of Convening of Hearing to Hearing Officer, dated January 28, 2021
Notice of Convening of Hearing to the parties of record, dated January 28, 2021
Amended Notice of Convening of Hearing to Hearing Officer, dated February 2, 2021
Amended Notice of Convening of Hearing to the parties of record, dated February 2, 2021
Order provided to the parties of record, dated February 10, 2021
Transcript of Hearing and Exhibits, February 16, 2021
Request for Findings of Fact from Hearing Officer, dated March 3, 2021
Findings of Fact rendered by Hearing Officer, dated March 16, 2021
Certification of Hearing Record, dated April 1, 2021

The Certification of Hearing Record was mailed to the parties of record on April 1, 2021. Staff has reviewed the Hearing Record and has prepared alternative orders for consideration.

Following are drafts of alternative orders of discharge, reinstatement, and reinstatement with a suspension of a minimum of 3 days to a maximum of 120 days. These drafts of alternative orders will be revised to reflect Merit Board action on pending motions or other additional actions.

Action Requested: That the Merit Board act on the following: *Adopt a Decision and Order deciding this matter.*

AGENDA ITEM 8. Consideration of Discharge Proceedings Number UIUC-21-1 filed against Anthony Brown by the University of Illinois at Urbana-Champaign

Submitted for: Action.

Summary: On May 5, 2021, the Secretary for the Merit Board placed in Dropbox the Administrative and Hearing Record of Discharge Proceeding Number UIUC-21-1, which included the following:

Written Charges for Discharge, dated December 21, 2020
Suspension Notice Pending Discharge, dated December 21, 2020
Employee's Request for Hearing, filed on January 5, 2021
Acknowledgement of Hearing Request to Employee, dated January 7, 2021
Notice of Convening of Hearing to Hearing Officer, dated January 12, 2021
Notice of Convening of Hearing to the parties of record, dated January 12, 2021
Order provided to the parties of record, dated January 25, 2021
Employer's Witness List, filed on January 27, 2021
Employee's Witness List, filed on January 27, 2021
Notice of Reconvening of Hearing to Hearing Officer, dated February 2, 2021
Notice of Reconvening of Hearing to the parties of record, dated February 2, 2021
Transcript of Hearing, and Exhibits, March 8, 2021
Request for Findings of Fact from Hearing Officer, dated March 24, 2021
Findings of Fact rendered by Hearing Officer, dated March 31, 2021
Certification of Hearing Record, dated April 20, 2021

The Certification of Hearing Record was mailed to the parties of record on April 20, 2021. Staff has reviewed the Hearing Record and has prepared alternative orders for consideration.

Following are drafts of alternative orders of discharge, reinstatement, and reinstatement with a suspension of a minimum of 3 days to a maximum of 120 days. These drafts of alternative orders will be revised to reflect Merit Board action on pending motions or other additional actions.

Action Requested: That the Merit Board act on the following: *Adopt a Decision and Order deciding this matter*

AGENDA ITEM 9. Update and authorization for the Executive Director to implement and administer the Merit Board Budget for FY 2022

Submitted for: Action.

Summary: House and Senate appropriation bills for our agency were introduced for FY 2022 in late January. Testimony was provided on March 23, 2021 in the Senate and April 16, 2021 in the House. Our FY 2022 appropriation remains at the FY 2021 level, no increase was provided for FY 2022.

As in past years, and in order to provide that the Merit Board Pay Administration Guidelines will be implemented and the necessary business of the University System office will continue with the passage and final approval of the appropriation by the Governor, it is requested that the Executive Director be authorized to implement the FY 2022 budget for the fiscal year period July 1, 2021 through June 30, 2022. It is requested and recommended that the Executive Director be authorized to administer the budget and to make expenditures necessary to efficiently meet the operational needs of the University System.

Action Requested: That the Merit Board will be updated on the status of the current budget and asked to adopt the following resolution authorizing the Executive Director to implement the FY 2022 budget as funds become available.

BE IT RESOLVED THAT the Merit Board authorizes the Executive Director to administer the FY 2022 agency budget, pursuant to the availability of funds and final approval by the Governor's office. Contingent upon the availability of funds, the FY 2022 agency budget may include employee salary adjustments administered in accordance with applicable Merit Board Policies and Pay Administration Guidelines. The Merit Board also authorizes the Executive Director to make any other expenditures necessary for the operation of the State Universities Civil Service System and the Merit Board office, commencing July 1, 2021 and continuing until such time as the FY 2022 appropriation becomes effective or the Merit Board directs otherwise.

AGENDA ITEM 10. Discussion and authorization for the use of State Universities Retirement System (SURS) Deferred Compensation Program (DCP) for eligible employees of the State Universities Civil Service System (University System)

Submitted for: Action.

Summary: Pursuant to Section 15-202 of the Illinois Pension Code (40 ILCS 5 et seq.), SURS recently adopted a new voluntary supplemental plan for employees to save additional dollars for retirement. The plan is an eligible DCP under Section 457(b) of the Internal Revenue Code and is a governmental plan.

The plan is funded exclusively through the purchase of investment funds from the fund Sponsor. All employers under SURS are required to adopt the plan prior to July 1, 2021. Participation in the plan is voluntary for employees and employees will be able to elect to defer pre-tax and/or Roth contributions through payroll deductions. The University System, as the employer, will not match any funds which the employee contributes to.

Currently the University System already allows employees to contribute to the State of Illinois DCP which is also a 457(b) plan. Employees may contribute to both the State's plan and SURS's plan, but will be limited to the 457(b) limits as set by the Internal Revenue Service every year.

Action Requested: That the Merit Board adopt the Employer Resolution and Employer Participation Agreement effective July 1, 2021 for the employees of the University System.

**STATE UNIVERSITIES RETIREMENT SYSTEM
DEFERRED COMPENSATION PLAN**

RESOLUTION TO ADOPT PLAN

WHEREAS, the State Universities Retirement System Deferred Compensation Plan ("Plan") is an eligible deferred compensation plan under Section 457(b) of the Internal Revenue ("Code") established and is administered by the State Universities Retirement System ("System") pursuant to Section 15-202 of the Illinois Pension Code, 40 ILCS 5 et seq.;

WHEREAS, the Plan is funded by elective deferrals, and if elected by the Employer in the Employer Participation Agreement, discretionary employer contributions;

WHEREAS, contributions to the Plan are held in Trust by SURS as Trustee pursuant to the State Universities Retirement System Master Trust Agreement ("Trust Agreement") and are invested in investment options selected and monitored by SURS;

WHEREAS, SURS has contracted with certain service providers ("Service Providers") to administer the Plan in accordance with its written terms and applicable law;

WHEREAS, Section 15-202 of the Illinois Pension Code, 40 ILCS 5, et seq., and Section 2.02(v) of the Plan provide that an employer that is subject to Article 15 of the Illinois Pension Code and that is an eligible employer within the meaning of Code Section 457(e)(1)(A) offer the Plan to its eligible employees;

WHEREAS, the Employer is an employer subject to Article 15 of the Illinois Pension Code, and is an eligible employer within the meaning of Code Section 457(e)(1)(A); and

WHEREAS, the Employer has reviewed the Plan, is authorized by law to adopt this Resolution, and is concurrently executing an Employer Participation Agreement for the Plan, which shall constitute a part of the written terms of the Plan.

NOW THEREFORE the governing body of the Employer hereby resolves:

Section 1. The Employer adopts the Plan for the benefit of its eligible employees, including the Employer Participation Agreement which is attached hereto and made a part of this Resolution.

Section 2. The Employer agrees to abide by the terms of the Plan and the Trust Agreement, including amendments to the Plan and the Trust Agreement, and all applicable provisions of the Code, the Illinois Pension Code, and other applicable law.

Section 3. The Employer agrees to enroll only those individuals who are employees, as defined in Section 15-107 of the Illinois Pension Code, of the Employer. An employee does not include an individual who is a leased employee under Code Section 414(n)(2).

Section 4. The Employer acknowledges that all assets held in connection with the Plan, including all contributions to the Plan, all property and rights acquired or purchased with such

amounts and all income attributable to such amounts, property or rights shall be held in the Trust for the exclusive benefit of participants and their beneficiaries under the Plan. No part of the assets and income of the Plan shall be used for, or diverted to, purposes other than for the exclusive benefit of participants and their beneficiaries and for defraying reasonable expenses of the Plan. All contributions to the Plan shall be held, managed, invested and distributed as part of the Trust in accordance with the provisions of the Plan. All benefits under the Plan shall be distributed solely from the Trust pursuant to the terms of the Plan.

Section 5. This Resolution and an Employer Participation Agreement shall be submitted to SURS. SURS shall determine whether the Resolution and the Employer Participation Agreement comply with the Plan, and, if they do, shall provide appropriate forms to the Employer to implement employee participation in the Plan. SURS may refuse to approve a Resolution and/or an Employer Participation Agreement from an employer that does not have state statutory authority to participate in the Plan. The Employer hereby acknowledges that it is responsible for assuring that this Resolution and the Employer Participation Agreement are adopted and executed in accordance with the requirements of applicable law.

Adopted by the Employer as of the date set forth below in accordance with applicable law.

By: _____

Print Name: Julie Jones

Title: Chair, University Civil Service Merit Board

Date: May 13, 2021

**STATE UNIVERSITIES RETIREMENT SYSTEM
DEFERRED COMPENSATION PLAN**

EMPLOYER PARTICIPATION AGREEMENT

The undersigned employer ("Employer") and the State Universities Retirement System ("SURS") agree to the participation of the Employer in the State Universities Retirement System Deferred Compensation Plan ("Plan"). The Plan is sponsored and administered by SURS and is intended to qualify as an eligible deferred compensation plan under Section 457(b) of the Internal Revenue Code ("Code") that is a governmental plan under Code Section 414(d) and Section 3(33) of the Employee Retirement Income Security Act of 1974 ("ERISA").

Complete this Participation Agreement only if the Employer is both an employer subject to Article 15 of the Illinois Pension Code and an eligible employer within the meaning of Code Section 457(e)(1)(A).

A. EMPLOYER INFORMATION

Name: State Universities Civil Service System

Address: 1717 Philo Road, Suite 24
Urbana, IL 61802

Tax ID Number: 04-3746986

B. TYPE OF ADOPTION AND EFFECTIVE DATE

The Employer's Plan document shall consist of this Employer Participation Agreement ("Agreement") and the Plan document, as amended from time to time. All capitalized terms in this Agreement shall have the meaning set forth in the Plan document.

It is very important that this Employer Participation Agreement be completed accurately to ensure consistency between the Plan and actual plan operation. The Employer may prospectively change the terms of its participation in the Plan at any time by completing a new Employer Participation Agreement with SURS.

This Agreement is for the following purpose (*check and complete one only*):

1. This is a new 457(b) deferred compensation plan adopted by the Employer for its Employees effective July 1, 2021 (*insert effective date of this Agreement*).
2. This is an amendment to be effective as of _____, _____ (*insert effective date of this amendment*) to the current Agreement previously adopted by the Employer, which was originally effective _____, _____ (*insert effective date of the original Agreement*).
3. This is an amendment and restatement of another 457(b) deferred compensation plan maintained by the Employer, effective _____, _____ (*insert effective*

date of this Agreement). This Employer's prior plan was originally effective _____, _____ (*insert effective date of the prior plan*). The Employer understands that it is the Employer's responsibility to ensure that the prior plan met all applicable state and federal requirements.

C. **CUSTODY OF ASSETS.** Code Section 457(g) shall be satisfied by setting aside Plan assets for the exclusive benefit of Participants and Beneficiaries in a Trust pursuant to the terms of the Plan.

D. **PARTICIPATION.** An Employee may become a Participant in the Plan for purposes of Elective Deferrals and Discretionary Employer Contributions immediately upon commencement of employment with the Employer. "Employee" means an individual who is an employee, as defined in Section 15-107 of the Illinois Pension Code, of an Employer. An Employee does not include an individual who is a leased employee under Code Section 414(n)(2).

E. **ELECTIVE DEFERRALS.** All Employees of the Employer shall be permitted to make Elective Deferrals to the Plan. Elective Deferrals include Pre-Tax Contributions and Roth Contributions. A Participant shall be 100% Vested in his or her Elective Deferrals at all times.

F. DISCRETIONARY MATCHING CONTRIBUTIONS.

1. The Employer shall (*check and complete one only*):

a. not make Discretionary Matching Contributions.

b. match _____% of Elective Deferrals of up to _____% of Compensation each pay period annually.

c. match _____% of the first \$_____ of Elective Deferrals each pay period annually.

d. match the percentage or amount of Elective Deferrals that the Employer determines in its discretion for the Plan Year. **The Employer agrees to submit to SURS a resolution or policy duly adopting the percentage or amount and frequency of matching contributions prior to July 1st of the applicable Plan Year(s).**

Check this box if the Discretionary Matching Contributions match elective deferrals made to another plan, and enter the name of the plan:

NOTE: Any Discretionary Matching Contribution will reduce, dollar for dollar, the Elective Deferrals that a Participant can contribute.

2. The Employer shall make Discretionary Matching Contributions for the following Employees (*complete only if Discretionary Matching Contributions will be made to the Plan; check and complete as many as applicable*):

a. any full-time Employee, defined as an Employee who has _____ or more Hours of Service per week.

b. any permanent part-time Employee, defined as an Employee who is not a full-time Employee and who has _____ or more Hours of Service per week.

c. any Employee in the following class(es) of Employees:

NOTE: Any changes to the class of employees eligible for Discretionary Matching Contributions will require an updated Employer Participation Agreement

3. A Participant shall be 100% Vested in his or her Discretionary Matching Contributions at all times; provided, however, that if SURS enacts an Eligible Automatic Enrollment Arrangement under Section 4.2(e) of the Plan, Discretionary Matching Contributions related to a withdrawal of Automatic Pre-Tax Contributions in accordance with Section 4.2(e)(4) will be placed in a forfeiture account and used first to reduce the Employer's Discretionary Matching Contributions, if any, and then to reduce the Employer's Discretionary Nonelective Contributions, if any.

G. DISCRETIONARY NONELECTIVE CONTRIBUTIONS.

1. The Employer shall (*check and complete one only*):
- a. not make Discretionary Nonelective Contributions.
 - b. contribute _____% of Compensation on behalf of each Participant each pay period annually.
 - c. contribute \$_____ on behalf of each Participant each pay period annually.
 - d. contribute the percentage or amount that the Employer determines in its discretion for the Plan Year. **The Employer agrees to submit to SURS a resolution or policy duly adopting the percentage or amount and frequency of nonelective contributions prior to July 1st of the applicable Plan Year(s).**

NOTE: Any Discretionary Nonelective Contribution will reduce, dollar for dollar, the amount a Participant can contribute.

3. The Employer shall make Discretionary Nonelective Contributions for the following Employees (*complete only if Discretionary Nonelective Contributions will be made to the Plan; check and complete as many as applicable*):
- a. any full-time Employee, defined as an Employee who has _____ or more Hours of Service per week.

b. [] any permanent part-time Employee, defined as an Employee who is not a full-time Employee and who has _____ or more Hours of Service per week.

c. [] any Employee in the following class(es) of Employees:

NOTE: Any changes to the class of employees eligible for Discretionary Non-Elective Contributions, will require an updated Employer Participation Agreement

3. A Participant shall be 100% Vested in his or her Discretionary Nonelective Contributions at all times.

H. ADMINISTRATIVE INFORMATION.

In executing this Employer Participation Agreement, the Employer agrees:

- that it is eligible to adopt the Plan, and that its governing body has adopted a resolution to approve the adoption of the Plan for its eligible employees, which resolution has been provided to SURS or its designee;
- to be bound by all terms of the Plan document, as applicable, the terms of this Employer Participation Agreement, and the rules and regulations of SURS, all as may be amended from time to time, and that no oral understanding not incorporated into this Agreement is binding on any party;
- to provide any information reasonably requested by SURS or a service provider from time to time to properly administer the Plan in accordance with its terms and applicable law;
- to allow SURS and/or the service providers reasonable access to eligible employees to assist with enrollment in and administration of the Plan;
- to be solely responsible for the correction of any operational or compliance errors resulting from the Employer's failure to perform its responsibilities or provide accurate information to SURS or a service provider;
- that all contributions to the Plan will be deposited in the State Universities Retirement System Master Trust for the exclusive benefit of participants and beneficiaries, and that the Employer shall have no right to Trust assets;
- that participants in the Plan have the right to direct the investment of their accounts by choosing among the investment options selected by SURS and offered under the Plan, and that any participant who does not provide timely investment direction will be deemed to have elected the Plan's default investment, as selected by SURS;

- that participants will be charged fees for the investment and administration services provided by SURS and the service providers, which will be offset against investment returns or deducted from participant accounts periodically; and
- that the Employer has consulted, to the extent necessary, with its own legal and tax advisors.

The Employer further agrees that it is responsible for the following areas of compliance:

- determining and monitoring employee eligibility in accordance with the terms of the Plan and the Employer Participation Agreement;
- entering into salary reduction agreements with Employees and timely remitting all Elective Deferrals and Discretionary Employer Contributions, if any, to the Plan; and
- complying and monitoring the applicable contribution limits under the Code as such limits apply to the Plan and any other Code Section 457(b) plan offered by the Employer in which Employer's employees participate, including the elective deferral limit under Code Sections 457(b)(2), 457(b)(3), 457(c), and 457(e)(18).

This Employer Participation Agreement is duly executed on behalf of the Employer by the undersigned authorized signatories and shall be effective as indicated in Section B.

EMPLOYER'S AUTHORIZED SIGNATORIES:

By: _____

By: _____

Print: Jeff Brownfield

Print: Julie Jones

Title: Executive Director

Title: Chair, University Civil Service Merit Board

Date: May 13, 2021

Date: May 13, 2021

ACCEPTANCE OF EMPLOYER'S PARTICIPATION IN THE STATE UNIVERSITIES RETIREMENT SYSTEM DEFERRED COMPENSATION PLAN:

By: _____
Suzanne Mayer, Interim Executive Director

Date: _____

APPENDIX A

AUTHORIZED CONTACT FORM

All official communications from the Employer to SURS shall be directed to the attention of the following person:

State Universities Retirement System
Attention: Executive Director and General Counsel
1901 Fox Drive
Champaign, Illinois 61820
Telephone Number: 217-378-8800
Facsimile Number: 217-378-9801
Email: Executive_Director@surs.org
General_Counsel@surs.org

All official communications from SURS to the Employer shall be directed to the attention of the following person:

Employer: State Universities Civil Service System
Attention: Teresa Rademacher
Address: 1717 Philo Road, Suite 24
Urbana, IL 61802
Telephone Number: 217/278-3152
Facsimile Number: 217/278-3159
Email: teresar@sucss.illinois.gov

The following individuals are authorized to represent and act on behalf of the Employer for all purposes related to the Employer's participation in the State Universities Retirement System Deferred Compensation Plan.

Contact Name <u>Jeff Brownfield</u> Title <u>Executive Director</u> Phone No. <u>(217)278-3151</u> E-Mail Address: <u>jeffb@sucss.illinois.gov</u> Signature _____ Date ____/____/____
Contact Name <u>Teresa Rademacher</u> Title <u>Administrative Assistant</u> Phone No. <u>(217)278-3151</u> E-Mail Address: <u>teresar@sucss.illinois.gov</u> Signature _____ Date ____/____/____
Contact Name <u>Jenn Miles</u> Title <u>Administrative Aide</u> Phone No. <u>(217)305-6671</u> E-Mail Address: <u>jennm@sucss.illinois.gov</u> Signature _____ Date ____/____/____

The Employer agrees that SURS is entitled to rely on this Appendix A, and shall be held harmless in doing so, until such time that the Employer submits a revised Appendix A to SURS.

The undersigned represents that he or she is an authorized representative of the Employer with authority to sign the Agreement and this Appendix A on the Employer's behalf.

By _____ Date _____

Print Name _____

Title _____

Phone No. (____) _____ E-mail Address _____

AGENDA ITEM 11. Report of the Human Resource Directors Advisory Committee – Representative from the Committee

Submitted for: Information.

Summary: A representative or designated member of the University System will update the Merit Board on recent committee activities.

Action Requested: None.

AGENDA ITEM 12. Report of the State Universities Employee Advisory Committee – Chair Jill Odom

Submitted for: Information.

Summary: Chair Odom or designated member of the University System will update the Merit Board on recent committee activities.

Action Requested: None.

AGENDA ITEM 13. Governance, Risk and Compliance Audit Program review of recent activities – Lucinda Neitzel

Submitted for: Information.

Summary: The Governance, Risk, and Compliance Audit team has continued to engage in compliance activities since resuming audits with the revised schedule implemented due to the COVID-19 pandemic.

The following report update is being provided to the board:

University of Illinois at Urbana-Champaign: Draft Audit Report Pending
(On-Site Visit in March 2020)

Illinois Board of Higher Education: Draft Audit Report Pending
(Remote Visit in August 2020)

Illinois Community College Board: Draft Audit Report Pending
(Remote Visit in August 2020)

Division of Specialized Care for Children: Draft Audit Report Pending
(Remote Visit in August 2020)

Western Illinois University: Draft Audit Report Pending
(Remote Visit November 16–18, 2020)

University of Illinois Springfield: Draft Audit Report Pending
(Remote Visit November 30 – December 1, 2020)

Southern Illinois University Carbondale: Draft Audit Report Pending
(Remote Visit February 8 – 12, 2021)

UI College of Medicine Peoria: Draft Report Pending
(Remote Visit March 15 – 16, 2021)

Southern Illinois University Edwardsville: Draft Report Pending
(Remote Visit March 17 – 19, 2021)

Northeastern Illinois University: Upcoming Remote Visit
May 17 – 20, 2021

University of Illinois Chicago: Upcoming Remote Visit
June 14 – 18 and June 28 – July 2, 2021

The Auditor has been continuously engaged in DER activities for Chicago State University as a result of their audit conducted during FY2020 and finalized last October. In addition, the Legal and Compliance Services Division has been engaged in several other compliance activities and projects outside of the scope of routine audit visits and reporting requirements. A status report regarding these activities may be provided upon request.

Action Requested: None.

AGENDA ITEM 14. Report of the Executive Director – Jeff Brownfield

Submitted for: Information.

Summary:

- a. Budget Updates – FY 21 and FY 22
- b. Annual Ethics Training for Merit Board members and Staff
- c. Classification/Examination Update
- d. Conversion of procedures to Administrative Rules

Action Requested: None.

AGENDA ITEM 14a. Budget Updates – FY 21 and FY 22

Submitted for: Information.

Summary: FY 21 (Current Fiscal Year – July 1, 2020 – June 30, 2021)

The final FY 21 appropriation of \$1,114,700 was signed by the Governor as a Lump Sum Appropriation. No increase over the FY 20 budget.

Fund – General Revenue	Amount
Lump Sum Appropriation	\$1,114,700
Expenditures as of 5/4/2021	\$877,345

FY 22 (Budget Fiscal Year – July 1, 2021 – June 30, 2022)

On August 13, 2020, the Merit Board approved the FY 22 budget at a going in request of \$1,222,400. This would have been an increase of \$107,700 over the current FY 21 appropriation. But IBHE recommended the final recommendation for FY 22 at \$1,114,700, the same as the current fiscal year. Staff submitted the required Illinois State Legislature (ISL) forms to the General Assembly on February 17, 2021 and have attended committee hearings both in the Senate on March 23 and the House on April 15.

System Staff have also provided additional material to both House and Senate representatives, per their request during committee hearings. This included information such as budget projections and staffing scenarios if the agency's budget was decreased by 5% or 10%, employee data concerning number of employees discharged, and an overview of the intern program which is often used to assist our employers in diversity hiring programs.

AGENDA ITEM 14b. Annual Ethics Training for Merit Board members and Staff

Submitted for: Information.

Summary: Merit Board will take annual Ethics Training through their respective Board of Trustees. Staff is currently in the process of taking Ethics training during the period of May 3 through June 3.

AGENDA ITEM 14c. Classification/Examination Update

Submitted for: Information.

Summary: Following is a list of the many classification activities pending or in progress.

Classification Plan Update July 1, 2020-June 30, 2021	Effective Date
REVISED CLASSIFICATIONS/EXAMINATIONS COMPLETED	
Admissions Associate (Custom Class)	04/15/21
Campus Recreation Coordinator	10/01/20
Cinematographer/Creative Video Producer (Custom Class)	11/15/20
Community Worker <i>(CIT-Previously -Community Outreach Worker)</i>	02/26/21
Non-Invasive Cardiovascular Series (CIT) <i>previously Cardiac Technologist I, II, III</i> Non-Invasive Cardiovascular Technologist, Specialist & Manager	08/01/20
Computed Tomography Series Technologist, Specialist, Manager	8/1/2020
Construction Project Coordinator Series - Construction Project Coordinator I, II	02/01/21
Construction Project Manager (Custom Class)	04/01/21
Financial Aid Associate (Custom Class)	11/01/20
Greens Worker	04/15/21
Invasive Cardiovascular Series Technologist, Specialist, Manager	08/01/20
Interventional Radiologist Series Technologist, Specialist, Manager	8/1/2020
Laboratory Manager	12/15/20
Laundry Worker	05/01/21
Radiologic Technologist Series (CIT) <i>previous Medical Radiographer Technologist I, II, Specialist, Manager</i> Radiographer Technologist, Radiologist Specialist, Radiologic Technologist Manager	11/15/20
Residence Hall Attendant <i>Attendant Level only</i>	10/15/20
CLASSIFICATIONS/EXAMINATION DELETED	
Athletic Business Manager	11/01/20
Greens Supervisor	04/15/21
CURRENT CLASSIFICATIONS/EXAMINATION CONSTRUCTION IN PROGRESS	
Accounting Clerk/Technician Series Accounting Clerk, Technician I, II, III	
Admissions and Records Officer Series - Admissions and Records Representative, Officer, & Supervisor	
Admissions/Records Specialist Series- Admissions/Records Specialist I & II	
Benefits Counselor Series Benefits Representative, Officer, Counselor, Benefits Service Supervisor	
Broadcast Engineer Series Broadcasting Engineer, Assistant Chief Broadcasting Engineer, Chief Broadcasting Engineer	
Budget Analyst Series - Budget Analyst I, II & III	
Business/Administrative Associate	
Business Manager Series - Business Manager I and II	
Construction Superintendent	
Food Service Administrator Series - Food Service Administrator I, II, III, IV	
Food Service Management Series - Food Service Supervisor, Asst. Food Production Manager	
Food Service Area Supervisor	
Medical Records Technician (CIT- Health Information Series)	
Medical Records Practitioner -(CIT- Health Information Series)	
Medical Records Administrator Series (CIT- Health Information Series) Medical Records Administrator I, II, III <i>(Health Information Technician, Specialist, Administrator)</i>	
Multimedia Technology Communications Series Multimedia Communications Representative, Specialist & Supervisor	
Peer Support Specialist Series Peer Support Assistant, Specialist, Supervisor	
Police Telecommunicator Police Telecommunicator, Police Telecommunicator Supervisor	
Research Support Associate	
Work Program Participant	
CLASSIFICATIONS/EXAMINATIONS TO BE CREATED	
Procurement Associate	
CLASSIFICATIONS BEING REVIEWED FOR DELETION - REQUESTED PER PAA (FROZEN)	
Assistant Chief Accountant	
Assistant Director of Alumni Relations	
Assistant Legal Counsel	
Bursar Series - Assistant Bursar Bursar	
Chief Accountant	
Chief Engineer	
Child Care Resource Specialist	
Compliance Officer	

Comptroller Series -	
Assistant to Comptroller	
Assistant Comptroller	
Comptroller	
Continuing Education Community Coordinator	
Curator of Anthropology Series -	
Curator of Anthropology I	
Curator of Anthropology II	
Curator of Anthropology III	
Curator of Art Series -	
Curator of Art I	
Curator of Art II	
Curator of Art III	
Ethanol Plant Research Engineer Series -	
Assistant Ethanol Plant Research Engineer and Ethanol Plant Scientific Analyst	
Deputy Director (Revise, entry level duties)	
Development Officer	
Director of Student Program Series -	
Student Conduct Adviser & Director of Student Conduct Programs	
Director of Purchases	
Director of Student Publications	
Educational Program Evaluation Coordinator - Keep (Program Assistant)	
Electron Microscope Technologist Series -	
Electron Microscope Technologist I	
Electron Microscope Technologist II, III, & IV	
Electronics Engineer	
Engineer Series -	
Engineer & Senior Engineer	
Equal Opportunity Officer Series -	
Assistant Equal Opportunity Officer & Equal Opportunity Officer	
Graduate Placement Officer	
Graduate School Specialist	
Immigration Specialist	
Information Technology Associate Director	
Information Technology Director	
Instructional Development Specialist	
Internal Auditor Manager	
Labor Relations Series	
Senior Labor Relations Specialist	
Senior Labor Relations Specialist & Labor Relations Manager	
Medical Social Services Series -	
Medical Social Assistant, Associate, Consultant, Assistant Supervisor & Supervisor	
Mental Health Counselor Series	
Mental Health Counselor I and II	
Museum Exhibits Series -	
Museum Exhibits Preparatory	
Museum Exhibits Designer & Curator of Exhibits	
Museum Instructor/Educator	
Naturalist	
Occupational Therapist	
Pharmacist Series -	
Pharmacist and Pharmacy Supervisor	
Physical Therapist	
Physician's Assistant in Medicine	
Program/Student Advisor	
Research Technologist Series -	
Research Technologist I, II & Manager	
Speech Pathologist Series -	
Speech Pathologist I and II	
Study Abroad Series -	
Study Abroad Adviser & Study Abroad Assistant Director	
Teaching Consultant	
University Budget Officer Series -	
Assistant University Budget Officer & University Budget Officer	
University Food Service Director	

AGENDA ITEM 14d. Conversion of procedures to Administrative Rules

Submitted for: Information.

Summary: Per previous meetings, the University System Office staff are preparing to migrate a substantial number of our procedures to Administrative Rules. The University System Office has understood that many of our procedures should be appropriately captured in Administrative Rules.

The University System Office is planning to consult Human Resource Directors, the Employee Advisory Committee, and dependent upon the topic, labor unions to provide input and feedback. As our agency believes each of you as board members are aware, the Joint Committee on Administrative Rules (JCAR) allows for input to the rulemaking process once a rule has been formally submitted. Since that process is open to any stakeholder, our agency has always tried to develop a consensus, or as close as possible to a consensus regarding new/revised rules before formal submission. For those that have been part of the Merit Board, you will recall that before any rule is submitted, there is a formal agenda item provided to you which allows for final discussion and input. To date, this process has served us well and there has only been one instance where our rule failed to pass JACR on the first attempt.

Initial topics:

Principal Administrative Appointments (PAA/AP's)

Extra Help/Extra Help Extensions

Clarification of out-of state recruitment/employment

AGENDA ITEM 15. Report of Legal Counsel – Gail Schiesser

Submitted for: Information.

Summary: Thus far during FY 21, there have been 32 Written Charges for Discharges served on employees at the various universities/agencies and 18 employees have requested a Hearing.

- 1 Employer withdrew charges (Gremer/UIUC)**
- 3 Employee withdrew request prior to hearing (Selle/UIUC; Shorter/UIC; Vito/UIC)**
- 1 Settlement Agreement during hearing (Gremer/UIUC)**
- 4 Settlement Agreement prior to hearing (Ingram/UIC; Yerian/UIC; Bonds/UIC; Radzewicz)**
- 4 Employee resigned prior to hearing (Buchanan/UIUC; Mohr/SIUC; Fedorev/UIC; Gariepy/SIUC)**
- 1 Employee discharged based on No Show at hearing (Bean/UIC)**
- 2 Discharged (Bradford/UIC; Parrilla/UIC)**
- 2 Pending (Brown/UIUC; Seymour/NEIU)**

Pending Administrative Review and Other Court Cases

University of Illinois at Urbana-Champaign (Colwell vs. Merit Board/Brownfield) –

Ms. Colwell was provided a Review Decision related to a last chance agreement between her and her employer, UIUC, by the Director, which she appealed to the Merit Board. At its September 19, 2017, meeting the Merit Board voted to uphold the Executive Director's Decision concluding that the last chance agreement, as applied, deprived the Merit Board of jurisdiction to conduct a discharge hearing. The Administrative Review matter has been pending in the Circuit Court of Champaign County since October 24, 2017. On February 5, 2019, the Court continued the matter generally. On February 5, 2021, the Attorney General's Office filed a Motion to Dismiss for Want of Prosecution. A hearing date for that motion has not yet been set.

Southern Illinois University Edwardsville (State of Illinois v. Chad Bateman)

In June, 2019, the Executive Director of the University System signed a criminal complaint alleging that an applicant attempted to cheat on an electrician exam. The SIUE Police Department presented a Misdemeanor Criminal Complaint to the Circuit Court in Madison County, Illinois. The

Defendant surrendered himself and posted bond. On June 27, 2019, represented by counsel, the Defendant appeared in Court, plead not guilty, demanded a jury trial, and filed a request for discovery. On November 5, 2019, the System Office sent a letter to the Madison County State's Attorney detailing the extent of the damage done to the University System and the universities as a result of the Defendant's actions. In November, 2019, the Executive Director discussed with the Madison County State's Attorney's Office what the System Office would consider appropriate and acceptable provisions of a plea agreement in the case. Following a series of continuances resulting from concerns regarding COVID-19 in Madison County, the matter is scheduled for a status hearing on June 14, 2021. No trial date has yet been set. System Office staff and HR staff from SIUE remain prepared to testify at trial.

Christopher Bean/Merit Board

Christopher Bean, a former employee at the University of Illinois at Chicago has filed a "Charge Against a Labor Organization" with the Illinois Educational Labor Relations Board (IELRB), Case No. 2021-CA-0061-C., alleging a violation of the Illinois Educational Labor Relations Act (IELRA), 115 ILCS 5, and identified the agency as a "Labor Organization." The Illinois Attorney General's office is representing the agency in that matter. The Attorney General's office has filed a response and a Motion to Dismiss the Charges with the IELRB investigator. That motion is pending.

Action Requested: None.

AGENDA ITEM 16. Executive Session

Submitted for: Action.

Summary: The Merit Board will go into closed session to discuss personnel matters.

Action Requested: That the Merit Board approve going into closed session.

AGENDA ITEM 17. Other Items as Presented

Submitted for: Information.

Summary: The next meeting of the University Civil Service Merit Board is scheduled for Thursday, August 19, 2021 from 1:00 to 4:00 p.m.

Action Requested: None.