10c) Occupational Area Classification Project (Professional, Managerial, Clerical, Etc.)

In order to remain consistent with our Code, the University System Office is currently conducting research into the revision of our Occupational Area Codes, modeled similarly to Federal standards for positions.

At this stage, definitions for each occupational group are being developed to coincide with positions utilized within our system. This is an ongoing project.

<u>History - Occupational Area Line</u>

The Occupational Areas List- groups the classes included in the Index of Classes according to broad categories (such as Professional or Managerial). Developed mainly to help classifiers locate all current classifications in a particular occupational area when they are trying to classify a position. Classifications are assigned to only one occupational area.

Currently there are 16 occupational area groups.

01- Professional

02- Semi-Professional (there are 3762 employees in 232 position in this area)

03- Managerial

Clerical

Stores

Aeronautical

Agricultural

Custodial Services

Domestic Services

Food Services

Power, Heat, and Light Services

Medical Services

Protective Services

Skilled Trades

Semi-Skilled Trades

Unskilled Trades

Occupational Areas- Primary Focus is on the (02) Semi-Professional Area

- 1. Researched CMS- Illinois Department of Central Management Services- Looked up all U.S. Equal Employment Opportunity Commission (EEOC) categories:
 - Officials and Managers
 - Professionals
 - Technicians
 - Protective Service Workers
 - Para-Professionals
 - Office and Clerical
 - Skilled Craft Workers
 - Service-Maintenance, etc.
- 2. Researched how economist classifies thousands of occupations into (BLS) U.S. Bureau of Labor Statistics Major Occupation Groups (MOGs)
- 3. Followed up with U.S. Equal Employment Commission (EEO) analyzing maps of (SOC) Standard Occupational Classifications, job titles and codes. Surveying their ten (10) job categories.
 - (i.e., Professionals, Technicians, Administrative Support,)
- 4. Researched and Analyzed all EEO -Description of the Categories i.e., Professional, Administrative Support Workers, Craft Workers, etc.
- 5. Proposed occupational line area categories:

New	<u>Old</u>
Professional/Healthcare Professional Restructured Managerial Office and Administrative Support Workers	Professional Semi-Professional Managerial Clerical, Stores
Operatives Technicians	Heat, Light, Power Semi-Skilled, Medical
Service Workers	Food, Custodial, Domestic, Medical, Protective Services
Craft Workers Labors and Helpers	Skilled Trades, Aeronautical Unskilled Trades, Agricultural
Salas	onskined frades, Agricultural

Sales

6. Developed definitions for each proposed Occ. Line area

7. Researched all the Class Specs in the (02) Semi-Professional area; according to education and experience, including any special licenses or certifications requirement, scope of responsibilities, then matched up the classification according to the occupational line category according to the definition.



Professional

Positions require a bachelor's or other advanced degrees or highly specialized training which may include professional certification(s).

General Classification Characteristics:

Positions/incumbents have a significant impact on a department's operations including effect on the finances of multiple work areas.

Positions/incumbents are required to have an understanding of policies and procedures and generally accepted principles. Resolves unique problems by collecting and interpreting information. Solutions may include modifying procedures and methods to address new conditions. Receives advice and input as needed from supervisor.

Positions/incumbents interview, provide orientation, training, work assignment and review, input into performance appraisal for temporary, students, volunteers entry or mid-level staff.

Examples: accountants; internal auditors; architects; computer programmers; designers; dietitians; editors; engineers; librarians; scientists; business/grant professionals; nurses; teachers.

<u>Managerial</u>

Most jobs in this category require a bachelor's degree or equivalent work experience. A considerable amount of work-related skill, knowledge, or experience is needed for these occupations. Job training in these occupations need several years of work-related experience, on-the-job training, and/or vocational training.

Individuals who serve as managers overseeing the delivery of products, services or functions at group or divisional levels or organizations. Also, individuals who report directly to middle managers. They implement policies, programs and directives of executive/senior management through subordinate managers and within the parameters set by executive/senior level management.

General Classification Characteristics:

Position/incumbent results of actions may have a significant impact on a department's operations. They also may affect the finances of multiple work areas.

Position/incumbent consists of broad responsibilities requiring the application of policies to dynamic and complex conditions. Problems generally require significant analysis and judgment. Solutions may include adapting existing policies and systems to address unique situations.

Position/incumbent, interview and select, staff provide orientation, training, work assignment and review, performance appraisal, and recommendations for various personnel actions including promotion, discipline and similar job actions.

Position/incumbent prepares and monitors budget, analyzes requisitions for conformance to budget, and compliance with specific requirements (such as for grants, gifts, gov't regulations) and recommends for approval.

Examples: HR, marketing or operations; team/unit managers; purchasing and transportation managers, etc.

Office and Administrative Support Workers

Most jobs in this category require training from vocational schools, related on-the-job experience, or an associate's degree. Previous work-related skill, knowledge, or experience is required for these occupations. Employees in these occupations usually need one or two years of training involving both on-the-job experience and informal training with experienced workers. These jobs involve non-managerial tasks providing administrative and support assistance, primarily in office settings.

Examples: office and administrative support workers; clerks; dispatchers; desktop publishers; admissions and records; customer service.

General Classification Characteristics:

Position/incumbent routinely answers questions and provides information and data requested by individuals within or outside of work area. Questions that require interpretation or are not easily resolved are referred to Supervisor.

Compiles and tabulates budgetary data, calculates figures and checks for accuracy. Authorized to sign for storeroom supplies and petty cash.

Technicians

Jobs in this category include activities that require basic or applied scientific skills, usually obtained by post-secondary education (such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training) of varying lengths, depending on the particular occupation, recognizing that in some instances additional training, certification, or comparable experience is required.

Examples: Drafters; emergency medical technicians; chemical technicians; and broadcast and sound engineering technicians.

Sales Workers

These jobs include non-managerial activities that wholly and primarily involve direct sales.

Examples: advertising sales agents; insurance sale agents; real estate brokers and sales agents; wholesale representatives; securities commodities, and financial services sales agents; telemarketers; demonstrators; retail salespersons; counter and rental clerks; and cashiers.

Service Workers

Jobs in this category include food service, cleaning service, personal service, and protective service activities. Skill may be required through formal training, job-related training or direct experience.

Examples: Cooks; culinary workers; medical assistants; healthcare support positions; ushers; transportation attendants; cleaners; janitors; porters; transit and railroad police; firefighters; guards; private detectives and investigators.

Craft Workers

Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training.

Examples: Building trades, mechanics and repairers, skilled machining occupations, compositors and typesetters, electricians, engravers, job setters (metal), motion picture projectionists, pattern and model makers, stationary engineers, automotive repairers, millwrights, etc.

Operatives

Most jobs in this category include intermediated skilled occupations and include workers who operate machines or factory-related processing equipment. It also includes occupations of generally intermediate skill levels that are concerned with operating and controlling equipment to facilitate the movement of people or materials. Most of these occupations can be mastered in a few weeks require only limited training (several months)

Examples: Laundry workers, Printing and Press i.e. Bindery Workers, Copy Center Operators, Duplicating Machine Operators, Offset Press Technician, photographic process workers, electrical and electronic equipment assemblers, bakers. Drivers, forklift operators, parking lot attendants, etc.

Laborers and Helpers

Jobs in this category include workers with more limited skills who require only brief training (learned in a few days) to perform tasks that require little or no independent judgment

Examples: Construction labors; laboratory helpers;

10d) Compensation Rates/Ranges and Policies

2.1 Setting and Adjusting Open Range Salary Schedule

Employers shall establish a schedule of salary ranges for all Open Range classes. A salary range for each class shall be submitted to the University System Office for approval. The schedule of salary ranges may be organized and incorporated into a table of salary grades and may be submitted as verification of university/agency rate/range. Following are general guidelines when submitting salary ranges through the University System Office Salary Data System:

• Range minimums and maximums which exceed 80% difference may require additional justification prior to approval by the University System.

INTRODUCTION

As a matter of operating policy, the Merit Board has historically interpreted Section 36d(3) of the State Universities Civil Service Act (Act) to require the payment of wages to all employees which are generally comparable to the wages paid in the locality, or recruiting area, to employees engaged in work of a similar character. This interpretation, which might be referred to as the "prevailing wage principle", is not to be confused with the term "prevailing rate", which is one of four methods the Merit Board has recognized in the establishment of rates and ranges. These four methods are:

- a. **Open range** Ranges recommended by the employer based upon one, or a combination, of the following:
 - comparisons of ranges in effect for the same class by other employers within the University System;
 - pay surveys for like jobs in the recruiting area; and/or
 - comparative skill, effort, responsibility and working conditions with other classes utilized by the employer.
- b. <u>Negotiated rate or range</u> A rate or range determined in accordance with a collective bargaining agreement between the employer and an employee group represented by a bargaining agent or committee, under the provision of Section 36d(3) of the Act and other applicable laws.
- c. <u>Prevailing rate</u> A rate of pay generally established in accordance with a local multi-employer craft and trade agreement, or as otherwise determined by the Merit Board.
- d. <u>Established rate or range</u> A rate or range based on a direct tie or relationship to a negotiated or prevailing rate, or to reflect a local market condition unlike that represented by the Open Range salary structure of the Employer.

Prior to implementation by an employer, all rates or ranges must be submitted to the University System Office, with substantiation, for approval.

All requests to *establish*, *revise*, *correct*, or *delete* pay rates or ranges shall be submitted for approval on-line via a secure web site (see Example 1.1a). The on-line system will eliminate the need to submit any supporting paper documents in the approval of pay rates and ranges so long as those documents can be submitted within the salary data system; e.g., collective bargaining agreements. Certain basic processing details to be followed when submitting salary requests will remain unchanged; such as:

• When it becomes necessary to correct a current rate or range (e.g., an approved salary range contained a typographical error), the *correction must be retroactive*; i.e., the effective date of the corrected range must be the same as the effective date of the "incorrect" range.

- No rates or ranges may be deleted if there are current incumbents in the class or if there are employees on leave from positions currently assigned to the class.
- On occasions when classes move from "open range" to "negotiated", please submit a copy of
 the Certification of Representation form upon receipt from the IELRB. However, do not submit
 a new salary request changing the rate type from "open range" to "negotiated" until such time
 as rates have been negotiated between the Employer and the exclusive representative.

2.1 SETTING AND ADJUSTING OPEN RANGE SALARY SCHEDULE

Employers shall establish a schedule of salary ranges for all Open Range classes. A salary range for each class shall be submitted to the University System Office for approval. The schedule of salary ranges may be organized and incorporated into a table of salary grades and may be submitted as verification of university/agency rate/range. Following are general guidelines when submitting salary ranges through the University System Office Salary Data System:

- Range minimums and maximums which exceed 80% difference may require additional justification prior to approval by the University System;
- Employers are required to submit range updates in the Salary Data System at the time where there is a change to the previously approved rate/range or at least once every four (4) years;
- To avoid rounding issues within the Salary Data System, the actual dollar amount of the range should be submitted;
- Current salary ranges are subject to review during the biennial audit;
- When an employer has two ranges for the same classification, i.e., negotiated and open range, the widest range will be submitted in order to capture what is actually compensated for the applicable classification;
- When an employer has two ranges for the same classification, i.e., negotiated and open range, select the Rate Type based on the predominate number of employees;
- Across-the-board adjustments for all classes shall not require substantiation of individual range changes, other than a statement such as "3% across-the-board adjustment" or "2.5% fiscal year adjustment".

In accordance with Section 36(d)(3) of the State Universities Civil Service Act, the employer shall identify and analyze valid salary data of wages paid for similar work by other employers within the appropriate recruitment area. Employers are encouraged to utilize one of the following methods to collect valid salary data.

- a. Statistically valid wage data may be obtained through surveys conducted by the employer or through independent sources, such as agencies, consulting firms, professional associations, and local employer groups. A valid survey is one that is current and geographically applicable, contains data on a sufficient number of employees and employers to be a representative sampling of the appropriate market, provides sufficient definition of each job category to assure equitable comparison, and provides median and/or weighted average salaries for each job class.
- b. In the absence of any available valid salary survey data, the University System Office shall consider proposals based on one of the following mathematical calculations:
 - 1. averaging the minimums of current ranges for the class of all University System employers, and assigning the class to the salary range with the minimum closest to the average; or
 - 2. averaging the midpoints of current ranges for the class of all University System employers, and assigning the class to the salary range with the midpoint closest to the average.

NOTE: Ranges used in the above calculation shall have been approved within the preceding 12 months, and the class shall have one or more persons employed at the time of the survey. If method 1 or 2 above is used in developing salary ranges, it shall be the exclusive calculation method used by the employer; i.e., only one method may be used by an employer to determine pay ranges when utilizing this option.

Significant variations in ranges by employers may indicate differences in application of classes, and shall be discussed with the appropriate employer(s) to verify accuracy of comparisons. When range proposals are submitted, the University System Office may take the following into account:

- Directly related classes which require substantially similar skill, effort, responsibility and working conditions.
- Comparisons may be made with lower and/or higher level classifications in the same series or with those to/from which employees in the proposed class would normally progress.

Note: Whenever possible, the above attachments can be submitted in the Wage Addendum section which allows you to either attach a document, or specify a URL.

Salary proposals returned to the employer without approval will include the reason(s) for non-approval as well as directive action if appropriate.

Administrative Review Cases – Attorney General's office is representing agency and members in all cases.

UI – Chicago (Clifton Heard vs. UI-Chicago / Merit Board)

Police Officer Heard was provided a discharge hearing in the fall of 2015. Based on the evidence and finding of facts of the Hearing Officer the MB discharged Officer Heard.

Officer Heard appealed the MB decision to Circuit Court.

The Judge overturned the Merit Board decision and sent it back to the Merit Board and UIC to determine an alternative outcome.

With assistance from University System, Legal Counsel, David DeThorne, the Attorney General's Office represented the Merit Board and University System Administrative Officers in the case before the Circuit Court. In our mind, the decision was poorly written with no guidance and with advice from Dave, the Attorney General has requested the court to review the initial decision and provide clarity to the order <u>or</u> to overturn the original court order and uphold the Discharge per the previous MB decision.

On Friday, April 28, 2017, the trial court granted the Merit Board's Motion for Reconsideration and affirmed the Merit Board's decision to discharge Heard.

UI – Chicago (Willis vs. UI-Chicago / Merit Board)

Ms. Willis was provided a Discharge Hearing in the fall of 2015. Based on the evidence and finding of facts of the Hearing Officer the MB discharged her. She has filed to retain her job. She is claiming an incorrect decision. She is *pro se* and thus has misfiled appeal to the Circuit Court.

UI – Chicago (Raymond vs. UI-Chicago / Merit Board)

Mr. Raymond was not provided a Discharge Hearing due to untimely filing of request for hearing. Appeal to Circuit Court due to claims that Mr. Raymond did not receive the material. The court has found no evidence to provide a Discharge Hearing.

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

Sunnycrest Center 1717 Philo Road, Suite 24 Urbana, Illinois 61802-6099



James D. Montgomery Merit Board Chair Jeff Brownfield Executive Director

DATE:

March 27, 2017

TO:

Michelle Jett, Chief of Staff for Representative Carol Ammons

FROM:

David DeThorne, Legal Counsel

SUBJECT:

HB 3185 Explanation of Legislative Proposal

Listed below is a breakdown of changes to the State Universities Civil Service Act, 110 ILCS 70/0.01 et seq. This document discusses those changes reflected in Amendment 1 to House Bill 3185, found on the ILGA website.

The changes highlighted in yellow are significant changes and/or potentially controversial changes.

I would like to emphasize that, from a 'marketing' standpoint, there may appear to be significant changes in the amendment due to several sections of text apparently added and deleted. However, the majority of the strikeouts and additions are a function of an attempt to make the Act more user-friendly, and due to moving language from the general §36d, "Powers and duties of the Merit Board" to the more specific sections as applicable, such as to §36f, "Examinations" and §36j, "Promotions." Our Act needs to be organized and written in a common sense manner, and accessible to the thousands of employees subject to the Merit Board's authority.

Page 1

Lines 14-16:

Deleted as superfluous. The State Community College of East St. Louis was abolished years ago and any transitional issues needing this reference have since been resolved. This language is the subject of other later deletions addressing this issue are not itemized in this list.

Page 2

Lines 4, 5:

Added for linguistic consistency.

Line 11:

Added for internal consistency and to reflect the Act's own directive to refer to the system as "the University System" in 110 ILCS 70/36b(1). This inconsistency is the subject of other later deletions and additions addressing this issue are not itemized in this list.

Page 3

Lines 7-16:

Deleted as superfluous. In 1995, the prior board system for the various agencies was dissolved and the current system was put in place. This

language is superfluous because any transitional issues needing this reference have since been resolved.

Page 4 Line 19:

"Executive" added to "Director" for internal consistency throughout the Act. This inconsistency is the subject of other later deletions and additions addressing this issue are not itemized in this list. Addition of "or her" to provide gender neutrality. This correction is made elsewhere and those other additions are not itemized in this list.

<u>Page 6</u> Lines 7-15:

(This language is not deleted but the System Office will seek to have this language deleted because the current amendment has moved it verbatim to page 10, lines 14-18 and lines 23-25. To clarify, this language is not marked at this time, but it has been duplicated by copying it verbatim to §36f, "Examinations." Deleting the language from §36d, "Powers and duties of the Merit Board" and instead having it within "Examinations" is recommended.)

Page 7 Lines 5-6:

Deleted. Section 36j, "Promotions," also directs the Merit Board to "provide in all cases where it is practicable that vacancies will be filled by promotion." In this instance, because the language is already found in both the "Promotions" section, page 17, lines 12-13, and this "Powers and duties of the Merit Board" section, this less-specific section is deleted and the principle is kept in the section specifically concerning promotions.

Lines 6-7:

Moved verbatim to Section 36j, "Promotions," page 17, lines 13-15.

Lines 8-11:

Added language adopted from slightly modified for grammatical sense from Section 360, "Demotion, removal, and discharge," page 20, lines 14-17, and moved here, because the need for subpoena power may arise outside of the disciplinary context, such as for investigating exemptions or seniority. The language in §360 concerning subpoena power is unchanged.

Lines 12-16:

Deleted because this section, 36d, is entitled "Powers and duties of the Merit Board," but this power as worded is exclusively that of the Executive Director, so it is not a power or duty of the Merit Board and so does not belong here. In addition, this authority to set the periods of probation, including the parameters and placing it with the Executive Director is also found in 36h(2), "Appointments," page 16, lines 13-14.

Page 8 Lines 4-6:

Amended to recognize that the Executive Director by tradition, practice and the quarterly meeting cycle of the Merit Board actually hires the staff.

Lines 8-11:

Amended to recognize that the "assistant resident" and "assistant" referred to in the statute has come to be known more accurately as the "Designated Employer Representative" in practice.

Lines 13-17:

Added to eliminate the legally supportable though weak argument that, by specifically allowing the Merit Board to delegate about half of the powers enumerated in the Act, the legislature meant to prohibit the delegation of the rest of those powers. This provision defeats that argument, but does not grant the Executive Director any additional authority.

Lines 24 - page 9, line 2:

New language added to allow the Merit Board to try limited programs that may conflict with properly-promulgated rules to try new approaches to civil service issues, while preserving the rights of current civil service employees.

Page 10 Lines 14-18:

Language moved verbatim from §36d(5), "Powers and duties of the Merit Board" generally and moved to this section, "Examinations," verbatim. With this amendment, this language is found in both places. (The System Office would recommend that the language in §36d(5) be deleted and this amendment be kept so this language concerning examinations would be found in this "Examinations" section.)

Lines 23-25:

Language also moved verbatim from §36d(5), "Powers and duties of the Merit Board" generally and moved to this section, "Examinations," verbatim. With this amendment, this language is found in both places. Note that this first sentence of this subsection (c) is not new language. The remainder of this subsection (c) is new, as discussed below.

Page 11 Line 1-10:

(Note that the last word on the preceding page 10, "The," is part of this language.) New language added to allow the Merit Board to promulgate rules through JCAR relaxing the requirement that all exams for a class be identical for law enforcement and medical professionals. Currently, the Act requires uniformity of examination for a class. This change would allow, through the JCAR process, creation of a rule that would allow for alternative assessment for a narrow group of positons/classifications. For example, a current sheriff's deputy could be placed on the Employment Register and potentially allowed to interview for a vacant police officer position at one of the university departments. There would be no requirement to place this person on the employment register or interview him/her. The envisioned rule would substitute the Sworn Officers' certification established by the Illinois Law Enforcement Training Standards Board and experience for the standard examination process which includes, a knowledge exam, physical fitness examination, oral board and other assessment tools. This could also be extended to limited, specific highly regulated medical professionals such as Medical Social Workers, Registered Nurses and possibly others. Note that this new language begins with the last word on the preceding page. Although the entire subsection (c) in the amendment is underlined, the first sentence is not new language, but the remainder is.

Amended for grammatical correctness. Line 13:

Page 13

Language concerning active military service abbreviated and removed from Line 26 - p. 14, line 3:

this section 36g regarding veteran (post-active service) points to the following section 36g-1 which actually concerns active military service. Condensed and moved to §36g-1, page 15, lines 12-13, which preserves this

right but in the more appropriate section.

Page 14

Amended to provide protection when activated for military service to all Lines 18-25:

constituent agencies and institutions, not just universities.

Page 15

Amends language to protect all dates of mobilization for military service. Lines 3, 5-6:

Amended to provide protection for activation to all employees subject to Line 8:

Act, not just those of universities, to coincide with amendment in page 13,

line 26 through page 14, line 3.

Concept of seniority accumulation for active military service moved from Lines 12-13:

previous §36g, page 13, line 26 through page 14, line 3, concerning veterans points, to this §36g-1 concerning active service. Language simplified but

provides same protection.

Page 16

Removes potential confusion about the time of applicability. The language Lines 15-17:

as worded is superfluous and potentially confusing because any transitional

issues needing this reference have since been resolved.

Page 17

Language taken from §36d(8), page 7, lines 6-7, "Powers and duties of the lines 13-15:

Merit Board," and moved to this more specific section 36j, "Promotions"

verbatim.

Moved verbatim to later in section, page 18, lines 21-26, for more intuitive Lines 21 - page 18, line 1:

organization.

Moved verbatim from earlier in section, lines 21 - page 18, line 1, for more Lines 21-26:

intuitive organization.

Page 19

Moved from later in sentence, lines 22-23, to clarify what entity conducts Lines 18-19:

the hearing.

New language added and taken from Municipal Code to require a Lines 19-22:

discharge/demotion hearing to commence but not necessarily be

complete within certain notice period. The current word "Occur" implies

completion of hearing, which is not always possible, or even desired by either or both of the parties. Additionally, the proposed language is based on statutory provision found in the Illinois Municipal Code, 65 ILCS 5/10-2.1-17, that has been tested several times in various courts which allows for continuances for good cause; the current language does not make appropriate allowances.

Lines 22-23:

Language moved to earlier in paragraph for clarity, lines 18-19.

Lines 23 - page 20, line 1:

Deletes language in favor of current practice which is in line with increased use of arbitration which is to contact former judges and current arbitrators to serve as hearing officers.

Page 20

Lines 9-10:

Added language to allow for something other than separation of service, particularly where remedy sought is not separation, such as demotion.

Page 21

Lines 5-8:

Added language to provide protected classes consistent with Illinois Human Rights Act from current more limited list currently in our Act.

Lines 16-18:

Deletes language that is superfluous given passage of time since 1995.



Rep. Carol Ammons

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Filed: 3/21/2017

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LRB100 11276 MLM 23968 a

1 AMENDMENT TO HOUSE BILL 3185 2 AMENDMENT NO. . Amend House Bill 3185 by replacing everything after the enacting clause with the following: 3 "Section 5. The State Universities Civil Service Act is 4 5 amended by changing Sections 36b, 36c, 36d, 36e, 36f, 36g, 36g-1, 36h, 36j, 36o, 36p, and 36s as follows: 6 (110 ILCS 70/36b) (from Ch. 24 1/2, par. 38b1) 7 8 Sec. 36b. Creation. (1) A classified civil service system to be known as the State Universities Civil Service System is hereby created, and 10 11 is hereinafter referred to as the University System. 12 (2) The purpose of the University System is to establish a sound program of personnel administration for the Illinois 13 Community College Board, State Community College of East St. 14 Louis (abolished under Section 2-12.1 of the Public Community 15

College Act), Southern Illinois University, Chicago State

- 1 University, Eastern Illinois University, Governors State
- 2 University, Illinois State University, Northeastern Illinois
- 3 University, Northern Illinois University, Western Illinois
- 4 University, the University of Illinois, the State Universities
- 5 Civil Service System, the State Universities Retirement
- 6 System, the State Scholarship Commission, and the Board of
 - 7 Higher Education. All certificates, appointments and
 - 8 promotions to positions in these agencies and institutions
 - 9 shall be made solely on the basis of merit and fitness, to be
- 10 ascertained by examination, except as specified in Section 36e.
- 11 (3) The University State Universities Civil Service System
- 12 hereby created shall be a separate entity of the State of
- 13 Illinois and shall be under the control of a Board to be known
- 14 as the University Civil Service Merit Board, and is hereinafter
- 15 referred to as the Merit Board.
- 16 (Source: P.A. 97-333, eff. 8-12-11.)
- 17 (110 ILCS 70/36c) (from Ch. 24 1/2, par. 38b2)
- 18 Sec. 36c. The merit board. The Merit Board shall be
- composed of 11 members, 3 of whom shall be members of the Board
- of Trustees of the University of Illinois, one of whom shall be
- 21 a member of the Board of Trustees of Southern Illinois
- 22 University, one of whom shall be a member of the Board of
- 23 Trustees of Chicago State University, one of whom shall be a
- 24 member of the Board of Trustees of Eastern Illinois University,
- one of whom shall be a member of the Board of Trustees of

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Governors State University, one of whom shall be a member of the Board of Trustees of Illinois State University, one of whom shall be a member of the Board of Trustees of Northeastern Illinois University, one of whom shall be a member of the Board of Trustees of Northern Illinois University, and one of whom shall be a member of the Board of Trustees of Western Illinois University. The 7 new members required to be elected to the Merit Board by their respective Boards of Trustees shall replace the 2 persons who, until the effective date of this amendatory Act of 1995, served as members of the Merit Board elected from the Board of Governors of State Colleges and Universities and the Board of Regents; and the terms of the members elected to the Merit Board from the Board of Governors of State Colleges and Universities and the Board of Regents shall terminate on the effective date of this amendatory Act of 1995. The members of the Merit Board shall be elected by the respective Boards in which they hold membership and they shall serve at the pleasure of the electing Boards.

All members of the Merit Board shall serve without compensation but shall be reimbursed for any traveling expenses incurred in attending meetings of the Merit Board.

The Merit Board shall determine the number necessary for a quorum, elect its own chairman and set up an Executive Committee of its own members which shall have all of the powers of the Merit Board except as limited by the Merit Board.

The Merit Board shall cause to be elected a committee of

- not less than eleven members to be made up of Civil Service 1 Employees, six of whom shall be nominated by and from the Civil 2 Service Employees of the University of Illinois and one of whom 3 shall be nominated by and from the Civil Service Employees of each of the other institutions specified in Section 36e, who will function in an advisory capacity to the Merit Board on all matters pertaining to the University System. This Advisory 7 Committee shall meet at least quarterly and members of the Committee shall be reimbursed by their respective employers for 9 time lost from work and for expenses incurred in attending 10
- (Source: P.A. 89-4, eff. 1-1-96.) 12

meetings of the Committee.

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- (110 ILCS 70/36d) (from Ch. 24 1/2, par. 38b3) 13
 - Sec. 36d. Powers and duties of the Merit Board. The Merit Board shall have the power and duty:-
 - (1) To approve a classification plan prepared under its direction, assigning to each class positions of substantially similar duties. The Merit Board shall have power to delegate to its Executive Director the duty of assigning each position in the classified service to the appropriate class in the classification plan approved by the Merit Board.
 - (2) To prescribe the duties of each class of positions and the qualifications required by employment in that class.

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(3) To prescribe the range of compensation for each class or to fix a single rate of compensation for employees in a particular class; and to establish other conditions of employment which an employer and employee representatives have agreed upon as fair and equitable. The Merit Board shall direct the payment of the "prevailing rate of wages" in those classifications in which, on January 1, 1952, any employer is paying such prevailing rate and in such other classes as the Merit Board may thereafter determine. "Prevailing rate of wages" as used herein shall be the wages paid generally in the locality in which the work is being performed to employees engaged in work of a similar character. Each employer covered by the University System shall be authorized to negotiate with representatives of employees to determine appropriate ranges or rates of compensation or other conditions of employment and may recommend to the Merit Board for establishment the rates or ranges or other conditions of employment which the employer and employee representatives have agreed upon as fair and equitable. Any rates or ranges established prior to January 1, 1952, and hereafter, shall not be changed except in accordance with the procedures herein provided.

(4) To recommend to the institutions and agencies specified in Section 36e standards 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 principal.

- class, the examinations to be related to the duties of such class. The Merit Board shall have power to delegate to the Executive Director and his or her staff the preparation, conduct and grading of examinations. Examinations may be written, oral, by statement of training and experience, in the form of tests of knowledge, skill, capacity, intellect, aptitude; or, by any other method, which in the judgment of the Merit Board is reasonable and practical for any particular classification. Different examining procedures may be determined for the examinations in different classifications but all examinations in the same classification shall be uniform.
- (6) To authorize the continuous recruitment of personnel and to that end, to delegate to the <u>Executive</u> Director and his <u>or her</u> staff the power and the duty to conduct open and continuous competitive examinations for all classifications of employment.
- (7) To cause to be established, from the results of examinations, registers for each class of positions in the classified service of the <u>University</u> State Universities Civil Service System, of the persons who shall attain the minimum mark fixed by the Merit Board for the examination; and such persons shall take rank upon the registers as

1	candidates in the order of their relative excellence as	
2	determined by examination, without reference to priority	
3	of time of examination.	
4	(8) To provide by its rules for promotions in the	
5	classified service. Vacancies shall be filled by promotion	
6	whenever practicable. For the purpose of this paragraph, an	
7	advancement in class shall constitute a promotion.	
8	(8.5) To issue subpoenas to secure the attendance and	
9	testimony of witnesses and the production of books and	
10	papers in the course of any investigation or hearing	
11	conducted pursuant to the Act.	
12	(9) (Blank). To set a probationary period of employment	
13	of no less than 6 months and no longer than 12 months for	
14	each class of positions in the classification plan, the	
15	length of the probationary period for each class to be	
16	determined by the Director.	
17	(10) To provide by its rules for employment at regular	
18	rates of compensation of persons with physical	
19	disabilities in positions in which the disability does not	
20	prevent the individual from furnishing satisfactory	
21	service.	
22	(11) To make and publish rules, to carry out the	
23	purpose of the <u>University</u> State Universities Civil Service	
24	System and for examination, appointments, transfers and	
25	removals and for maintaining and keeping records of the	

efficiency of officers and employees and groups of officers

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and employees in accordance with the provisions of Sections 36b to 36q, inclusive, and said Merit Board may from time to time make changes in such rules.

- (12) To appoint an Executive a Director who shall appoint staff to and such assistants and other elerical and technical help as may be necessary efficiently to administer Sections 36b to 36q, inclusive. To authorize the Executive Director to appoint a Designated Employer Representative an assistant resident at the place of employment of each employer specified in Section $36e_L$ and this Designated Employer Representative assistant may be authorized to give examinations and to certify names from the regional registers provided in Section 36k. The enumeration of specific duties and powers that the Merit Board may delegate to the Executive Director in this Section does not preclude the Merit Board from delegating other duties and powers to the Executive Director.
- (13) To submit to the Governor of this state on or before November 1 of each year prior to the regular session of the General Assembly a report of the University System's business and an estimate of the amount of appropriation from state funds required for the purpose of administering the University System.
- (14) To authorize the creation and use of pilot programs to further the goals of the Act, which may be inconsistent with any rules adopted by the Merit Board, provided that such

- 1 programs are of limited duration and do not reduce any rights
- or benefits of employees subject to this Act.
- 3 (Source: P.A. 99-143, eff. 7-27-15.)
- 4 (110 ILCS 70/36e) (from Ch. 24 1/2, par. 38b4)
- 5 Sec. 36e. Coverage. All employees of the Illinois Community
- 6 College Board, State Community College of East St. Louis
- 7 (abolished under Section 2-12.1 of the Public Community College
- 8 Act), Southern Illinois University, Chicago State University,
- 9 Eastern Illinois University, Governors State University,
- 10 Illinois State University, Northeastern Illinois University,
- 11 Northern Illinois University, Western Illinois University, the
- 12 University of Illinois, the University State Universities
- 13 <u>Civil Service</u> System, <u>the</u> State Universities Retirement
- 14 System, the State Scholarship Commission, and the Board of
- 15 Higher Education, shall be covered by the University System
- described in Sections 36b to 36q, inclusive, of this Act,
- 17 except the following persons:
- 18 (1) The members and officers of the Merit Board and the
- 19 board of trustees, and the commissioners of the
- 20 institutions and agencies covered hereunder;
- 21 (2) The presidents and vice-presidents of each
- 22 educational institution;
- 23 (3) Other principal administrative employees of each
- institution and agency as determined by the Merit Board;
- 25 (4) The teaching, research and extension faculties of

- each institution and agency; 1
- (5) Students employed under rules prescribed by the 2
- Merit Board, without examination or certification. 3
- (Source: P.A. 97-333, eff. 8-12-11.) 4
- (110 ILCS 70/36f) (from Ch. 24 1/2, par. 38b5) 5
- Sec. 36f. Examinations. 6
- (a) All examinations given under the University System 7
- shall be open to all applicants who are citizens of or 8
- residents in the State of Illinois and who can qualify by 9
- training and experience for the position for which application 10
- is made. In examinations for technical positions for which no 11
- qualified residents of this State are available the residence 12
 - requirement may be waived. 13
 - (b) Examinations may be written; oral; by statement of 14
 - training and experience; in the form of tests of knowledge, 15
 - skill, capacity, intellect, or aptitude; or by any other method 16
 - which, in the judgment of the Merit Board, is reasonable and 17
 - practical for any particular classification. The examinations 18
 - shall be practical and shall relate to the classification for 19
 - which the examination is given. No question in any examination 20
 - shall relate to political or religious affiliation or racial 21
- origins of the examinee. 22
 - (c) Different examining procedures may be determined for 23
 - the examinations in different classifications, but all 24
 - examinations in the same classification must be uniform. The 25

- examination requirement for the initial appointment, entry 1
- 2 level position only, of law enforcement personnel may be waived
- 3 if an applicant has satisfied all the requirements established
- 4 by the Illinois Police Training Act for appointment of law
- 5 enforcement officers and if the Merit Board allows for such a
- 6 waiver by rule. Additional positions may have the examination
- requirement waived if the occupational standards are regulated 7
- 8 by the Department of Financial and Professional Regulation, as
 - 9 designated by the Merit Board and provided for in adopted
- 10 rules.
- 11 (Source: Laws 1951, p. 1289.)
- 12 (110 ILCS 70/36g) (from Ch. 24 1/2, par. 38b6)
- Sec. 36g. Appropriate For the granting of appropriate 13
- preference in entrance examinations to qualified persons who 14
- have been members of the armed forces of the United States or 15
- to qualified persons who, while citizens of the United States, 16
- 17 were members of the armed forces of allies of the United States
- in time of hostilities with a foreign country, and to certain 18
- 19 other persons as set forth in this Section.
- 20 (a) As used in this Section:
- (1) "Time of hostilities with a foreign country" means 21
- 22 any period of time in the past, present, or future during
- which a declaration of war by the United States Congress 23
- has been or is in effect or during which an emergency 24
- 25 condition has been or is in effect that is recognized by

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- issuance of a Presidential proclamation or 1 Presidential executive order and in which the armed forces 2 expeditionary medal or other campaign service medals are 3 awarded according to Presidential executive order. 4
 - (2) "Armed forces of the United States" means the United States Army, Navy, Air Force, Marine Corps, Coast Guard. Service in the Merchant Marine that constitutes active duty under Section 401 of federal Public Law 95-202 shall also be considered service in the Armed Forces of the United States for purposes of this Section.
 - (b) The preference granted under this Section shall be in the form of points added to the final grades of the persons if they otherwise qualify and are entitled to appear on the list of those eligible for appointments.
 - (c) A veteran is qualified for a preference of 10 points if the veteran currently holds proof of a service connected disability from the United States Department of Veterans Affairs or an allied country or if the veteran is a recipient of the Purple Heart.
 - (d) A veteran who has served during a time of hostilities with a foreign country is qualified for a preference of 5 points if the veteran served under one or more of the following conditions:
 - (1) The veteran served a total of at least 6 months, or
 - (2) The veteran served for the duration of hostilities regardless of the length of engagement, or

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- 1 (3) The veteran was discharged on the basis of hardship, or
- 3 (4) The veteran was released from active duty because 4 of a service connected disability and was discharged under 5 honorable conditions.
- 6 (e) A person not eligible for a preference under subsection 7 (c) or (d) is qualified for a preference of 3 points if the person has served in the armed forces of the United States, the 8 Illinois National Guard, or any reserve component of the armed 9 10 forces of the United States and the person: (1) served for at least 6 months and has been discharged under honorable 11 conditions or (2) has been discharged on the ground of hardship 12 or (3) was released from active duty because of a service 13 14 connected disability. An active member of the National Guard or 15 a reserve component of the armed forces of the United States is eligible for the preference if the member meets the service 16 17 requirements of this subsection (e).
 - (f) The rank order of persons entitled to a preference on eligible lists shall be determined on the basis of their augmented ratings. When the Executive Director establishes eligible lists on the basis of category ratings such as "superior", "excellent", "well-qualified", and "qualified", the veteran eligibles in each such category shall be preferred for appointment before the non-veteran eligibles in the same category.
 - (g) (Blank). Employees in positions covered by this Act

- who, while in good standing, leave to engage in military
 service during a period of hostility, shall be given credit for
 seniority purposes for time served in the armed forces.
 - (h) A surviving unremarried spouse of a veteran who suffered a service connected death or the spouse of a veteran who suffered a service connected disability that prevents the veteran from qualifying for civil service employment shall be entitled to the same preference to which the veteran would have been entitled under this Section.
 - (i) A preference shall also be given to the following individuals: 10 points for one parent of an unmarried veteran who suffered a service connected death or a service connected disability that prevents the veteran from qualifying for civil service employment. The first parent to receive a civil service appointment shall be the parent entitled to the preference.
- 16 (Source: P.A. 87-796.)

17 (110 ILCS 70/36g-1) (from Ch. 24 1/2, par. 38b6.1)

Sec. 36g-1. Active military service. Any employee of <u>any</u> institution or agency subject to this <u>Act</u> State Community College of East St. Louis (abolished under Section 2-12.1 of the <u>Public Community College Act</u>), <u>Southern Illinois</u> University, the University of Illinois, any university under the jurisdiction of the Board of Regents, or any college or university under the jurisdiction of the Board of Governors of State Colleges and Universities who is a member of any reserve

- component of the United States Armed Services, including the 1 Illinois National Guard, and who is mobilized to active 2 3 military duty on or after August 1, 1990 as a result of an order of the President of the United States, shall, for each 5 pay period beginning on or after the date of that mobilization, August 1, 1990 continue to receive the same regular 6 compensation that he or she receives or was receiving as an 7 employee of that educational institution or agency at the time 8 he or she is or was so mobilized to active military duty, plus 9 any health insurance and other benefits he or she is or was 10 receiving or accruing at that time, minus the amount of his or 11 her base pay for military service, and shall be given credit 12 for seniority purposes for the duration of his or her active 13
- In the event any provision of a collective bargaining 15 agreement or any policy of the educational institution covering 16 any employee so ordered to active duty is more generous than 17 the provisions contained in this Section, that collective 18 bargaining agreement or policy shall be controlling. 19
- (Source: P.A. 97-333, eff. 8-12-11.) 20
- (110 ILCS 70/36h) (from Ch. 24 1/2, par. 38b7) 21
- 22 Sec. 36h. Appointment.

military service.

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(1) Whenever an employer covered by the University System 23 has a position which needs to be filled, this employer shall 24 inform the Executive Director of the Merit Board. The Executive 25

the lower classification. Whenever a superior position in the promotional line in the classified civil service under the University System is to be filled, the Executive Director shall certify to the employer, in the order of their seniority, the names and addresses of the persons with the 3 highest scores on the promotional register for the class or grade to which said position belongs. The employer shall appoint one of those persons whose names were certified by the Executive Director.

(d) Appointments to superior positions in the promotional line shall be on probation for a period of no less than 6 months and no longer than 12 months for each class of positions in the classification plan, the length of the probationary period having been determined by the Executive Director. Persons so appointed may be demoted at any time during the period of probation if, in the opinion of the employer, they have failed to demonstrate the ability and the qualifications necessary to furnish satisfactory service, but shall not be discharged from the superior position if they have previously completed a probationary period in an inferior position in the promotional line.

(e) Employees promoted in the promotional line shall have their seniority for the highest position held on the basis of length of service in that classification. For the next lower classification, the employee may add his or her seniority in the higher classification to that in the lower to determine seniority in the lower classification.

1 (f) Whenever a person is promoted to a superior position in the promotional line prior to the completion of 2 3 probationary period in any one of the positions in the 4 classified civil service under the University System, total 5 service in the inferior position and in all such superior positions shall be combined to establish certified status and 6 7 seniority in the inferior position.

8 (Source: P.A. 99-72, eff. 1-1-16.)

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9 (110 ILCS 70/360) (from Ch. 24 1/2, par. 38b14)

10 Sec. 360. Demotion, removal, and discharge.

> (a) After the completion of his or her probationary period, no employee shall be demoted, removed or discharged except for just cause, upon written charges, and after an opportunity to be heard in his or her own defense if he or she makes a written request for a hearing to the Merit Board within 15 days after the serving of the written charges upon him or her.

(b) Upon the filing of such a request for a hearing, the Merit Board shall grant such hearing by a hearing board or hearing officer appointed by the Merit Board to commence be held within 45 days from the date of the service of the demotion, removal, or discharge notice, which may be continued from time to time by a hearing board or hearing officer appointed by the Merit Board. The members of the hearing board or the hearing officer shall be selected from among the members of a panel established by the Merit Board after consultation

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with the Advisory Committee provided in Section 36c. The 1 hearing board or hearing officer shall make and render findings 2 of facts on the charges and transmit to the Merit Board a 3 transcript of the evidence along with the hearing board's or 4 hearing officer's findings of fact. The findings of the hearing 5 board or hearing officer when approved by the Merit Board shall 6

be certified to the parties employer.

- (c) If cause for demotion, removal, or discharge is found, the employee shall be immediately demoted, removed, or discharged separated from the service. If cause is not found, the employee shall forthwith be reassigned to perform the duties of a position in his or her classification without loss of compensation.
- (d) In the course of the hearing, the Executive Director of the Merit Board shall have power to administer oaths and to secure by subpoena the attendance and testimony of witnesses and the production of books and papers relevant to the inquiry.
- (e) The provisions of the Administrative Review Law and all amendments and modification thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Merit Board hereby created. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.
- (Source: P.A. 95-113, eff. 8-13-07.) 24

- Sec. 36p. Nondiscrimination. In the administration of the 1 2 University System, no applicant shall be denied employment by 3 the Merit Board or by any employer subject to this Act because 4 of race, color, sex, national origin, religious or political 5 affiliations, ancestry, age, marital status, order of 6 protection status, disability, military status, sexual 7 orientation, pregnancy, or unfavorable military discharge, as defined in the Illinois Human Rights Act, except that any 8 9 applicant for employment may be required as a condition of 10 employment, to sign a valid oath attesting his loyalty to the 11 state and the United States. 12 (Source: P.A. 78-842.)
- 13 (110 ILCS 70/36s) (from Ch. 24 1/2, par. 38b18)
- 14 Sec. 36s. Supported employees.
- 15 (a) The Merit Board shall develop and implement a supported
 16 employment program. It shall be the goal of the program to
 17 appoint a minimum of 10 supported employees to State University
 18 civil service positions before June 30, 1992.
- (b) The Merit Board shall designate a liaison to work with State agencies and departments, any funder or provider or both, and State universities in the implementation of a supported employment program.
- 23 (c) As used in this Section:
- 24 (1) "Supported employee" means any individual who:
- 25 (A) has a severe physical or mental disability

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which seriously limits functional capacities, including but not limited to, mobility, communication, self-care, self-direction, work tolerance or work skills, in terms of employability as defined, determined and certified by the Department of Human Services; and

- (B) has one or more physical or mental disabilities resulting from amputation; arthritis; blindness; cancer; cerebral palsy; cystic fibrosis; deafness; heart disease; hemiplegia; respiratory or pulmonary dysfunction; an intellectual disability; mental illness; multiple sclerosis; muscular dystrophy; musculoskeletal disorders; neurological disorders, including stroke and epilepsy; paraplegia; quadriplegia and other spinal cord conditions; sickle cell anemia; and end-stage renal disease; or another disability or combination of disabilities determined on the basis of an evaluation of rehabilitation potential to cause comparable substantial functional limitation.
- (2) "Supported employment" means competitive work in integrated work settings:
 - (A) for individuals with severe disabilities for whom competitive employment has not traditionally occurred, or
 - (B) for individuals for whom competitive

employment has been interrupted or intermittent as a result of a severe disability, and who because of their disability, need on-going support services to perform such work. The term includes transitional employment for individuals with chronic mental illness.

- (3) "Participation in a supported employee program" means participation as a supported employee that is not based on the expectation that an individual will have the skills to perform all the duties in a job class, but on the assumption that with support and adaptation, or both, a job can be designed to take advantage of the supported employee's special strengths.
- (4) "Funder" means any entity either State, local or federal, or private not-for-profit or for-profit that provides monies to programs that provide services related to supported employment.
- (5) "Provider" means any entity either public or private that provides technical support and services to any department or agency subject to the control of the Governor, the Secretary of State or the University Civil Service System.
- (d) The Merit Board shall establish job classifications for supported employees who may be appointed into the classifications without open competitive testing requirements. Supported employees shall serve in a trial employment capacity for not less than 3 or more than 12 months.

1	(e)	The	Merít	В	oard	shall	maintain	a	record	of	all
2	individua	als	hired	as	supp	orted	employees.	Tł	ne reco	rd	shall
3	include:										

- (1) the number of supported employees initially 4 appointed; 5
- (2) the number of supported employees who successfully complete the trial employment periods; and 7
- (3) the number of permanent targeted positions by 8 titles. 9
- (f) The Merit Board shall submit an annual report to the 10 General Assembly regarding the employment progress of 11 supported employees, with recommendations for legislative 12 13 action.
- (Source: P.A. 99-143, eff. 7-27-15.)". 14



Carney A. Barr GSU Board of Trustees

Carney A. Barr has served on the Governors State University Foundation Board of Directors since 1976 and has served as the Foundation's Treasurer several times. Having worked with all five of the GSU Presidents, he is committed to the University.

Since 1981 he has worked for Rich Township, where he has served as a Rich Township Trustee, finance manager, and most recently finance advisor. Previously Carney worked at Amoco Corporation where he was Government Affairs Coordinator and Senior Staff Program Coordinator. He also previously served as a Project Manager for Charles Barr and Associates.

Carney served in the United States Army Security Agency and the United States Army Security Agency active reserves.

He earned a bachelor's degree in Business Administration from Georgetown University, a MBA from American University and has taken many postgraduate courses in public and business administration at Governors State University.

While a student in Washington D.C. he worked as an assistant legislative assistant for a U.S. Senator and then a legislative assistant for a U.S. Congressman.

Carney was appointed to the Governors State University Board of Trustees by Governor Bruce Rauner in January 2017.



Kam Buckner has a breadth of experience in law, government, education, politics, sports administration and community relations - with time in the public, private and nonprofit sectors.

A native of the Southside of Chicago, he is the Executive Director of World Sport Chicago, the non-profit legacy of Chicago's bid for the 2016 Olympic Games; leading an organization that uses sport as a tool to provide positive life skill training and opportunities to youth in Chicago's most under-resourced communities.

Buckner previously worked in the Front Office of Major League Baseball's Chicago Cubs, where he led the team's government and neighborhood relations efforts; serving as an integral part of the contingent that successfully negotiated a deal to renovate and expand historic Wrigley Field; a first of its kind stadium deal that is expected to yield \$1.2 billion in economic activity.

Buckner previously spent a number of years in the public sector on the staffs of Mayor Mitch Landrieu of New Orleans, LA and U.S. Senator Dick Durbin of Illinois. He attended the University of Illinois at Urbana-Champaign, where he was a member of the Fighting Illini football team and received a B.A. in Political Science. He holds a J.D. from DePaul University College of Law.

Buckner also serves as an adjunct professor in the Undergraduate College of Public Policy at the University of Chicago. He is a fellow with the Chicago Council on Global Affairs as well as the Chicago Urban League's IMPACT Leadership Development Program. Buckner is a member of the Economic Club of Chicago, the Business Leadership Council, the Illinois Advisory Board of the U.S. Global Leadership Coalition, the Leadership Board of Big Brothers Big Sisters and Major League Soccer's Chicago Fire Foundation Board.

He currently resides in Chicago's South Loop neighborhood.



John R. Butler

Term Expires: January 21, 2019

Board Chair

Chair - Ad Hoc Committee on Governance

Vice Chair - Compliance, Audit, Risk Management and Legal Affairs Committee

Member - Academic Affairs, Student Affairs and Personnel Committee

Member - Finance, Facilities and Operations Committee

Office Address:

Painters District Council No. 30 Benefits Office 1905 Sequoia Drive - Suite 203 Aurora, IL 60506

Email: jbutler4@niu.edu

Professional Experience:

- Director of Communication and Strategy and Assistant Fund Administrator, Painters District Council No. 30 Health & Welfare, Pension and affiliated funds.
- Butler & Anderson, LLC (2008-2015).
- Director of Strategic Communication and Research Initiatives, Ehrhardt Foundation (2005-2008).
- Assistant Professor and Director of Forensics (speech and debate), Department of Communication, Northern Illinois University (1998-2005).

Education:

- Ph.D., University of Pittsburgh, Department of Rhetoric and Communication, Emphasis: Public Argument.
- M.A., Northern Illinois University, Department of Communication, Emphasis: Rhetorical Studies.
- B.A., Northern Illinois University, Department of Political Science, Major: Political Science/Public Law; Minor: Black Studies.

Leadership and Public Service:

- Member of NIU Board of Trustees since December 2007; served as Board Chair (2013-2015; 2017); Board Vice Chair (2009-2011; 2015-2017); Chair of Finance, Facilities and Operations Committee (2015-2017); and Chair of Academic Affairs, Student Affairs, and Personnel Committee (2009-2011).
- Member, Board of Directors, Chicago Center for Urban Life and Culture, Chicago (since 2014).
- Presenter and participant, numerous disciplinary conference presentations at the National Communication Association Annual Conference and other disciplinary conferences (since 1994).
- As NIU Assistant Professor, served as the academic advisor for seven master's candidates and as committee member for eighteen master's candidates; coordinated numerous public forums and debates on issues of local community concern; served on the President's Commission on Sexual Orientation, Provost's Task Force on Multicultural Curriculum Transformation, and numerous search committees.
- Pro bono consulting in strategic communication for organizations involved in workforce development, child care, food distribution, litigation, grass-roots civil rights advocacy, and municipal elections.
- Served two terms as Student Regent, Illinois Board of Regents, 1992-1994.
- Member and served as president of Sigma Nu Fraternity, Theta Eta Chapter, NIU, 1989-1992.

Recent Awards & Recognitions:

- Distinguished Alumni Award, College of Liberal Arts and Sciences, NIU, 2014.
- Alumni Speaker, 1st Annual Lavender Graduation, NIU, 2010.
- Recipient, 15th Annual Eychaner Award, NIU Presidential Commission on Sexual Orientation and Gender Identity and Prism, 2009.

Publications:

- [with Philip Dalton] *Public Policy Argumentation and Debate: A Practical Guide for Advocacy* (New York: Peter Lang, 2015).
- [with Philip Dalton] "Getting Clipped: Denial and Masculinity Politics in the 2002 U.S. Senate Race in Montana," *Western Journal of Communication* 74.3 (May-June 2010): 226-248.
- "Transgender DeKalb: Observations of an Advocacy Campaign," *Journal of Homosexuality* 45 (2/3/4 2003): 277-296 (reprinted in: *Queer Theory and Communication: From Disciplining Queers to Queering the Discipline(s)*, Gust A. Yep, Karen E. Lovaas, and John P. Elia, Eds. (New York: The Haworth Press, Inc., 2003) 277-296.
- "Somalia and the Imperial Savage: Continuities in the Rhetoric of War," *Western Journal of Communication* 66.1 (Winter 2002): 1-24.
- "Carol Moseley-Braun's Day to Talk About Race," *Argument and Advocacy* 32 (Fall 1995): 62-74.



Major General (ret.) Randal E. Thomas, of Springfield, was appointed to the SIU Board of Trustees in May 2013. He served from 2003 to 2007 as the 36th Adjutant General of Illinois, the highest National Guard post in the state. He also served on the Illinois Executive Ethics Commission from 2008 to 2011. He currently serves as chair of the Board, chair of the Board's Executive Committee, member of the Board's Finance Committee, and member of the Board's Audit Committee. He also serves as the Board's representative to the Joint Trustee Committee for Springfield Medical Education Programs and to the State Universities Civil Service Merit Board, and the Board's alternate

representative to the Board of Directors, Alumni Association of Southern Illinois University Edwardsville.

A native of Glen Carbon, he is a graduate of Collinsville High School. Thomas earned a bachelor's degree in English from SIU Edwardsville in 1973, a master's degree in educational technology from SIU Edwardsville in 1980, and a master's degree in strategic studies from the U.S. Army War College in 2000. He and his wife Joanne met and were married at SIUE.

Thomas received his commission as an Infantry Officer in 1967, while serving in the Army from 1966 to 1969. He was awarded a Purple Heart and Bronze Star for valor for his 1968-1969 combat service in Vietnam with the Army Special Forces.

Prior to his appointment as Adjutant General in 2003, Thomas spent 30 years as an English teacher, librarian and media director at Hillsboro High School.

He was inducted into the U.S. Army Infantry OCS Hall of Fame in 2006 and the SIU Edwardsville Alumni Hall of Fame in 2011. He is a member of the SIU Edwardsville Alumni Association, the U.S. Army War College Alumni Association, Veterans of Foreign Wars, National Guard Association of US, and the National Guard Association of Illinois.

10k) Student Recruitment Project - Handout

Demonstration Project Update

• Sponsored Programs – University of Illinois Chicago

Approved at the May 2014 Merit Board Meeting for the period of *July 1, 2014 – June 30, 2017*, the project provides the university with a method to employ qualified candidates through the use of "qualified funds." Qualified funds may include federal, trust, foundation, corporate, or state grants. To ensure that funding is utilized to its fullest, filling open positions were needed to take place as quickly as possible. If not used during the assigned timeframe of the grant, substantial funds may be required to be returned to the funding source, jeopardizing research and staffing.

Regulatory guidelines and procedures have been temporarily adjusted to provide for an expanded interpretation of subsection 250.80(b)(1) of the Illinois Administrative Code to include the exclusive use of the Civil Service "Contract Appointment". This appointment restricts the employment relationship by funding source by limiting seniority and bumping rights to the funding source, as well as allow for position elimination due to funding limitations.

The program is due to expire June 30th. Monthly data reports are currently being requested and compiled for analysis to validate compliance with the provisions outlined in the Demonstration Project. This analysis will help determine what future rule revisions may be afforded to the University System to provide for additional Civil Service employment flexibilities.

• <u>Electronic Position Description System (EPDS) – University of Illinois at Urbana-Champaign</u>

Approved at the August 2016 Merit Board Meeting for the period of **September 1**, **2016** – **August 31**, **2018**, the project provides the university with an electronic position description platform in which they may be authenticated by supervisors and employees for Civil Service positions in the College of ACES. The goal of this program is to expedite the development and authentication of position descriptions utilizing electronic means.

No regulatory guidelines or procedures have been adjusted to provide for the implementation of this project. It is merely a test of the efficiencies of electronic job description development and update, consistent with requirements that already exist in the Classification Plan Management Procedures Manual, Section 2.2.

The program is due to expire August 31, 2018. Quarterly data reports are currently being requested and compiled for analysis to validate compliance with the provisions outlined in the Demonstration Project.

Student Employment Pathway Program (SEPP)

Approved at the August 2016 Merit Board Meeting for the period of *January 1*, 2017 – December 31, 2019, the project allows for university/agency employers and employing departments to consult with faculty and academic/placement counselors to place students and recent alumni in specific positions within the University System utilizing a modified Intern Appointment. In doing so, the program provides an opportunity to hire recent graduates or continue relationships with current student workers with the intent of further honing their skills in the Professional, Semi-Professional, Managerial, or Medical Services occupational areas.

Regulatory guidelines and procedures have been temporarily adjusted to provide for an expanded interpretation of subsection 250.70 of the Illinois Administrative Code to include the exclusive use of the Non-Status Civil Service "Intern Appointment". Specific emphasis for this project will be placed on hiring staff that are within one semester of graduation or recently graduated from formalized educational and training programs that include broad banded knowledge within the occupation designated.

The program expires December 31, 2019. Quarterly data reports are currently being requested and compiled for analysis to validate compliance with the provisions outlined in the Demonstration Project. Users of this program include the University of Illinois Chicago, Illinois State University, Western Illinois University, and Eastern Illinois University.

State Universities Civil Service System Policy Relating to Employee Benefits

WHEREAS the Civil Service ActStatute provides that "the Merit Board shall have the power and duty...

... To prescribe the range of compensation for each class or to fix a single rate of compensation for employees in a particular class; and to establish other conditions of employment which an employer and employee representatives have agreed upon as fair and equitable....

 $[\underline{\mathbf{I}}$ to] . . . take into account the rate of compensation generally paid for similar work in the locality in which the work is to be performed. . . .

... To recommend to the institutions and agencies ... standards for hours of work, holidays, sick leave, overtime compensation and vacation for the purpose of improving conditions of employment ... and ... insuring conformity with the prevailing rate principle.";

WHEREAS institutional representatives have expressed general concurrence with the principle uniformity in-benefits among institutions asis required to adhere to applicable Local, State, or Federal law, collective bargaining agreements, or board of trustee resolution or policy; desirable, and institutional representatives have expressed concurrence with this principle;

THEREFORE, BE IT RESOLVED that it is the judgment of the Merit Board that each of the governing boards, institutions, and agencies specified in Section 36e of the <u>ActStatute</u> should accord fringe benefits to its employees and develop administrative rules and procedures that comply with Federal and State law, as <u>applicable</u>. through adoption of the following benefit policies and develop administrative rules and procedures for uniform application of these policies throughout its organization.

I. HOURS OF WORK

A. Work Schedules

Each institution or agency shall report to the Merit Board the classes of employees for which it changes the hours of workweek. The Merit Board may recommend to the institutions and agencies standards for hours of work. (Amended and reinstated at Seventy-Third meeting of the Merit Board, September 27, 1977.)

B. Overtime Compensation

<u>Consistent with Local, State, and Federal law requirements, e</u>Employees non_exempt from the overtime provisions of the Fair Labor Standards Act_(FLSA) shall be eligible for overtime pay, and will be compensated at time and one-half for all time in a work week in excess of the number of hours of work comprising an established full-time daily or weekly work schedule___ whichever is greater, except, that for an employee paid on a prevailing rate basis, the number of hours before daily and/or weekly

overtime begins, and the rate of the employee's overtime pay, will depend on the number of hours and the rate being paid locally, pursuant to the appropriate multi-employer area agreement.

II. ELIGIBILITY FOR EMPLOYEE BENEFITS

Except as indicated otherwise below for prevailing wage rate groups, employee benefits will be made available to employees in status appointments. Included in this group will be those in appointments designed to qualify employees for status in the class, e.g., intern, learner, trainee, apprentice, and, where appropriate, provisional. Employees in other types of non-status appointments, such as Temporary or Extra Help, will not be extended employee benefits, except as otherwise designated by Executive Order or State/Federal Law-

Eligibility for benefits in relation to work, leave, layoff, or absence status shall be determined by each institution or agency. Rules for the uniform administration of each form of employee benefit shall be established by the governing board of each institution or agency or by an official to whom delegation has been made as needed to meet program requirements of the institution or agency.

III. HOLIDAYS

A. Employees other than Prevailing Wage Rate Groups

Eligible employees not in prevailing wage rate groups will be excused with full pay, except for necessary operations, on New Year's Day, Martin Luther King, Jr. Birthday, Memorial Day (as determined by the Law of the State of Illinois), Independence Day, Labor Day (first Monday in September), Thanksgiving Day, Christmas Day and on fourfive other holidays designated by the governing board of the institution or agency. These five other holidays may differ between institutions and agencies but shall be of commemorative or other significance as non-work days (e.g., legal holidays in the State of Illinois) and shall result in a reasonable distribution of holidays throughout the year. Days suggested for consideration are Lincoln Day (first Monday in February), Washington Day (third Monday in February), Good Friday, Columbus Day (second Monday in October), Veterans' Day, day after Thanksgiving, full day adjacent to Christmas, full day adjacent to New Year's. As designated by the governing institutions, additional holidays may be designated as appropriate to observe other holidays of significance.

B. Prevailing Wage Rate Groups

Eligible employees in prevailing wage rate groups will be excused from work on the holidays of the institution or agency, irrespective of whether the holiday is observed under the appropriate multi-employer area agreement if applicable. but will be compensated as follows:

- 1. If the holiday is recognized for other employers under the appropriate multi-employer area agreement the employee will be compensated in accordance with practice under that agreement.
- 2. If the holiday is not recognized under the appropriate multi-employer area agreement the employee will be excused without pay.

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3. Notwithstanding 1 and 2 above, each prevailing rate employee shall be extended the option of charging any unpaid holiday under 1 or 2 above to earned Vacation or Personal Leave accrued to the employee's credit on the date of the holiday.

C. Holiday Work

In the event that work is required of an employee on any holiday recognized by the employing institution or agency:

- 1. Employees in prevailing wage rate groups will be compensated in accordance with https://docs.org/news/https://docs.org/news/<a href="https://docs.org/ne
- 2. Other nonexempt employees, as defined by the Fair Labor Standards Act (including prevailing rate employees for holidays not designated in the appropriate multi-employer area agreement), in addition to regular compensation, will receive additional payment at the rate of time and one-half, or, if mutually agreed to, by time off at the rate of time and one-half.

D. Holiday on Non-work Day

For employees who normally work a Monday-through-Friday schedule, holidays which fall on a calendar Saturday will be observed on the preceding day, and holidays which fall on a calendar Sunday will be observed on the following day. Employees who normally work other than a Monday-through-Friday schedule, and who are not scheduled to work on a calendar holiday, will receive, as necessary operations permit, either (1) a scheduled work day off within two weeks of the recognized holiday, or (2) an additional day's pay at the regular rate.

IV. PAID LEAVE

A. Initial Probationary Period

<u>The EThat employees'</u> use of earned vacation (either days taken or paid days) during <u>the probationary</u> period <u>is to</u> be permitted, <u>subject to supervisory approval and operational needs</u>. If separation occurs during the probationary period, no penalty is <u>to be</u> imposed. (Approved by the Merit Board at its Ninety-First meeting, November 10, 1982.)

B. Vacation and Personal Leave

1. Each employee who is nonexempt under the Fair Labor Standards Act, and each employee who is exempt as an executive or administrative employee but who (1) is required to work a fixed shift and (2) receives overtime compensation if required to perform overtime shall earn Vacation and Personal Leave at the rate which is shown opposite the employee's service years in Schedule A.

Commented [LN1]: Should this say "shall accrue"?

SCHEDULE A

Years of Service		•				
At Least	Not More Than	Rate Earned Per Hour of Pay-Status Service (Exclusive of Overtime)	Approximate Leave Days Earned in One Year			
0	3	.0462	12			
3	6	.0577	15			
<6	9	.0692	18			
9	14	.0808	21			
14		.0962	25			

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2. Each employee who is (1) an executive, administrative, or professional employee as defined under the Fair Labor Standards Act, (2) not provided with a fixed or rigid daily and weekly schedule, and (3) required to discharge duties, the discharge of which usually requires a certain amount of flexibility in such schedule, shall earn Vacation and Personal Leave at the rate which is shown opposite the employee's service years in Schedule B.

Commented [LN2]: Should this say "shall accrue"?

SCHEDULE B

Ye	ars of Service					
At Least	Not More Than	Rate Earned Per Hour of Pay-Status Service (Exclusive of Overtime)	Approximate Leave Days Earned in One Year			
0	3	.0962	25			
3	6	.1000	26			
6	9	.1038	27			
9		.1077	28			

- 34. Based on mandated changes or compliance with Federal, State, and regulations, such as that contained within the terms of the Fair Labor Standards Act, and as applied to the definition of employees in section IV(B)(1) and (2), Paid Leave, an employer may allow an employee hired prior to the effective date of the mandated change the opportunity to continue accruing vacation on the same accrual schedule prior to the mandated change. (Approved by the Merit Board at its Two-Hundred and First meeting, August 17, 2016.)
- 4. An employee may accumulate at the employee's then current earning rate an amount of leave equal to that earned in two service years but upon reaching this accumulation will cease to earn leave except as the accumulation is reduced. Employees converting from principal administrative positions to a status civil service position may be allowed to transfer balances greater than the two year accumulation maximum. (Approved by the Merit Board at its Two-Hundred and First meeting, August 17, 2016.)
- 5. Institutions with present Vacation and Personal Leave plans which differ from the above shall move to these schedules after due notice to employees and shall place each present employee on the service year step of the above schedules that will most nearly preserve the employee's present earning rate of Vacation and Personal Leave.

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- 56.—Each institution shall issue appropriate rules and administrative procedures to assure that within the total amount of Vacation—and Personal Leave accumulated, and employer operations permitting, periods of up to one or two days at a time will be granted an employee for personal reasons upon request of the employee and without the need for advance planning. Longer periods of vacation shallhould be planned and scheduled by the institution after taking into account employee preferences.
- 67. Where there has been a break in service, the service year shall be computed as though all previous State service which qualified for earning of Vacation and Personal Leave benefits is continuous with present service, i.e., service during each separate period of employment, whether institution or other State service, shall be added together to arrive at total service. This provision is effective October 1, 1972. It applies to the future earning rate of eligible employees on the institution's rolls on this effective date as well as to those who enter or reenter institution service after that date. (Amendment approved and added by the Merit Board at its Fifty-Sixth meeting, October 30, 1972.)

C. Sick Leave

- 1. An eligible employee shall earn credit for Sick Leave with full pay at the rate of one work day for each month (23 days of service (.0462 per hour for each hour of pay-status service). The amount of leave accumulated at the time when illness or injury begins shall be available in full, and additional leave shall continue to accrue while an employee is using that already accumulated.
- 2. There shall be no limit in the amount of Sick Leave which may be accumulated.
- 3. An eligible employee may use accumulated Sick Leave only when an employee is ill or injured or obtaining medical or dental consultation or treatment. Each institution shall reserve the right to require acceptable evidence of disability, illness, or injury before allowing the use of Sick Leave.
- 4. Use of Sick Leave shall be for an illness, injury, or medical appointment of the employee, employee's child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent. The use of allowable sick leave-utilized for those listed above, except an employee, may be limited to an amount of what is accrued over a six month period if so listed in the employer's policy.
- 5. A former employee who separates in good standing and returns to employment within two years, shall have former accrued Sick Leave restored. (Paragraphs 4 and 5 approved and added by the Merit Board at its Eighty-Fourth meeting, June 11, 1980.)

Commented [LN3]: Must be consistent with new State/Federal Laws. Add specific language.

D. Funeral Leave

- 1. Approval, with pay, will be granted to an eligible employee for a leave of up to three work days for the death of a member of the employee's immediate family, household, in-laws, and/or grandparents of immediate family; and of one day to attend the funeral of a relative outside the employee's immediate family or household.
- 2. Immediate family is defined as: father, mother, sister, brother, spouse, and children. In-laws are defined as: mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, and daughter-in-law. (Amended and approved at the Seventy-Third meeting of the Merit Board, September 27, 1977.)

E. Jury Duty

1. An eligible employee shall be granted a leave of absence without loss of pay when called for Jury Duty service.

F. Military Training

1. Leave of absence with pay shall be granted in accordance with the Military Leave of Absence Act (5 ILCS 325/1) to an eligible employee for military training who is a member of any reserve component of the United States Armed Forces, including the Illinois National Guard. The length of the leave with pay for training will not exceed standards established by federal or state regulations for training activities required to maintain standing in the above military units. During leaves for military training, the employee shall be eligible for compensation and benefit programs in accordance with applicable state and federal regulations.

G. Mobilized to Active Duty

1. Leave of absence with pay shall be granted in accordance with the Military Leave of Absence Act (5 ILCS 325/1) and Section 36g of the State Universities Civil Service Act (110 ILCS 70/36g) to an eligible employee who is a member of any reserve component of the United States Armed Forces, including the Illinois National Guard or Illinois State Militia who is mobilized to active duty. During leaves for active duty, the employee shall be eligible for compensation and benefit programs in accordance with applicable state and federal regulations.

H. Returning from Military Leave

In accordance with provisions of the Service Men's Employment Tenure Act, the Military Selective Service Act and the Employment and Reemployment Rights of Members of the Uniformed Services Act, an employee returning from leave for military service will be restored to the position of employment which the employee left, with the same increases in status, seniority, and wages that were earned during the term of military service by employees in like positions, or to a position of like seniority, status, and pay, unless the University's circumstances have so changed as to make it impossible or unreasonable to do so, or if the employee's position was temporary. Reemployment of Civil Service employees in provisional

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appointments will also be subject to Section 250.70(b) of the State Universities Civil Service Statute and Rules concerning conditions for provisional appointments.

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Employees returning from leave must have received a certificate or other evidence of honorable discharge or satisfactory completion of military service, and must make application for reemployment within 90 days after being relieved from military service, or from hospitalization continuing after discharge for a period of not more than one year.

Employees must be still qualified to perform the duties of the position of employment from which leave was taken. If, as a result of military service, the employee is not physically or mentally qualified to perform the duties of the former position, the employee will be restored to a position for which he or she is qualified and able to perform the duties and which will provide the similar seniority, status, and pay, or the nearest approximation thereof, consistent with the circumstances of the case. Restoral to such a position is not required if it would cause undue hardship to the University.

IH. Excused Absence

1. Rules providing for excused absence with pay shall be issued by the governing board of each institution or agency or by an official to whom delegation has been made as the institution or agency determines to be in its best interest. Reasonable limitations on such excused absences shall be included.

IV4. TRANSFER OF BENEFIT CREDITS

1. A current status employee within the System who is selected for employment by another institution within the System and enters on such employment without break in service will be (1) credited by the hiring institution with that amount of accumulated Sick Leave which the employee had credit on the last day of service with their previous System employer and (2) granted eligibility by the hiring institution to earn future Vacation and Personal Leave benefits based upon the employee's total continuous service to a previous System employer as computed by that employer.

V. -EDUCATIONAL BENEFITS

1. Tuition and fee waiver shall be granted by each institution to an eligible employee of that institution or of any other institution or agency named in Section 36e of the Civil Service Act Statute who enrolls in courses up to the following maxima in any semester or quarter.

Full-time employee....... 6 hours or 2 courses 3/4-time employee...... 4 hours

1/2-time employee...... 3 hours

Commented [LN6]: Each campus has different maximums.

2. These maxima are employee benefit limitations and do not apply to enrollment in approved work-related training programs; the purpose of which is to improve University services. The fees which will be waived include registration fees and admission fees, and, in the case of an institution's own employees, no charge will be made for service type fees such as those imposed to secure revenue for bond retirement, etc. These latter (i.e., service type) fees will not be waived for an employee of another institution. Employees may enroll for class work during regular working hours for only one course and only as approved by their supervisors and then if the course is only offered during working hours. When such permission is granted the employee will make up time (1) working outside of the employee's regularly scheduled hours as approved by the employee's supervisor or (2) deducting the time spent in class from the employee's accumulated Vacation and Personal Leave. A student as defined in Rule 250.70(f)(3) is not eligible for a status appointment and may not be granted tuition or fee waivers as an employee benefit.

Commented [LN7]: Campuses typically do not waive fees.

The effective date of this Policy shall be July 1, 2017 September 1, 2017

Updated September July 1, 2017