

STATE UNIVERSITIES CIVIL SERVICE ADVISORY COMMITTEE QUARTERLY MEETING

12:30 p.m. on Thursday, July 18th and 9:00 a.m. on Friday, July 19th, 2019

hosted by Northern Illinois University at the Holmes Student Center

located at 340 Carroll Avenue, DeKalb, IL. 60115

Chair Odom called the meeting to order at 12:31 p.m. on July 18th, 2019. Roll call was taken and a quorum was present.

Present: Chris Allen, Shauna Bishop, Michael DiIacova, Shari Garnett, Gary Gilpin, Chris Hays, Andrea Hoskinson, John Hulseberg, Sheryl Jones-Harper, Rick Marr, Mark Murphy, Jill Odom, Mary Schultz, Peter Skrypkun and Jeff Young.

Absent: Bill Burnside, Jacqueline Pointer, Michael Pulley and Dan Urbanski

Designated Employer Representative (DER) of Host Campus:

Celeste Latham - Associate Vice President for Administration and Human Resource Services

Pulchratia Smith - Director for Employee Services

Celeste Latham and Pulchratia Smith discussed how there were rumors, speculation and lots of miscommunication about the Civil Service conversion process. HR is working to clarify myths about the conversion. NIU has converted about 50-100 positions. One leading benefit of A&P is the sabbatical leave. A&P's can get it but Civil Service cannot, so they're not happy about losing that benefit. This has not been a smooth transition/process by any means. Each situation is unique and some cases are harder than others. They have about 5 years of auditing data to consider as well. NIU has a Civil Service Council and Supportive Professional Staff (SPS) Council. A unified council could help in the shared governance process and squash the rumors and myths about Civil Service or SPS.

There are 17 unions on CS and 2 faculty unions.

1,503 CS employees at NIU. 650 SPS employees. (includes VP's and deans)

If it's CS and off campus, it's a contract appointment when hiring a grant funded employee.

The IT department has the largest influx of grant funded positions.

Universities will be depending more and more on non-state funding. So the topic of grant funded positions is something that the NIU DER's are concerned about and really would like to discuss and elaborate with EAC about.

12:50 p.m. DER's leave

Introduction of Guests:

Gail Schiesser, Legal Counsel – SUCSS

Public Comments: None

Review of Correspondence: None

Approval of minutes of the April 2019 meeting: Michael DiIacova motioned to approve the April 2019 minutes as amended. Chris Allen seconded the motion. A roll call vote was taken and the motion was carried.

Chris Allen	Aye		Sheryl Jones-Harper	Aye		Jeff Young	Aye	
Shauna Bishop	Aye		Rick Marr	Aye				
Bill Burnside		Abstain	Mark Murphy	Aye				
Michael DiIacova	Aye		Jill Odom	Aye				
Shari Garnett	Aye		Jacqueline Pointer		Abstain			
Gary Gilpin	Aye		Michael Pulley		Abstain			
Chris Hays	Aye		Mary Schultz	Aye				
Andrea Hoskinson	Aye		Peter Skrypkun	Aye				
John Hulseberg	Aye		Dan Urbanski		Abstain			

Report of Chair: Jill Odom (no formal report)

Jill wanted to know how everyone felt about our last meeting with the Merit Board. Jill Smart is currently serving as chair of the Merit Board. MB still missing 3 members: ISU, GSU and WIU. In August, there should be an election at their next meeting to elect a vice chair and possibly chair if Smart decides she no longer wants to serve as chair. They have no executive committee right now. Having MB members Barr and Jakobsson present at our last meeting was a great and eye-opening experience. It's a shame we lost Barr since we had just opened those lines of communication and were beginning to build that relationship. We should invite MB members to our October meeting. Gail suggested inviting whoever the hosting MB member is wherever we're having our meetings. We can even invite the congressman. We'll probably have to do a Policy and Procedures for the grant funded issue once that is all settled. Changing the actual act that's in place right now would be too hard, that's why making a guideline for how things would work would make more sense. We are an "at will" state. CS and unions don't help this. Gail strongly encourages having congressman and/or senators to join us at our meetings so they know who we are.

Report of Executive Committee:

No action was taken in terms of the approved recommended changes to the SUCSAC Constitution and Bylaws. No changes were made, therefore no further action needed to be taken. The minutes from the June 6th, 2019 meeting were approved.

Report of Election Committee:

The minutes from the June 6th, 2019 meeting were approved. Jeff Young will be leaving in mid-August to work for Homeland Security in Ft. Meyer, FL. A motion was made and approved to hold a special election for his position instead of waiting until October to fill it.

Report of Legislative Committee:

Hasn't met but here's an update!
 SB1952 – Employer pension increase
 Employer pays 3% towards the retirement fund for teachers.
 Last sent to Governor in June 2019.

STEM bill might die out. It passed the Senate and has been sitting in the House since May.
SB1309 – Uniform admissions process is dead in the water
HB2691 – Keep students in state
 Now a Public Act and is involved with MAP funding.
SB2091 – This one died out too.
7201ILSCS570/1 – Recreational marijuana bill
 25% of revenue to impoverished communities
 Will expunge nearly 800,000 records.
110ILCS1164 – Smoke free campus act.

Report of SUCSS Executive Director: Jeff Brownfield (*Given by Gail Schiesser*)

Principal Administrative Appointments Update:

The process is continuing. It's going about as well as it could be. Audit is on hold since Cindy is gone. NIU has done a good job converting SPS to CS.

Merit Board Update:

They're missing 3 members to complete their board. Their next meeting is August 29th.

Grant/Soft Funded Employees:

No real news here. It's still where we left it the last time we discussed it. Different campuses want different things. EAC has lots of questions and concerns about it. There is no forward movement on this. The Act itself is old. It's from the 1950's. We haven't received any updates from Jeff about this. He had mentioned that he wanted us to have a position statement on this topic by this meeting. There's a smaller group within HRDAC that is more involved with this. Can we get back to a more collaborative working environment with HRDAC again? The topic of grant funded employees in itself is still a topic that's in progress and is a discussion that is ready for more work. The System Office not looking to present anything at the Merit Board meeting about this. EAC and HRDAC look at this from different perspectives.

Agency Budget Update:

The budget was passed. They received what they submitted. They're looking to add another employee in the classification area so things don't get stalled there.

Class Plan Update:

It's online on their new website. Their site is essentially the same in the sense that everything is where it was. Everything is horizontally instead of vertically.

Governance Risk & Compliance Audit Update:

The System Office is in the process of looking for a new auditor. This has put them behind. Last time, universities were audited through whatever the closing period was. For audits, this gave them a big audit window. Moving forward, they will be looking more at the newer stuff rather than the older stuff.

Staffing Update:

The System Office is looking for a new auditor and an employee for classifications. They have 1 person on maternity leave right now.

Legal Update – New Rules per HB3185:

In place and rolling.

E-Test Conversion:

If anyone is having problems with E-Test, they should talk to Bob.

Discharge Process Update:

Working on modifying rules for the discharge process. Gail has dealt with 6 or 7 discharges since she's been with the System Office.

What's a dischargeable offense and what is not?

They want a clear statement of why this person is being discharged. (pg. 3b)

What the timing requirements are?

→ pg. 4 lays this out

Written and oral argument

→ Make sure if you're representing someone, you do both. Don't miss out on the final oral argument. (pg. 6)

Universities providing police officers at hearings

→ The greyed out areas are stuff that's been moved around. This whole thing is cleaner and clearer to understand. (pg. 9)

Jeff is a risk averse director which why their doors are locked.

Gail and the MB want to see a fair process.

Having these rules be clearer will help everyone in the end.

Is this guy doing the job that he was hired to do?

Who determines what is doing things in a competent and satisfactory manner?

"additional duties as assigned" vs "not performing satisfactorily"

HR directors hate discharge process because it's arbitrary. They prefer progressive.

You have to have *just cause* to discipline and/or discharge,

What *just cause* reason are you disciplining me under?

Training record and record of discipline needs to be provided. You have to create a trail that the MB can follow.

This is the 2nd revision right now. The System Office meets with HRDAC next week and they'll look at it. Then it goes to JCAR. We're not creating any new processes or timelines within that particular rule. It's just making it a more straightforward process for employees.

You are not discharged until the MB says so. Only the MB has the authority to discharge. Why doesn't HR let employees know that the MB has the final say in them being discharged?

A discharge hearing is a trial. The discharge hearing is a trial because your job is on the line on that day. People treat it like it's a meeting, when it really isn't. Make sure you lawyer up and get your defense. There are about 12 discharges annually.

The System Office has required a request for a Director's Review based on racial discrimination. If the System Office says no, then they can appeal to the MB.

ISU doesn't do negative discipline anymore. (no suspensions)

Campuses don't enforce and train supervisors like they should.

The System Office needs to understand where both EAC and HRDAC are coming from on this topic.

EAC is the advisory group to the MB, but the HRDAC seems like they're the ones that actually have the MB's ear and are actually the advisory board to them, not us. This is the overall feeling from EAC that the MB doesn't really listen to what we have to say. Gail said she takes us very seriously. The System Office is the oversight organization. Jeff is a very collaborative person. All of what the System Office does is done by the MB.

Civil Service Appeals Committee

- WIU has it
- based from CSC
- EAC rep has to sit in on the process
- the opinion/result goes to the President of the university and they decide
- unions have nothing to do with this
- you can forgo union rules and go by the CS process

Rick leaves at 3:27 p.m.

FY19

- 54 written discharges
- 16 requested a hearing
- 2 settlements before hearing
- 2 resignations before hearing
- 1 discharged because employee didn't show up to hearing
- 1 employee requested to withdraw from hearing
- 8 matters still pending

Grievance committees on campus

- Why don't all campuses have them?

If it's in your policy, it should be a regular thing.

It's hard to restore trust when it's been violated repeatedly.

The electrician test was compromised at SIUE. Their test is open book, so you can use the code. The test has since been taken offline and the registers were taken offline. Anyone hired is provisional. There is a temporary test until they come up with a new permanent test.

Motion to Adjourn: Peter Skrypkun **Seconded by:** Shari Garnett

The meeting adjourned at 4:02 p.m.

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Chair Odom called the meeting to order at 8:58 a.m. on Friday, July 19th, 2019. Roll call was taken and a quorum was present.

Present: Chris Allen, Shauna Bishop, Michael DiIacova, Shari Garnett, Gary Gilpin, Chris Hays, Andrea Hoskinson, John Hulseberg, Sheryl Jones-Harper, Mark Murphy, Jill Odom, Jacqueline Pointer, Mary Schultz, Peter Skrypkun and Jeff Young.

Absent: Bill Burnside, Rick Marr, Michael Pulley and Dan Urbanski

Council of Councils:

Members need to make sure they have their rooms secured by the end of August for the upcoming the upcoming Council of Councils in October at UIC. Jill will send out info for this again. Mark is checking to see if there is another hotel option. He will also check with Mariola to see who is actually registered. There is an issue involving registration. No one has been receiving a confirmation email saying that they were registered. Does it show up on their end? We will have our meeting on Wednesday at 12:30 p.m. and Thursday at 9:00 a.m. Mike said he got funds to provide us with breakfast and lunch on Thursday and was also able to secure parking passes for us. Legislative, Election and Executive committees might meet earlier on Wednesday before our meeting. It will be up to Peter and Pulley. Looking at the future we need to start figuring out who is hosting Council of Councils moving forward. NEIU is curious to host since they haven't done it in a long time.

Introduction of Guests:

Gail Schiesser, Legal Counsel – SUCSS

Report of SUCSS Executive Director: Jeff Brownfield (cont.) (Given by Gail Schiesser)

Jill asked the Merit Board if we could get measured metrics on the PAA conversion process. Universities are not providing information like this. The Office of Executive Inspector General (OEIG) was concerned about the overall number of PAA positions. Union contracts do not supersede the Civil Service Act. If we see something on our campuses that is a violation of the law, we should be contacting the System Office. Some of the campuses have started to overly use the concept of custom classes in an attempt to bypass or create a loophole for the PAA conversion.

Encouraging that the metrics be required along with the process should be a thing. There is no reason that these metrics shouldn't be provided by HR offices on our campuses. They already provide reports to the state. It's just a matter of picking and choosing what data you want pulled out of the system to be reports. (i.e. Banner) Quarterly reports should be done on this. How many 36e positions are on campus?

GSU has no Board of Trustees at the moment. Their BOT was pulled like WIU's. The only member that was left was the student representative, but their term ended.

Section 250.70b. Provisional Appointments

Electrician's Test → When the exam becomes available again, they have to pass the new exam in order to stay in that classification. There is a temp test in place at the moment, which is primarily a qualifications assessment.

GSU – When the Clerk series merged with the Office Support series, employee's union dues deductions had seized. They stopped coming out of their paychecks as if they were no longer in the union.

Guests arrive at 10:00 a.m.

Introduction of Guests:

Sarah Klaper – University Ombudsperson at NIU

Catherine Doederlein – Director for Internships and External Relations, Academic Affairs and President for the Supportive Professional Staff Council at NIU

Sarah Klaper says that a lot of her constituents are students but she is seeing more faculty and staff now. She lays out options for what can happen in a situation. She'll inform people who they might need to see and what would be next in the process for them. She's neutral and does not represent anyone. She helps people have a voice and figure out how people can be their own best advocate. She will advocate for fairness and equity and advocates on policy.

The ombudsperson does not report to HR. She reports directly to the President. She has an Administrative Assistant and a Graduate Assistant. The Grad Assistant sees undergrad students. Their office saw 846 people last year. This year is the 50th anniversary of having an ombudsperson here at NIU. In 1969, it began as a part-time rotating position. Tim Griffin solidified this position when there was a protest on campus that helped to make this a permanent position. They are not representatives of their constituents. They can support them and that is it.

Having an ombudsperson is helpful in reducing liabilities. Having someone in a neutral position is nice. How come more campuses don't have this? Only NIU and NEIU have an ombudsperson on their campuses.

Catherine Doederlein says there are 48 individuals that make up the Supportive Professional Staff (SPS) Council. There are 24 voting members and 24 alternates. Their overall numbers have gone down due to the PAA conversion. Their council is their only voice since they are non-union. The SPS on their campus are struggling with identity and culture because of the shift from faculty no rank → SPS → CS. Their council works to make sure that the conversion process is communicated properly to their constituents.

SPS Council has subcommittees

- Advocacy Committee
- Events Committee
- Awards Committee
- Committee for discussing Policies/Benefits

Shared Governance

There's a difference between being informed and being inclusive.

There's been a huge culture shift on their campus. The staff have much more of a voice on campus now than they have in the past. In the past, it was all about the faculty and that was it.

The civil service employees on their campus have their own council which is known as the Operating Staff Council. There are 16 people on the OS council. There are about 1,500 Operating Staff and about 600 SPS on campus. The number of faculty doesn't even equal to ½ of the Operating Staff. The Operating Staff have a Personnel Advisor position which is for representation of employees, especially those who are non-union/non-represented. There are personnel advisors for faculty, SPS and OS. That person is from their respective constituency.

SPS was concerned about losing benefits, etc. through the PAA conversion process. HR put out a list of FAQ's for employees and held town halls about it. The concept of open communication is key and helps boost morale.

People were angry at 1st about the whole conversion process, but as stuff was communicated more and more, people were more at ease. There is a general thought or consensus that they're trying to do away with SPS. HR has 4 people working on this. These 4 people are in charge of reviewing each and every position.

→ In 2012, there were over 900 SPS employees.

→ In November 2018, there were 711 SPS.

→ A month and half ago, there were 620 SPS. So they're probably around 600 now.

All of their advisors shifted to Civil Service. Some will be shifting back to SPS though. This is causing confusion among their Academic Advisors. NIU is reorganizing their advisors. Has the System Office been contacted about this?

10:50 a.m. guests leave

10:54 a.m. break for lunch

11:14 a.m. back from lunch

SURS Pension Buyout Program:

Discussion about budget through SURS. Buyout and rollover. It's a way for SURS to not have to pay annuity/health insurance. Talk to a financial advisor! The compounded COLA that those Tier 1 retirees are receiving is great. Larry Curtis should be there for the Council of Councils. Maybe he can come speak to us during our meeting on Thursday.

Discharge Process Update:

There is no timeline on the discharge changes. The changes that are being made deal with structural changes, not content.

HRDAC objects to having a police officer present at discharge hearings. They also wanted to have the 45 day requirement be extended. It's the employee's 45 days. The hearings are held on campus. State Police have jurisdiction everywhere, therefore if the campus doesn't want to provide a police officer, the State Police can step in. Their job is to protect Illinois State Employees. Would you rather provide a police officer or clean up the mess?

List of "Working Topics" for Merit Board Chair:

A list was passed out. Look it over. The topic list for the MB is a working document. Some of these topics are specific to certain campuses. Let's fine tune this list!

- Pay ranges are set by the universities, not SUCSS.

- Every administrator everywhere reports to the BOT. The BOT's are public bodies. Everyone is concerned about salaries. This is an important topic.
- Layoff vs. "Temporary layoff"
- "Temporary layoffs" do not exist. (WIU and EIU are doing this.)
 - There are about 10 people currently impacted by this at WIU and about 11 at EIU. They were allowed to collect unemployment.
- SUCSS doesn't track employees. Layoff paperwork goes to SUCSS. If paperwork goes to SUCSS and you're "rehired" after the so-called "temporary layoff", why is this not being tracked?
- Temp layoff → then reinstated
- Universities are making their own interpretation of what a layoff is.

12:12 p.m. Jeff Young says goodbye and leaves us

It is unfortunate that we lost MB member Barr since we just had him at our last meeting. We can still build on our relationship with Jakobsson.

→ Mark heard back from Mariola and she said she'll try to get a block of rooms reserved at the Holiday Inn. Also, no confirmations were emailed when you registered for the Council of Councils. They will be sent out at a later time.

EAC Calendar:

January 2020 – System Office

April 2020 –

July 2020 –

October 2020 – SIUSOM (*our meeting would be Oct. 21st and 22nd with the 23rd Annual Council of Councils on the 23rd*)

We will set the dates for next year in January.

Would they be willing to do a joint HRDAC meeting?

Retreat with the Merit Board? And HRDAC?

This would be nice, but would it ever really happen?

Motion to Adjourn: Michael DiIacova **Seconded by:** Mark Murphy

The meeting adjourned at 12:23 p.m.

Respectfully submitted,

Mary Schultz
Mary Schultz, Secretary

Jill Odom
Jill Odom, Chair