



**CLOSED MINUTES OF THE TWO-HUNDRED AND ELEVENTH  
EXECUTIVE SESSION MEETING OF THE  
UNIVERSITY CIVIL SERVICE MERIT BOARD –  
January 17, 2020**

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**State Universities Civil Service System (University System) Office  
1717 Philo Road, Suite 24  
Urbana, Illinois 61802  
&  
(Video Conference)  
University of Illinois at Chicago  
Human Resources Building  
Room 201D  
715 South Wood Street  
Chicago, Illinois**

Members present at the primary meeting location were: Naomi Jakobsson, representing the University of Illinois; and Joseph Dively, representing Eastern Illinois University.

Members present at the Chicago video conference location were: John R. Butler, representing Northern Illinois University; Pedro Cevallos-Candau, representing Governors State University; Sherry Eagle, representing Northeastern Illinois University; and Julie Jones, representing Illinois State University.

Member present by audio conference was: John Simmons, representing Southern Illinois University.

Member absent was: Jill Smart, representing the University of Illinois; Stuart King, representing the University of Illinois; Kisha Lang, representing Western Illinois University; and Miriam Mobley Smith, representing Chicago State University.

Also present were: Jeff Brownfield, Executive Director; Gail Schiesser, Legal Counsel; and Teresa Rademacher, Secretary for the Merit Board.

The purpose of Executive Session was to discuss the discharge proceedings for Chumita Underwood, Discharge Case No. UIC-19-17 which is allowable under the Open Meetings Act, Section 2(c)(4), 5 ILCS 120/2(c)(4).

Chair Jones called the closed session to order at 1:30 p.m.

Dr. Eagle asked if Ms. Underwood would be reinstated with a 120-day suspension would she receive back pay and the response was yes. Mr. Dively stated that he felt there was a repeated pattern on multiple violations by the employee and he would be in favor of discharge and would vote against a reinstatement. Ms. Jakobsson confirmed that she was also in favor of discharge due to the employee having multiple opportunities and she had let the employer down multiple times. If the employee was reinstated the employer would still be wondering if the employee would ever show up to work. Mr. Simmons stated that he would uphold the Findings of Fact and would vote in favor of discharge.

Mr. Butler expressed concerns surrounding the concept and the idea of job abandonment and that the employee might have thought she was on medical leave. He was unsure if and though that Ms. Underwood did not see the University of Illinois at Chicago (UIC) attempting to determine if the employee's competency may have interrupted her capacity to understand. However, he also does not see that this is a flaw in UIC's system and that the process was fair.

Mr. Cevallos-Candau was concerned if the employee actually understood what "warnings" meant. Chair Jones stated that it may be pertinent if the employee understood, but the job of the board is to follow the rules and it would have been unfair to hold the employer to a standard of doing something not required of them.

Mr. Dively stated that per the record, Ms. Underwood acknowledged that she was aware of the policy and understood what was required of her. Chair Jones agreed that Ms. Underwood had acknowledged when calling in sometimes when she was on FMLA and sometimes when she was not in the record and when she testified at the last board meeting in December 2019.

Mr. Simmons stated that it was the job of the Hearing Officer to determine the employee's capacity to understand and the board needed to go by the hearing record.

Ms. Schiesser stated that the board was bound by law to base its decision strictly on the hearing record. If the employee is competent to accept the job, vote, drive, then there is no evidence that the employee is incompetent in any way. It is beyond the record to ask if the employee understood. Mr. Butler disagreed and stated the record showed Ms. Underwood thought she was on leave.

Ms. Jakobsson made a motion that the board go back into Open Session. Mr. Butler seconded Ms. Jakobsson's motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

The Merit Board went into Open Session at 1:49 pm.

The board went back into Closed Session to discuss security issues which is allowable under the Open Meetings Act, Section 2(c)(8), 5 ILCS 120/2(c)(8).

Chair Jones called the meeting to order at 1:54 p.m. and as stated above the following persons were in attendance.

Mr. Brownfield stated that the board had had some security concerns at the last meeting of the board which was held in December 2019. Mr. Brownfield stated that a few UIC police officers were present at this meeting to provide an overview of the security that Police Officers could provide for board meetings.

Captain Stan Grice, of the University of Illinois at Chicago Police Department, provided information related to the security that is provided for public meetings. Police Officers are often present and in addition, plainclothes police officers trained in low-level surveillance could be present to mingle within the crowd or in an adjacent room. He stated that if the board put in place a “no bag” policy, no one could carry a bag in the room to avoid any type of judgment on any person. He also stated that Police Officers are not allowed to perform pat-downs in the context of meeting security, only security persons are allowed to perform those actions.

Chair Jones stated that if there was a concern, then security would need to be at all locations to provide uniformity.

Mr. Butler asked if the State Universities Civil Service System (University System) could inquire about a threat assessment when they felt there was a potential problem with someone presenting public comments or facing discharge.

After discussion, Mr. Brownfield stated the University System will look at possible language to be presented to the board at a later date regarding security options for future board meetings.

Ms. Jakobsson made a motion that the board go back into Open Session. Dr. Cevallos-Candau seconded Ms. Jakobsson’s motion. In accordance with the Merit Board Bylaws, a voice vote was taken and the motion carried.

The Merit Board went into Open Session at 2:15 pm.

Respectfully submitted,

*/s/ Teresa Rademacher*

Teresa Rademacher  
Secretary for the Merit Board

APPROVED:

*/s/ Julie Jones*

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Julie Jones, Chair  
University Civil Service Merit Board

May 14, 2020

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Date