



STATE OF ILLINOIS

OFFICE OF THE AUDITOR GENERAL

MANAGEMENT AUDIT

**MANAGEMENT POSITIONS
IN THE EXECUTIVE BRANCH**

APRIL 2013

WILLIAM G. HOLLAND

AUDITOR GENERAL

SPRINGFIELD OFFICE:
ILES PARK PLAZA
740 EAST ASH • 62703-3154
PHONE: 217/782-6046
FAX: 217/785-8222 • TTY: 888/261-2887
FRAUD HOTLINE: 1-855-217-1895



CHICAGO OFFICE:
MICHAEL A. BILANDIC BLDG. • SUITE S-900
160 NORTH LASALLE • 60601-3103
PHONE: 312/814-4000
FAX: 312/814-4006
FRAUD HOTLINE: 1-855-217-1895

OFFICE OF THE AUDITOR GENERAL
WILLIAM G. HOLLAND

*To the Legislative Audit Commission, the Speaker
and Minority Leader of the House of Representatives,
the President and Minority Leader of the Senate, the
members of the General Assembly, and the
Governor:*

This is our report of the Management Audit of Management Positions in the Executive Branch of State Government.

The audit was conducted pursuant to Legislative Audit Commission Resolution Number 141. This audit was conducted in accordance with generally accepted government auditing standards and the audit standards promulgated by the Office of the Auditor General at 74 Ill. Adm. Code 420.310.

The audit report is transmitted in conformance with Section 3-14 of the Illinois State Auditing Act.

A handwritten signature in blue ink, appearing to read "William G. Holland".

WILLIAM G. HOLLAND
Auditor General

Springfield, Illinois
April 2013



STATE OF ILLINOIS
**OFFICE OF THE
AUDITOR GENERAL**

William G. Holland, Auditor General

SUMMARY REPORT DIGEST

MANAGEMENT POSITIONS IN THE EXECUTIVE BRANCH

MANAGEMENT AUDIT

Release Date: April 2013

SYNOPSIS

Legislative Audit Commission Resolution Number 141 required the Office of the Auditor General to accumulate information on agencies' management positions along with information about managers' organizational unit, job title, and function. We were also to determine whether these managers supervise, are exempt from the Personnel Code, and are covered by a collective bargaining agreement. We collected information on management positions by reviewing data from the Department of Central Management Services (CMS) and by surveying State agencies. The 49 agencies we surveyed reported that 6,423 of 50,498 (13%) employees were management positions. We defined management positions as manager and supervisor positions, using definitions of those terms in the Illinois Public Labor Relations Act. Our survey's instructions noted that for the purposes of the survey, whether an employee is a manager or supervisor may not correspond to determinations that have been made to allow a position into a union.

- Of the 6,423 managers, 811 managers (13%) were completely exempt from the Personnel Code and 1,047 (16%) were partially exempt from the Personnel Code.
- There were 4,613 managers (72%) who were covered by a collective bargaining agreement and 1,735 (27%) who were Rutan exempt.
- There were 5,447 managers who supervised an average of 6.5 employees. That average is based on the 85 percent of managers (5,447/6,423) who supervised employees.

In analyzing survey data from agencies, we identified several issues relating to employees who were classified by their agencies as **non-managers** but had characteristics that could indicate that they were **managers**:

- Agencies identified 43 employees as non-managers who had a 4D3 exemption from the merit and fitness requirements of the Personnel Code. These exemptions are for employees who help to determine or carry out policies, and therefore should be managers.
- There were 702 employees that were identified by agencies as non-managers who were in Rutan exempt positions. Rutan exempt employees who carry out policy should be managers.
- There were 1,400 employees that were identified by agencies as non-managers who had direct supervisory authority.
- There were 907 employees in the Public Service Administrator title and 46 employees in the Senior Public Service Administrator title that were not considered managers by their agencies.

The audit contained five recommendations, including that CMS should review and revise the State's classification plan to address the issues identified in this audit.

In its response to the audit, CMS raised some issues with the survey instrument and the methodology used in the audit. **In an auditor's comment, the auditors note that prior to sending the survey instrument out to the agencies, auditors shared the instrument with CMS, asked for their input, and made changes based on CMS' suggestions.**

FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

BACKGROUND

Legislative Audit Commission Resolution Number 141 directed the Auditor General to conduct an audit of management positions in the Executive Branch of State government. The resolution asked that we accumulate information from agencies on their management positions along with information about managers' organizational unit, job title, and function. It also requested information on whether these managers supervise, are exempt from the Personnel Code (Code), and are covered by a collective bargaining agreement.

We collected the information by requesting data from the Department of Central Management Services (CMS) which maintains some of this information for Code employees and by surveying State agencies. To identify potential managers to include on surveys, we reviewed just over 1,000 CMS position title descriptions and identified 254 titles as potential managers based on our review and considering management functions like involvement in developing or implementing policy and involvement in supervision of staff. Our survey asked agencies to confirm data provided for Personnel Code positions, provide some additional information for those positions, and asked for information on all managers who were exempt from the Personnel Code (non-Code).

"Manager" is an individual who is engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of management policies and practices.

Because manager and supervisor are closely linked, we included both in our definition of management position provided to State agencies (see inset for definitions). These definitions come from the Illinois Public Labor Relations Act. Our survey's instructions noted that for the purposes of the survey, whether an employee is a manager or supervisor may not correspond to determinations that have been made to allow a position into a union. If an employee carries out the functions in the definitions, then he/she should be considered a manager or supervisor for the survey.

"Supervisor" is an employee whose principal work is substantially different from that of his or her subordinates and who has authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, to adjust their grievances, or to effectively recommend any of those actions, if the exercise of that authority is not of a merely routine or clerical nature, but requires the consistent use of independent judgment.

In addition, we noted to surveyed agencies that consideration should also be given to whether the employee has a 4D partial exemption from the Personnel Code or has a Rutan exemption, which suggests that they may be managers. Because of the additional items we asked agencies to consider in determining whether employees are managers for our surveys, the designations may not correspond to decisions of the Public Labor Relations Board or the courts.

Given the number of agencies that we surveyed, and the large volume of data we compiled, it was not possible to independently verify all information provided. For example, agencies answered questions about whether employees were managers, how many people they supervised, and whether those employees were supervised by someone else. We relied on the agencies' reporting of management status and reporting responsibility with verification to other sources when questions or conflicts arose. We also followed up with agencies to better understand

conflicts or complex information. Considering these data limitations, we believe that the evidence obtained provides a reasonable basis for our findings and conclusions related to the management positions in State government as described in our audit's objectives.

(pages 4 - 11)

Of a total of 50,498 employees reported by the 49 agencies we surveyed, agencies indicated that 6,423 were management positions based on our definitions.

Of a total of 50,498 employees reported by the 49 agencies we surveyed, agencies indicated that 6,423 were management positions based on our definitions. Overall these managers represented almost 13 percent of reported total employees for those agencies. For this report, employees who were identified as managers/supervisors by their agencies are referred to collectively as managers.

Of the 6,423 total management positions, **two job titles** accounted for almost 59 percent of all managers and supervisors. The two job titles were Public Service Administrator with 2,533 managers (39%) and Senior Public Service Administrator with 1,228 managers (19%). Other common titles were Executive II with 220, Human Services Casework Manager with 215, and Civil Engineer V with 206 managers.

Agencies reported that 1,858 managers were either completely or partially exempt from the Personnel Code.

Of the 6,423 managers, 811 (13%) were completely exempt from the Personnel Code.

- There were 811 managers who were completely **exempt from the Personnel Code** (for example, non-Code employees.) The largest group was from the Department of Transportation. IDOT had 557 managers who were exempt from the Personnel Code accounting for 69 percent of the non-Code managers. Non-Code employees are exempt from all jurisdictions of the Code.

Of the 6,423 managers, 1,047 (16%) were partially exempt from the Personnel Code.

- There were 1,047 managers who were **partially exempt from the Personnel Code**. The three agencies with the largest number of partial exemptions were Human Services, Corrections, and Central Management Services. All three agencies had over 100 partially exempt managers. Partially exempt employees are exempt from certain provisions of the Personnel Code.

Of the 6,423 managers, 1,735 (27%) were Rutan exempt.

Of the 6,423 managers, 1,735 (27 %) were Rutan exempt. Managers that are Rutan exempt were not required to have the Rutan interview process which uses pre-determined and uniform questions. Instead, positions with Rutan exemptions provide the director or chair of an agency more flexibility in making a hiring selection.

Digest Exhibit One on the following page breaks out, for each of the 49 Personnel Code agencies, total Code and non-Code employees, total Code and non-Code managers, and the percentage of the total that were managers or supervisors, as of March 2012.

Digest Exhibit One
CODE AND NON-CODE TOTAL AND MANAGEMENT EMPLOYEES - MARCH 2012

| <u>Agency</u> | <u>Code and Non-Code Total Employees</u> ¹ | <u>Code and Non-Code Managers</u> | <u>Percent Managers</u> |
|---|---|---------------------------------------|-----------------------------|
| Aging | 142 | 42 | 30% |
| Agriculture | 354 | 78 | 22% |
| Arts Council | 17 | 7 | 41% |
| Capital Development Board | 122 | 18 | 15% |
| Central Management Services | 1,420 | 258 | 18% |
| Children & Family Services | 2,891 | 613 | 21% |
| Civil Service Commission | 4 | 3 | 75% |
| Commerce & Economic Opportunity | 396 | 111 | 28% |
| Commerce Commission | 253 | 79 | 31% |
| Corrections | 11,408 | 621 | 5% |
| Criminal Justice Information Authority | 64 | 15 | 23% |
| Deaf & Hard Of Hearing Commission | 7 | 4 | 57% |
| Developmental Disabilities Council | 8 | 3 | 38% |
| Emergency Mgmt Agency | 237 | 56 | 24% |
| Employment Security | 1,778 | 314 | 18% |
| Environmental Protection | 857 | 148 | 17% |
| Financial & Professional Regulation | 472 | 90 | 19% |
| Gaming Board | 123 | 26 | 21% |
| Guardianship & Advocacy | 104 | 22 | 21% |
| Healthcare & Family Services | 2,134 | 428 | 20% |
| Historic Preservation | 172 | 31 | 18% |
| Human Rights Commission | 21 | 4 | 19% |
| Human Rights Department | 143 | 26 | 18% |
| Human Services | 12,907 | 1,527 | 12% |
| IL Sentencing Policy Adv Council | 2 | 2 | 100% |
| IL Torture Inquiry Relief Commission | 2 | 1 | 50% |
| Insurance | 255 | 57 | 22% |
| Investment Board | 10 | 4 | 40% |
| Juvenile Justice | 1,229 | 174 | 14% |
| Labor | 91 | 18 | 20% |
| Labor Relations Board, Educational | 11 | 4 | 36% |
| Labor Relations Board, Illinois | 17 | 2 | 12% |
| Law Enforcement Training & Stand Bd | 17 | 5 | 29% |
| Lottery | 158 | 25 | 16% |
| Military Affairs | 224 | 32 | 14% |
| Natural Resources | 1,253 | 125 | 10% |
| Pollution Control Board | 25 | 4 | 16% |
| Prisoner Review Board | 18 | 3 | 17% |
| Property Tax Appeal Board | 30 | 6 | 20% |
| Public Health | 1,090 | 252 | 23% |
| Racing Board | 48 | 8 | 17% |
| Revenue | 1,741 | 226 | 13% |
| State Fire Marshal | 141 | 23 | 16% |
| State Police (excluding sworn officers) | 1,220 | 182 | 15% |
| State Police Merit Board | 5 | 5 | 100% |
| State Retirement Systems | 95 | 21 | 22% |
| Transportation | 5,312 | 579 | 11% |
| Veterans' Affairs | 1,296 | 104 | 8% |
| Workers' Compensation Commission | 174 | 37 | 21% |
| Totals | <u>50,498</u> ¹ | <u>6,423</u> | <u>13%</u> |

Note: ¹ Total State employees in these 49 Code agencies according to CMS data and agencies' survey responses.

Source: CMS and Agency survey data summarized by OAG.

The question of whether an employee is a supervisor or a manager is complicated by the fact that so many potential managers are in a union. When employees have some duties or responsibilities that identify with managers, but because there are certain management functions they cannot carry out (such as discipline and grievances), agencies sometimes classified them as non-managers. Consequently, the State's classification system does not readily identify managers and identification must be done for each individual employee. (pages 13 - 15)

Of the 6,423 managers, 4,613 (72%) were covered by a collective bargaining agreement.

There were 4,613 managers (72%) who were **covered by a collective bargaining agreement**. Human Services had the largest number of managers in a union with 1,202 or 79 percent. **Twenty-seven agencies had a majority of their managers covered by a collective bargaining agreement.** (pages 25 - 27)

The largest agency **organizational unit or function** of the managers was the program function. There were 81 percent of managers that we classified into the program function.

Managers classified as program were involved in whatever the programmatic responsibilities were of each agency. We classified employee information on organizational unit or function that was captured in our managers' survey into seven functional areas: (1) administration, (2) fiscal, (3) information systems, (4) legal, (5) legislative affairs, (6) program, or (7) shared services. These organizational unit classifications allow for easier comparisons among agencies. (pages 16 - 17)

There were 5,447 managers who supervised an average of 6.5 employees. That average is based on the 85 percent of managers (5,447/6,423) who supervised employees.

State agencies reported that there were **5,447 managers who supervised an average of 6.5 employees** each based on surveys we received. That average is based on the 85 percent of managers (5,447/6,423) who supervised employees. The remaining 976 managers had executive or management responsibilities but agencies reported that they did not supervise.

Survey responses showed that there were **1,206 managers who supervised employees who were also supervised by other managers**. The most common reason for employees with multiple managers was that employees also reported to a higher ranking manager for issues like discipline or grievances. (page 61)

Non-Managers

There were 43 employees that were identified by agencies as non-managers who had a 4D3 exemption from the merit and fitness requirements of the Personnel Code.

There were several issues relating to employees who were classified by their agencies as non-managers but had characteristics that could indicate that they were managers.

- We identified 43 positions which agencies identified as non-managers that had a 4D3 exemption from the merit and fitness requirements of the Personnel Code. These exemptions are for

employees who have responsibilities which involve either principal administrative responsibility for the determination of policy or principal administrative responsibility for the way in which policies are carried out. (pages 31 - 32)

There were 702 employees that were identified by agencies as non-managers who were in Rutan exempt positions.

- There were 702 employees from our surveys that were in Rutan exempt positions that agencies identified as non-managers. Rutan exempt employees help agencies to carry out policies, to speak on their behalf, or to deal with confidential issues. Rutan exempt employees who carry out policy should be considered managers. Natural Resources had the most Rutan exempt non-managers with 109. (pages 35 - 36)

There were 1,400 employees that were identified by agencies as non-managers who had direct supervisory authority.

- Of employees who were identified by agencies as non-managers, there were 1,400 employees in 14 agencies who had direct supervisory authority. Supervisory responsibility is one characteristic that helps to define managers or supervisors. Corrections reported most of the non-managers who supervise with 1,088. These Corrections employees were mostly Lieutenants (537) or Sergeants (411). Corrections responded that the reason that these employees were not considered management was because they had “no managerial decision-making authority”. (pages 39 - 40)
- We identified 84 employees who had a title, a working title, or a functional title that indicated that they were in a position of authority, but their agency said that they were not a manager. For example, Natural Resources had 61 employees whose function was Site Superintendent who were classified as non-managers because the supervision they exercised was “routine in nature.” (pages 40 - 41)
- There were 907 employees in the Public Service Administrator (PSA) title and 46 in the Senior Public Service Administrator (SPSA) title who were not considered a manager by their agencies. Central Management Services (CMS) position classifications for both titles indicate that they were managers. Human Services had 128 PSAs who were non-managers and CMS had 117. CMS also had the most SPSA non-managers with 15. (pages 41 - 42)

Central Management Services should consider revising the State’s Personnel Code classification system so that issues identified in this audit can be addressed. (page 43)

Other Issues

Central Management Services has not conducted research and planning regarding the total manpower needs of all offices as required by provisions in the Personnel Code (20 ILCS 415/9(11)).

The Department of Central Management Services has not conducted research and planning regarding the total manpower needs of all offices as required by provisions in the Personnel Code (20 ILCS 415/9(11)).

Some employees who were classified as confidential employees were union members. These employees should either be non-union or should not be classified as confidential. The Public Labor Relations Act at 5 ILCS 315/3 (n) notes that confidential employees should be excluded

from being union members. Confidential employees assist management with regard to labor relations or collective bargaining issues. (pages 53 - 58)

RECOMMENDATIONS

The audit report contains five recommendations to agencies. One recommendation was addressed to Central Management Services and the Civil Service Commission related to:

- Ensuring that 4D3 exemptions to the Personnel Code are used appropriately (20 ILCS 415/4d(3)). (page 32)

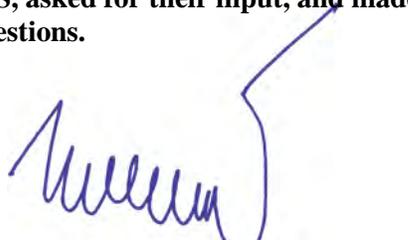
Three recommendations were addressed to Central Management Services and related to:

- Assuring that Rutan exemptions are used appropriately for positions that implement policy; (page 36)
- Reviewing and revising the State's classification system to address the issues identified in this audit; (page 43) and
- Conducting manpower research and planning as required by the Personnel Code (20 ILCS 415/9 (11)). (page 54)

The fifth recommendation was addressed to the Departments of Agriculture and Financial and Professional Regulation and the Emergency Management Agency. It related to:

- Assuring that confidential employees are not included in a union. (page 58)

Appendix G of the audit report contains the agencies' complete responses. In its response to the audit, CMS raised some issues with the survey instrument and the methodology used in the audit. **In an auditor's comment, the auditors note that prior to sending the survey instrument out to the agencies, auditors shared the instrument with CMS, asked for their input, and made changes based on CMS' suggestions.**



WILLIAM G. HOLLAND
Auditor General

WGH:EKW

AUDITORS ASSIGNED: This Management Audit was performed by the Office of the Auditor General's staff.

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INTRODUCTION AND BACKGROUND

REPORT CONCLUSIONS

Legislative Audit Commission Resolution Number 141 directed the Auditor General to conduct an audit of management positions in the Executive Branch of State government. The resolution asked that we accumulate information from agencies on their management positions along with information about managers' organizational unit, job title, and function. It also requested information on whether these managers supervise, are exempt from the Personnel Code (Code), and are covered by a collective bargaining agreement.

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- There were 702 employees from our surveys that were in Rutan exempt positions that agencies identified as non-managers. Rutan exempt employees help agencies to carry out policies, to speak on their behalf, or to deal with confidential issues. Rutan exempt employees who carry out policy should be considered managers. Natural Resources had the most Rutan exempt non-managers with 109. Fifty-six of 109 of these employees functioned as Site Superintendents.
- Of employees who were identified by agencies as non-managers, there were 1,400 employees in 14 agencies who had direct supervisory authority. Supervisory responsibility is one characteristic that helps to define managers or supervisors. Corrections reported most of the non-managers who supervise with 1,088. These Corrections employees were mostly Lieutenants (537) or Sergeants (411). Corrections

responded that the reason that these employees were not considered management was because they had “no managerial decision-making authority.”

- We identified 84 employees who had a title, a working title, or a functional title that indicated that they were in a position of authority, but their agency said that they were not a manager. For example, Natural Resources had 61 employees whose function was Site Superintendent who were classified as non-managers because the supervision they exercised was “routine in nature.”
- There were 907 employees in the Public Service Administrator (PSA) title and 46 in the Senior Public Service Administrator (SPSA) title who were not considered managers by their agencies. Central Management Services (CMS) position classifications for both titles indicate that they are managers. Human Services had 128 PSAs who were non-managers and CMS had 117. CMS also had the most SPSA non-managers with 15.

Central Management Services should consider revising the State’s Personnel Code classification system so that issues identified in this audit can be addressed.

Other Issues

The Department of Central Management Services has not conducted research and planning regarding the total manpower needs of all offices as required by provisions in the Personnel Code (20 ILCS 415/9(11)).

Some employees who were classified as confidential employees were union members. These employees should either be non-union or should not be classified as confidential. The Public Labor Relations Act at 5 ILCS 315/3 (n) notes that confidential employees should be excluded from being union members. Confidential employees assist management with regard to labor relations or collective bargaining issues.

BACKGROUND

On March 29, 2011, the Legislative Audit Commission adopted LAC Resolution Number 141 which directed the Auditor General to conduct a management audit of management positions in the Executive Branch of State government, excluding public universities.

The Resolution states that the audit include an analysis, based on information provided by the various agencies, of:

- The number of management positions, by organizational unit, job title and function;
- The number of positions supervised or managed by each management position and whether any of those employees are supervised or managed by more than one management position;

- For each management position, whether it is exempt from the Personnel Code, exempt from Rutan, or covered by a collective bargaining agreement.

A copy of the resolution is included as Appendix A.

DEFINING MANAGEMENT POSITIONS

Since the audit required us to review management and supervisory positions, we needed to come up with a working definition of what is a management or supervisor position. Because management and supervision are so closely linked, we included both elements in our definition:

"Manager" is an individual who is engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of management policies and practices.

"Supervisor" is an employee whose principal work is substantially different from that of his or her subordinates and who has authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, to adjust their grievances, or to effectively recommend any of those actions, if the exercise of that authority is not of a merely routine or clerical nature, but requires the consistent use of independent judgment.

These definitions come from the Illinois Public Labor Relations Act. We provided the agencies the definition as part of our survey material. However, we noted that, for the purposes of the survey, whether an employee is a manager or supervisor may not correspond to determinations that have been made to allow a position into a union. If an employee carries out the functions in the definitions, then he/she should be considered a manager or supervisor for this survey. In addition to the functions delineated in the definitions for manager and supervisor, we noted to surveyed agencies that consideration should also be given to the following:

- Whether the employee has a 4D partial exemption from the Personnel Code which suggests that he/she may be a manager; and
- Whether the employee has a Rutan exemption, which suggests that he/she may be a manager.

The audit resolution specifically asks us to collect information for employees to identify whether they: (1) are exempt from the Personnel Code, (2) are partially exempt under section 4D, and (3) have a Rutan exemption. All three of these exemptions may be an indication of whether an employee is a manager or supervisor.

Personnel Code

The Personnel Code was created to establish for the government of the State of Illinois a system of personnel administration under the Governor, based on merit principles and scientific methods (20 ILCS 415/2). The Code allows for exemptions to established requirements.

According to the Department of Central Management Services' website, the Personnel Code is the law that provides the basis for the civil service merit system in Illinois. It includes all positions of employment in the service of the State unless specifically excluded by legislation. It empowers the Director of Central Management Services to promulgate rules and carry out this law, and creates the Civil Service Commission to monitor its proper administration and to conduct hearings. The Code consists of three jurisdictions:

- **Jurisdiction A, Classification & Pay**, which provides for a system of pay administration and position reporting and classification to assure that the work of employees is fairly compensated, consistent with the level and kind of job they perform;
- **Jurisdiction B, Merit & Fitness**, which covers candidate testing and selection, certification, performance appraisal and discipline, and other merit practices for employees; and
- **Jurisdiction C, Conditions of Employment**, which deals with such things as vacation, holidays, sick time, plans for resolving employee grievances, and other provisions that establish a body of uniform personnel practices across agencies.

The Personnel Code became law in 1955 and was implemented two years later in 1957. It replaced a loose system of inconsistent personnel practices and statutes. Previously, job classifications and salary range rates were itemized in law, and could only be changed every two years, when the legislature was in session. The Personnel Code was written to provide broad administrative powers to the Director of Central Management Services to carry out a personnel program and the law has continued with little change over the years.

General Exemptions

The Personnel Code establishes exemptions of two major types. The first type is exempt employees who are exempt from all jurisdictions of the Code. These are referred to as general exemptions and are covered under 4C of the Personnel Code (20 ILCS 415/4c). The Code contains a long list of general exemptions but among the most significant for this audit are:

- Directors of Departments, the Adjutant General, all other positions appointed by the Governor by and with the consent of the Senate.
- The State Police subject to the merit provisions of the State Police Act.
- The technical and engineering staffs of the Department of Transportation, the Department of Nuclear Safety (now part of the Emergency Management Agency), the Pollution Control Board, and the Illinois Commerce Commission, and the technical and engineering staff providing architectural and engineering services in the Department of Central Management Services.
- All investment officers employed by the Illinois State Board of Investment.
- All hearing officers of the Human Rights Commission.

Partial Exemptions

The second major type of exemptions is partial exemptions established under section 4D of the Personnel Code (20 ILCS 415/4d). The eight partial exemptions are for:

1. In each department up to two private secretaries for the director and one confidential assistant (4D1).
2. The resident administrative head of each State charitable, penal, and correctional institution (4D2).
3. Employees recommended by the Director of Central Management Services and approved by the Civil Service Commission. These are referred to as 4D3 exemptions and involve positions that have principal administrative responsibility for the determination of policy or have principal administrative responsibility for the way policies are carried out (4D3).
4. Certain employees subject to prevailing wage laws (4D4).
5. Certain licensed attorneys or other professionals including professional engineers, physicians, and nurses (4D5).
6. Positions established outside the geographical limits of the State of Illinois (4D6).
7. Staff attorneys reporting directly to individual Workers' Compensation Commissioners (4D7).
8. Certain number of senior public service administrator positions within the Department of Healthcare and Family Services (4D8).

Of these partial exemptions, there are two categories that should be managers or supervisors based on the 4D description. Those are the 4D2 because of the positions as administrative heads and 4D3 positions because of the involvement in policy as noted in our definition. Employees in other categories may be managers or supervisors depending upon their job duties and responsibilities.

Personnel Code exemptions for managers and supervisors as well as exemptions for non-managers are discussed later in this audit report.

Rutan Exemptions

The audit resolution also requested that we collect information on Rutan exemptions. Rutan exemptions result from a court case decided in 1990 which established restrictions on political hiring practices (United States Supreme Court decision in *Rutan, et al. v. Republican Party of Illinois, et al.*, 497 U.S. 62 (1990)). Positions which are exempt from Rutan can consider political factors in employment decisions while positions where Rutan applies must follow established personnel practices to assure compliance with provisions of the court case.

Rutan is mentioned in only a few places in Illinois statutes and administrative rules. Rutan is mentioned in statutes in four places. First, it is mentioned in a section related to the Illinois Skills Match Program noting that the program does not apply to Rutan exempt positions. Second, the Illinois Transparency and Accountability Portal statute requires Rutan status to be included for employees hired after January 1, 2011. Rutan is mentioned the third time related to executive Inspectors General who may review Rutan employment files. The fourth time Rutan is mentioned is related to the Toll Highway Inspector General. Rutan exemptions for managers and supervisors as well as exemptions for non-managers are discussed later in this audit.

Rutan is mentioned in administrative rules related to Conservation police officers and interviews being conducted by Rutan certified personnel. Toll Highway rules include a reference and Human Rights rules mention Rutan documentation related to workforce analysis.

The Department of Central Management Services has internal documents which outline the process by which it determines whether a position can be considered exempt from Rutan requirements. CMS maintains these documents as highly confidential in an effort to protect the integrity of the Rutan determination process. The documents specify three general areas which can permit a position to be exempt from the Rutan process. Positions can involve policy issues, confidentiality, or spokesperson responsibilities.

AGENCIES SURVEYED

We surveyed Code agencies to collect information about managers and supervisors. The Department of Central Management Services (CMS) provided information for Code employees by agency for position titles that we requested. To identify relevant titles we reviewed the title descriptions that CMS maintains on its web site. The site had just over 1,000 titles that we reviewed. We identified 254 titles as potential managers based on our review and considering management functions like involvement in developing or implementing policy and involvement in supervision of staff. The data that CMS provided had information for 13,473 employees in 212 titles. Some of the titles of potential managers that we selected did not have any employees in the title. The data that we received had information for 49 agencies. Exhibit 1-1 shows total employees, potential managers that we identified, managers that the agencies identified, and a percentage of total managers.

COLLECTIVE BARGAINING

The audit resolution asked that we collect information on whether managers or supervisors are covered by collective bargaining agreements. Union status, like Rutan status or Personnel Code exemption status, may be an indicator of whether an employee is a manager or supervisor. The Public Labor Relations Act (5 ILCS 315) grants the right of public employees to be represented by a union in a collective bargaining agreement. However, the Act specifically excludes managerial employees and supervisors from the definition of “public employees” with certain exceptions.

| Exhibit 1-1 CODE AND NON-CODE TOTAL AND MANAGEMENT EMPLOYEES - MARCH 2012 | | | | |
|---|---|--|---|-------------------------|
| <u>Agency</u> | <u>Total Code & Non-Code Employees</u> ¹ | <u>OAG Identified Potential Code Managers</u> ² | <u>Agency Identified Code & Non-Code Managers</u> | <u>Percent Managers</u> |
| Aging | 142 | 77 | 42 | 30% |
| Agriculture | 354 | 112 | 78 | 22% |
| Arts Council | 17 | 14 | 7 | 41% |
| Capital Development Board | 122 | 10 | 18 | 15% |
| Central Management Services | 1,420 | 633 | 258 | 18% |
| Children & Family Services | 2,891 | 1184 | 613 | 21% |
| Civil Service Commission | 4 | 3 | 3 | 75% |
| Commerce & Economic Opportunity | 396 | 242 | 111 | 28% |
| Commerce Commission | 253 | 17 | 79 | 31% |
| Corrections | 11,408 | 2,565 | 621 | 5% |
| Criminal Justice Information Authority | 64 | 25 | 15 | 23% |
| Deaf & Hard Of Hearing Commission | 7 | 7 | 4 | 57% |
| Developmental Disabilities Council | 8 | 6 | 3 | 38% |
| Emergency Management Agency | 237 | 39 | 56 | 24% |
| Employment Security | 1,778 | 476 | 314 | 18% |
| Environmental Protection | 857 | 579 | 148 | 17% |
| Financial & Professional Regulation | 472 | 228 | 90 | 19% |
| Gaming Board | 123 | 41 | 26 | 21% |
| Guardianship & Advocacy | 104 | 26 | 22 | 21% |
| Healthcare & Family Services | 2,134 | 696 | 428 | 20% |
| Historic Preservation | 172 | 63 | 31 | 18% |
| Human Rights Commission | 21 | 4 | 4 | 19% |
| Human Rights Department | 143 | 48 | 26 | 18% |
| Human Services | 12,907 | 3,203 | 1,527 | 12% |
| IL Sentencing Policy Advisory Council | 2 | 2 | 2 | 100% |
| IL Torture Inquiry Relief Commission | 2 | 2 | 1 | 50% |
| Insurance | 255 | 148 | 57 | 22% |
| Investment Board | 10 | 1 | 4 | 40% |
| Juvenile Justice | 1,229 | 262 | 174 | 14% |
| Labor | 91 | 20 | 18 | 20% |
| Labor Relations Board, Educational | 11 | 9 | 4 | 36% |
| Labor Relations Board, Illinois | 17 | 11 | 2 | 12% |
| Law Enforcement Training & Stand Bd | 17 | 11 | 5 | 29% |
| Lottery | 158 | 36 | 25 | 16% |
| Military Affairs | 224 | 13 | 32 | 14% |
| Natural Resources | 1,253 | 590 | 125 | 10% |
| Pollution Control Board | 25 | 16 | 4 | 16% |
| Prisoner Review Board | 18 | 13 | 3 | 17% |
| Property Tax Appeal Board | 30 | 6 | 6 | 20% |
| Public Health | 1,090 | 432 | 252 | 23% |
| Racing Board | 48 | 1 | 8 | 17% |
| Revenue | 1,741 | 814 | 226 | 13% |
| State Fire Marshal | 141 | 33 | 23 | 16% |
| State Police (excluding sworn officers) | 1,220 | 276 | 182 | 15% |
| State Police Merit Board | 5 | 4 | 5 | 100% |
| State Retirement Systems | 95 | 44 | 21 | 22% |
| Transportation ² | 5,312 | 163 | 579 | 11% |
| Veterans' Affairs | 1,296 | 234 | 104 | 8% |
| Workers' Compensation Commission | 174 | 34 | 37 | 21% |
| Totals | 50,498¹ | 13,473 | 6,423 | 13% |
| Notes: ¹ | Total State employees in these 49 Code agencies according to CMS data and agencies' survey responses. | | | |
| ² | Potential Managers do not include any non-Code employees. Non-Code managers were identified by agencies so actual Code and non-Code managers sometimes exceeds potential managers. Transportation had the most non-Code managers. | | | |
| Source: | CMS data and agency survey data summarized by OAG. | | | |

Whether employees are excluded from collective bargaining because they are managers is determined by decisions of the Public Labor Relations Board. When we surveyed agencies, we provided information from CMS that indicated whether or not the potential managers that we had selected were in a union. When we asked agencies whether or not an employee on their survey was a manager or supervisor, we noted that for the purposes of this survey, whether an employee is a manager or supervisor may not

| Exhibit 1-2 AGENCY IDENTIFIED MANAGERS AND UNION MEMBERSHIP | | |
|---|--------------|------|
| Union Members | 4,613 | 72% |
| Not Union Members | <u>1,810</u> | 28% |
| Total Managers (Reported by Agencies) | <u>6,423</u> | 100% |
| Source: Agency survey data summarized by OAG. | | |

correspond to determinations that have been made to allow a position into a union. If an employee carries out the functions in the definitions, then he/she should be considered a manager or supervisor for this survey. Exhibit 1-2 shows the percentage of union membership for employees who were identified as managers or supervisors by agencies on the survey.

AUDIT SCOPE AND METHODOLOGY

This audit was conducted in accordance with generally accepted government auditing standards and the audit standards promulgated by the Office of the Auditor General at 74 Ill. Adm. Code 420.310. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We interviewed representatives of the Department of Central Management Services. We reviewed information from CMS and identified position titles that were potentially managers or supervisors. Based on those identified titles we requested electronic data from CMS for those employees. CMS was able to provide many of the elements required by the audit resolution for employees who are subject to the Illinois Personnel Code (Code employees). Data provided by CMS included 50 agencies in 212 position classifications or titles and a total of 13,474 employees as potential Code managers or supervisors. One agency, the Medical District Commission, had one potential manager but responded and indicated that they had no applicable employees. We accepted the Commission’s conclusion. That change left 49 agencies and 13,473 potential managers. The potential managers included only managers subject to the Personnel Code. Information on non-Code managers was provided directly by agencies. Agencies identified a total of 811 non-Code managers.

Using data provided by CMS we sent surveys with many of the elements already completed to the 49 agencies which had potential management positions subject to the Personnel Code as of March 2012. Our scope included agencies with Code management employees to identify a coherent group of employees to do our analyses. Because non-Code agencies have separate personnel systems we did not include them in our scope. We asked the agencies to verify the electronic data which CMS provided. We also asked agencies to provide a few pieces

of information for each employee and asked them whether the potential management positions were considered managers or supervisors by the agency. Sample surveys and instructions are included in Appendix B.

The Illinois State Police have both Code and non-Code employees which were in our survey process. However, sworn officers which are under a different merit system code were excluded from our survey.

We also asked the 49 agencies to provide information on employees that are managers or supervisors but who are not subject to the Personnel Code (non-Code). The Personnel Code provides for general exemptions to the Code for certain positions (20 ILCS 415/4c). This includes agency directors and others, including technical and engineering staff at certain specified agencies.

We reviewed risk and internal controls related to management and supervisory positions and related issues as they related to the audit's objectives. The audit objectives are contained in Legislative Audit Commission Resolution Number 141 (see Appendix A). A risk assessment was conducted to identify areas that needed closer examination. This audit identified some weaknesses in those controls and some issues of noncompliance which are included as findings in this report.

We reviewed the previous financial audits and compliance attestation engagements released by the Office of the Auditor General for the State agencies. This included reviewing findings for the most recent compliance attestation engagements and financial audits. It also included reviewing a performance audit that reviewed granting exemptions from certain provisions of the Illinois Personnel Code.

Given the number of agencies that we surveyed, and the large volume of data we compiled, it was not possible to independently verify all information provided. For example, agencies answered questions about whether employees were managers, how many people they supervised, and whether those employees were supervised by someone else. We reviewed organization charts that were provided, but multiple reporting is difficult to record or review in charts. In addition, we were trying to present a picture of management structure for the State of Illinois. In such a large organization, its management and employees are changing constantly.

Consequently, we relied on the agencies' reporting of management status and reporting responsibility with verification to other sources when questions or conflicts arose. We also followed up with agencies to better understand conflicts or complex information. Considering these data limitations, we believe that the evidence obtained provides a reasonable basis for our findings and conclusions related to the management positions in State government as described in our audit's objectives.

REPORT ORGANIZATION

This report consists of three more chapters:

- Chapter Two – Management and Supervisory Positions
- Chapter Three – Exemptions for Non-Managers
- Chapter Four – Other Issues

Chapter Two

MANAGEMENT AND SUPERVISORY POSITIONS

CHAPTER CONCLUSIONS

There were 6,423 total management positions in the 49 State agencies from which we received survey information. Overall these managers represent almost 13 percent of total employees for those agencies. For this report, employees who were identified as managers/supervisors by their agencies are referred to collectively as managers.

Of the 6,423 total management positions, two job titles accounted for 59 percent of all managers and supervisors. The two job titles were Public Service Administrator with 2,533 managers (39%) and Senior Public Service Administrator with 1,228 managers (19%). Appendix E to this report has detailed information about managers and job titles for each agency.

Agencies reported that 1,858 managers were either completely or partially exempt from the Personnel Code. There were 811 managers who were completely exempt from the Personnel Code. The largest group was from the Department of Transportation (IDOT). IDOT had 557 managers who were exempt from the Personnel Code accounting for 69 percent of the non-Code managers. Non-Code employees are exempt from all jurisdictions of the Code.

Of the 6,423 total management positions, there were 1,047 (16%) managers who were partially exempt from the Personnel Code. The three agencies with the largest number of partial exemptions were Human Services, Corrections, and Central Management Services. All three agencies had over 100 partially exempt managers. Partially exempt employees are exempt from certain provisions of the Personnel Code. The different types of exemptions are discussed later in this chapter.

Of the 6,423 total management positions, we found that 1,735 managers (27%) were Rutan exempt. Managers that are Rutan exempt were not required to have the Rutan interview process which uses pre-determined and uniform questions. Instead, positions with Rutan exemptions provide the director or chair of an agency more flexibility in making a hiring selection.

There were 4,613 managers (72%) who were covered by a collective bargaining agreement. Human Services had the largest number of managers in a union with 1,202 or 79 percent. Twenty-seven agencies had a majority of their managers covered by a collective bargaining agreement.

We classified employee information on organizational unit or function that was captured in our managers' survey into seven functional areas: (1) administration, (2) fiscal, (3)

information systems, (4) legal, (5) legislative affairs, (6) program, or (7) shared services. These designated functional areas allow for easier comparisons among agencies. The largest agency organizational unit or function was the program function. There were 81 percent of managers that we classified into the program function. Managers classified as program were involved in whatever the programmatic responsibilities were of each agency. Appendix C to this report has detailed information about managers by our assigned functions for each agency. We have also included in Appendix D detailed information about managers for each agency using the agency's assigned divisions or organizational units. The number of agency divisions per agency varied from one unspecified division for 19 agencies to the Department of Human Services with 66 divisions.

TOTAL MANAGEMENT POSITIONS

Agencies reported 6,423 employees who were managers or supervisors at the 49 agencies surveyed. Agencies in our survey identified 50,498 total Code and non-Code employees. The 6,423 managers represent 13 percent of those total employees. Among large agencies with over 1,000 employees the percentage of managers to employees ranged from 23 percent at Public Health to 5 percent at Corrections. Two small agencies with just a few employees were reported as 100 percent managers. Exhibit 2-1 breaks out by agency the total Code and non-Code employees, total Code and non-Code managers, and the percentage of the total that are managers or supervisors.

The Department of Human Services had the largest number of managers, as well as the most employees. There were 1,527 managers (12%) out of 12,907 employees. This was below the average percentage of managers which was 13 percent (see Exhibit 2-1).

When identifying managers or supervisors, many agencies provided additional stipulations, notes, or other pertinent information with the most common response that most supervisors cannot handle discipline or grievances due to collective bargaining agreement policies. These types of issues would follow up the chain of command to a non-union manager or supervisor.

The question of whether an employee is a supervisor or a manager is complicated by the fact that so many potential managers are in a union. When employees have some duties or responsibilities that identify with managers, but because there are certain management functions they cannot carry out (such as discipline and grievances), agencies sometimes classified them as non-managers. Consequently, the State's classification system does not readily identify managers and identification must be done for each individual employee. Employees who have some characteristics of managers but were classified as non-managers are discussed in more detail in Chapter Three.

| Exhibit 2-1 | | | |
|--|--|---------------------------------------|-----------------------------|
| CODE AND NON-CODE TOTAL AND MANAGEMENT EMPLOYEES - MARCH 2012 | | | |
| Agency | Code and Non-Code Total Employees¹ | Code and Non-Code Managers | Percent Managers |
| Aging | 142 | 42 | 30% |
| Agriculture | 354 | 78 | 22% |
| Arts Council | 17 | 7 | 41% |
| Capital Development Board | 122 | 18 | 15% |
| Central Management Services | 1,420 | 258 | 18% |
| Children & Family Services | 2,891 | 613 | 21% |
| Civil Service Commission | 4 | 3 | 75% |
| Commerce & Economic Opportunity | 396 | 111 | 28% |
| Commerce Commission | 253 | 79 | 31% |
| Corrections | 11,408 | 621 | 5% |
| Criminal Justice Information Authority | 64 | 15 | 23% |
| Deaf & Hard Of Hearing Commission | 7 | 4 | 57% |
| Dev Disabilities Council | 8 | 3 | 38% |
| Emergency Mgmt Agency | 237 | 56 | 24% |
| Employment Security | 1,778 | 314 | 18% |
| Environmental Protection | 857 | 148 | 17% |
| Financial & Professional Regulation | 472 | 90 | 19% |
| Gaming Board | 123 | 26 | 21% |
| Guardianship & Advocacy | 104 | 22 | 21% |
| Healthcare & Family Services | 2,134 | 428 | 20% |
| Historic Preservation | 172 | 31 | 18% |
| Human Rights Commission | 21 | 4 | 19% |
| Human Rights Department | 143 | 26 | 18% |
| Human Services | 12,907 | 1,527 | 12% |
| IL Sentencing Policy Adv Council | 2 | 2 | 100% |
| IL Torture Inquiry Relief Commission | 2 | 1 | 50% |
| Insurance | 255 | 57 | 22% |
| Investment Board | 10 | 4 | 40% |
| Juvenile Justice | 1,229 | 174 | 14% |
| Labor | 91 | 18 | 20% |
| Labor Relations Board, Educational | 11 | 4 | 36% |
| Labor Relations Board, Illinois | 17 | 2 | 12% |
| Law Enforcement Training & Stand Bd | 17 | 5 | 29% |
| Lottery | 158 | 25 | 16% |
| Military Affairs | 224 | 32 | 14% |
| Natural Resources | 1,253 | 125 | 10% |
| Pollution Control Board | 25 | 4 | 16% |
| Prisoner Review Board | 18 | 3 | 17% |
| Property Tax Appeal Board | 30 | 6 | 20% |
| Public Health | 1,090 | 252 | 23% |
| Racing Board | 48 | 8 | 17% |
| Revenue | 1,741 | 226 | 13% |
| State Fire Marshal | 141 | 23 | 16% |
| State Police (excluding sworn officers) | 1,220 | 182 | 15% |
| State Police Merit Board | 5 | 5 | 100% |
| State Retirement Systems | 95 | 21 | 22% |
| Transportation | 5,312 | 579 | 11% |
| Veterans' Affairs | 1,296 | 104 | 8% |
| Workers' Compensation Commission | 174 | 37 | 21% |
| Totals | <u>50,498</u>¹ | <u>6,423</u> | <u>13%</u> |

Note: ¹ Total State employees in these 49 Code agencies according to CMS data and agencies' survey responses.
 Source: CMS and agency survey data summarized by OAG.

MANAGEMENT POSITIONS BY JOB TITLE

Of the 6,423 total management positions, two job titles accounted for 59 percent of all managers and supervisors. The two job titles were Public Service Administrator with 2,533 managers (39%) and Senior Public Service Administrator with 1,228 managers (19%).

Five job titles accounted for 69 percent of the managers and supervisors. This includes the two job titles noted above plus 220 Executive IIs, 215 Human Services Casework Managers, and 206 Civil Engineer Vs. The remaining 2,021 employees were distributed over 200 more titles. Of the five job titles noted, 3,008 out of those 4,402 individuals (68%) were in a union.

Exhibit 2-2 shows the titles with the largest number of managers and the average salaries associated with those titles.

| Exhibit 2-2 JOB TITLES WITH THE MOST MANAGERS AND SUPERVISORS | | |
|---|-----------------|-----------------------|
| <u>Job Title</u> | <u>Managers</u> | <u>Average Salary</u> |
| Public Service Administrator | 2,533 | \$87,342 |
| Senior Public Service Admin | 1,228 | \$88,735 |
| Executive II | 220 | \$76,240 |
| Human Services Casework Mgr | 215 | \$70,513 |
| Civil Engineer V | 206 | \$91,244 |
| Remaining Titles | <u>2,021</u> | \$78,444 |
| Total Managers | <u>6,423</u> | <u>\$83,990</u> |
| Source: CMS and agency survey data summarized by OAG. | | |

The resolution asked us to provide the organizational unit, job title, and function of management positions. Data provided by CMS was readily available that contained the division name (organizational unit) and job title of the over 13,000 employees we identified as potential managers. Management position function is discussed below.

The Public Service Administrator job title encompassed 3,440 employees and of those 2,533 (74%) were classified as a manager.

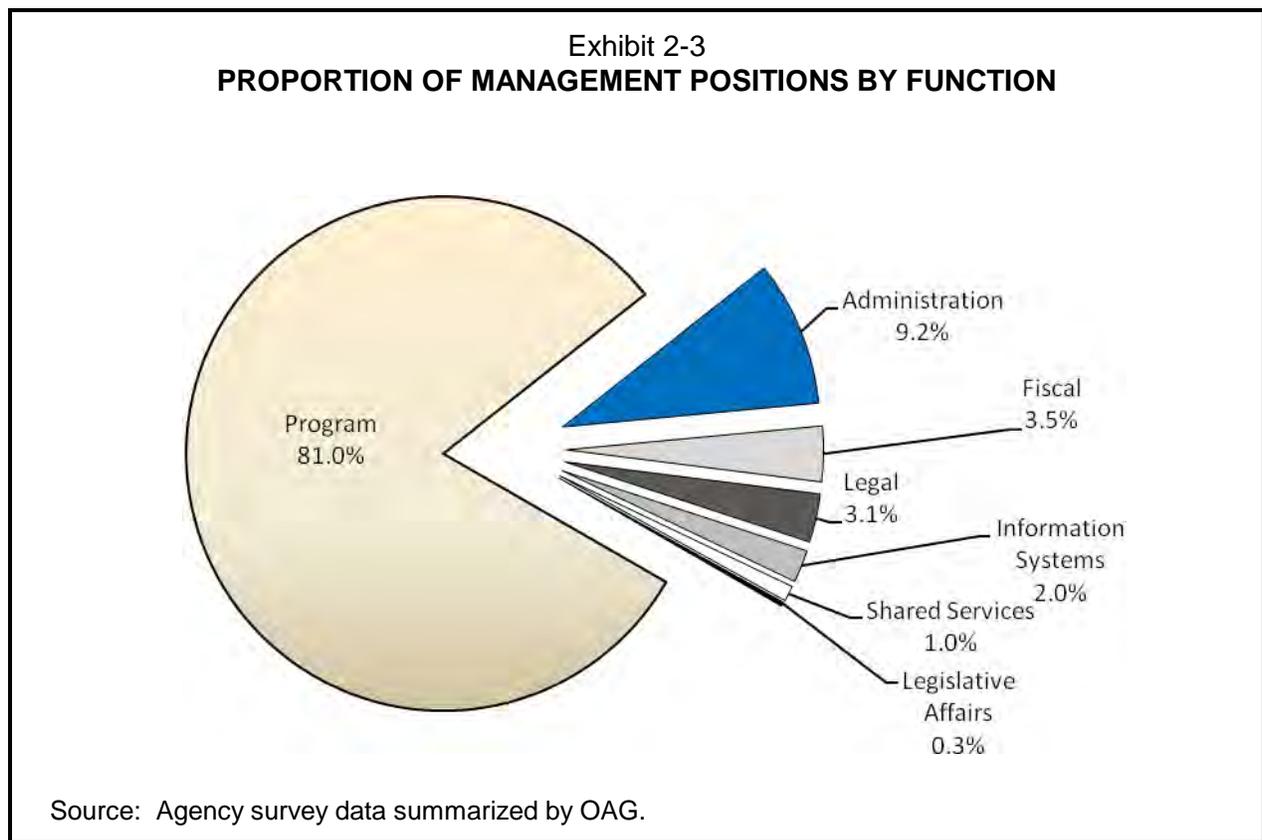
MANAGEMENT POSITIONS BY FUNCTION

The audit resolution asked us to identify management positions by function. We classified managers into seven major functions. Classifications were done based on individual employee information that was provided by agencies in response to our survey. We did this classification because agency assigned divisions varied significantly among agencies. In choosing the function we looked at the division each employee reported to at their respective agency as well as their reported function provided by the agency. The seven functional areas that we used were:

- 1) Administration,
- 2) Fiscal,
- 3) Information Systems,
- 4) Legal,

- 5) Legislative Affairs,
- 6) Program, and
- 7) Shared Services.

The largest group of managers fit into the Program function 5,203 (81%) with Administration next at 589 (9%) managers. Managers that we classified as Program were involved in whatever the programmatic responsibilities were of each agency. The remaining five functional areas of Fiscal, Legal, Information Systems, Shared Services, and Legislative Affairs had a total of 631 managers. Legislative Affairs was the smallest with only 17 managers accounting for less than half a percent. Appendix C includes a detailed listing of these functions by agency. See Exhibit 2-3 which shows the proportions in each of these seven areas.



MANAGERS WITH SELECTED TITLES

We identified employees whose title or working title indicated that they have significant management responsibilities. We then selected these titles for additional analysis. The selected titles are listed in Exhibit 2-4 on the next page. We also determined whether employees in these selected titles were in a union. Most selected titles were largely or exclusively non-union.

The exhibit shows that only two titles had 20 or more employees in a union. They were Directors and Superintendents. Employees in the title of Director were directors of programs and the majority of employees were union and the majority of union members occurred at the Department of Human Services. The other selected title was Superintendent and those employees were primarily at Corrections.

The only other selected titles that had one or more employees who are in a union are: Administrative Law Judge, Bureau Chief, Chief Fiscal Officer, Deputy Director, and Executive Director.

| Exhibit 2-4 MANAGERS IN OAG SELECTED TITLES AND THEIR UNION STATUS | | | | |
|---|-------------------------|---------------------|-----------------------|----------------------|
| <u>Selected Titles</u> | <u>Not Union</u> | <u>Union</u> | <u>% Union</u> | <u>Totals</u> |
| Adjutant General | 1 | | 0% | 1 |
| Administrative Law Judge | 13 | 7 | 35% | 20 |
| Assistant Adjutant General | 2 | | 0% | 2 |
| Assistant Director | 8 | | 0% | 8 |
| Assistant Secretary | 2 | | 0% | 2 |
| Bureau Chief | 71 | 6 | 8% | 77 |
| Chair | 4 | | 0% | 4 |
| Chief Fiscal Officer | 25 | 2 | 7% | 27 |
| Chief Information Officer | 12 | | 0% | 12 |
| Chief of Staff | 16 | | 0% | 16 |
| Deputy Administrator | 7 | | 0% | 7 |
| Deputy Director | 102 | 2 | 2% | 104 |
| Director (Agency Head or Program) | 134 | 57 | 30% | 191 |
| Executive Director | 17 | 1 | 6% | 18 |
| General Counsel | 30 | | 0% | 30 |
| Inspector General | 1 | | 0% | 1 |
| Secretary (Agency Head) | 3 | | 0% | 3 |
| Superintendent | 5 | 20 | 80% | 25 |
| Warden | 17 | | 0% | 17 |
| Note: Total of these OAG selected titles 470 (20% union) of 6,423 total managers. | | | | |
| Source: Agency survey data summarized by OAG. | | | | |

MANAGERS EXEMPT FROM THE PERSONNEL CODE

Of 6,423 total managers, there were 811 managers who were completely exempt from the Personnel Code. Employees completely exempt are identified in section 4C of the Personnel Code. The majority of these managers were located at the Department of Transportation (69%). We found 36 of the 49 agencies had at least one non-Code manager. These non-Code employees are not tracked by Central Management Services. Exhibit 2-5 shows agencies that have at least five non-Code managers.

As discussed in Chapter 1, the Personnel Code (20 ILCS 415) was to establish for the government of the State of Illinois a system of personnel administration under the Governor, based on merit principles and scientific methods (20 ILCS 415/2). The Code allows for exemptions to established requirements.

The Personnel Code establishes exemptions of two major types. First are exempt employees who are exempt from all jurisdictions of the Code. The Code contains a long list of exemptions, but the two most significant for this audit are:

- Directors of Departments, the Adjutant General, all other positions appointed by the Governor by and with the consent of the Senate (47 agency heads and assistant heads positions plus 16 other agency identified managers). Some of the positions appointed by the Governor are not in the Code agencies that we surveyed or were not identified as managers by agencies.
- The technical and engineering staffs of the Department of Transportation, the Emergency Management Agency, the Pollution Control Board, and the Illinois Commerce Commission, and the technical and engineering staff providing architectural and engineering services in the Department of Central Management Services (755 agency identified managers.)

Exhibit 2-6 breaks out managers subject to the Personnel Code, those exempt under 4C and those partially exempt under 4D. The exhibit also breaks out the proportion of managers in each category who are in a union. Exhibit 2-7 shows average annual salaries for the 4D categories. It also shows the same data for a subset of 4C general exemptions which are managers who are agency heads and assistants that are paid from the State officers' payroll.

| Exhibit 2-5 NON-CODE MANAGERS BY AGENCY BY LARGEST NUMBERS | |
|--|------------------|
| <u>Agency</u> | <u>Employees</u> |
| Transportation | 557 |
| Commerce Commission | 77 |
| Emergency Mgmt Agency | 36 |
| Military Affairs | 25 |
| Capital Development Board | 17 |
| Workers' Comp Commission | 13 |
| Natural Resources | 9 |
| Racing Board | 7 |
| Central Management Svcs | 5 |
| Property Tax Appeal Board | 5 |
| Public Health | 5 |
| Remaining 25 Agencies | <u>55</u> |
| Total Non-Code | <u>811</u> |
| Source: Agency survey data summarized by OAG. | |

| Exhibit 2-6 MANAGERS IN PERSONNEL CODE AND EXEMPTION CATEGORIES INCLUDING UNION STATUS | | | | | | | |
|--|---|--------------|-------|--------------|---------|--------------|---------------------|
| Personnel Code Category | | Not in Union | % Non | In Union | % Union | Total | % of Total Managers |
| Personnel Code Applies | | 673 | 15% | 3,892 | 85% | 4,565 | 71% |
| 4C General Exemptions (Non-Code) | | 344 | 42% | 467 | 58% | 811 | 13% |
| Partial 4D Exemptions | 4D1 private secretaries/ confidential assistants | 17 | 94% | 1 | 6% | 18 | 0% |
| | 4D2 institution administrative heads | 48 | 100% | | 0% | 48 | 1% |
| | 4D3 Civil Service Commission approved | 585 | 97% | 21 | 3% | 606 | 9% |
| | 4D4 prevailing wage employees | | 0% | 45 | 100% | 45 | 1% |
| | 4D5 attorneys/engineers/ physicians/nurses | 136 | 43% | 179 | 57% | 315 | 5% |
| | 4D6 positions outside of Illinois | 7 | 47% | 8 | 53% | 15 | 0% |
| Total | | <u>1,810</u> | 28% | <u>4,613</u> | 72% | <u>6,423</u> | 100% |
| Source: Agency survey data summarized by OAG. | | | | | | | |

| Exhibit 2-7 AGENCY HEADS AND PARTIAL 4D EXEMPTIONS MANAGER COUNT AND AVERAGE ANNUAL SALARY | | | |
|---|---|--------------|-----------------------|
| Category | | Managers | Average Annual Salary |
| 4C General Exemptions | Agency Heads (see note) | 47 | \$125,770 |
| Partial 4D Exemptions | 4D1 private secretaries/ confidential assistants | 18 | \$71,550 |
| | 4D2 institution administrative heads | 48 | \$82,884 |
| | 4D3 Civil Service Commission approved | 606 | \$88,754 |
| | 4D4 prevailing wage employees | 45 | \$97,930 |
| | 4D5 attorneys/engineers/ physicians/nurses | 315 | \$87,671 |
| | 4D6 positions outside of Illinois | 15 | \$110,539 |
| Total | All Managers | 6,423 | \$83,990 |
| Note: Includes Agency heads and assistants (Non-Code) paid from the State officers' payroll and includes six budgeted assistant positions that were vacant in 2012. | | | |
| Source: Agency survey data and agency head budgeted position data summarized by OAG. | | | |

MANAGERS PARTIALLY EXEMPT FROM THE PERSONNEL CODE

Of 6,423 total managers, there were 1,047 managers who were partially exempt from the Personnel Code. The three agencies with the largest number of partial exemptions were Human Services (193), Corrections (174), and Central Management Services (100). They account for 45 percent of all managers that had a 4D Personnel Code exemption. Exhibit 2-6 breaks out managers by their Personnel Code status including the 4D categories. It also shows the percentage of total managers each category represents.

These partial exemptions are the second major type of exemption established by the Personnel Code (20 ILCS 415/4d). The eight partial exemptions identified are described in the following sections.

4D1 Exemptions

We identified 18 managers at 13 different agencies with 4D1 exemptions. Exhibit 2-8 shows 4D1 exempt managers by agency. The **4D1 exemptions are for private secretaries and confidential assistants**. The 18 managers fit into one of four titles for this exemption: Senior Public Service Administrator, Public Service Administrator, and Private Secretary I and II. All but one employee identified as a manager was not in a union. The one union manager was a Public Service Administrator at the Department of Agriculture whose function was submitted as the Confidential Assistant to the Director. The average annual salary for a 4D1 exempt manager was \$71,550 as of March 2012.

| Exhibit 2-8 4D1 EXEMPT MANAGERS BY AGENCY Private Secretaries & Confidential Assistants | |
|--|---------------------|
| <u>Agency</u> | <u>4D1 Managers</u> |
| Agriculture | 3 |
| Arts Council | 2 |
| Guardianship & Advocacy | 2 |
| Human Services | 2 |
| Nine Remaining Agencies | <u>9</u> |
| Total | <u>18</u> |
| Note: All were non-union employees except one Agriculture manager. | |
| Source: Agency survey data summarized by OAG. | |

| Exhibit 2-9 4D2 EXEMPT MANAGERS BY AGENCY Institution Administrative Directors | |
|---|---------------------|
| <u>Agency</u> | <u>4D2 Managers</u> |
| Corrections | 22 |
| Human Services | 15 |
| Juvenile Justice | 7 |
| Veterans' Affairs | <u>4</u> |
| Total | <u>48</u> |
| Note: All were non-union employees. | |
| Source: Agency survey data summarized by OAG. | |

4D2 Exemptions

We identified 48 managers that had 4D2 exemptions. The **4D2 exemptions category is for institution administrative directors**. In our data, all 48 employees that were 4D2 exempt were Senior Public Service Administrators. No 4D2 exempt manager was in a union. The functions of these employees were primarily: wardens, superintendents, and facility administrators. Exhibit 2-9 shows the agencies and the number of employees with 4D2 exemptions.

Since these employees are administrative directors for State institutions, they were clear fits for the 4D2 category. They also fit clearly as the type of management employee that would be outside of the collective bargaining unit. The average annual salary for a 4D2 exempt manager was \$82,884 as of March 2012.

4D3 Exemptions

There were 606 managers with a 4D3 exemption, primarily with the title Senior Public Service Administrator (96%). The Personnel Code specifies that **4D3 exemptions must be approved by the Civil Service Commission**. These 606 employees were located in 43 of the 49 agencies. We found 21 of these 606 managers were in a union. To be approved by the Civil Service Commission as a 4D3 exemption, **an employee's responsibilities must involve either principal administrative responsibility for the determination of policy or principal administrative responsibility for the way in which policies are carried out**. Exhibit 2-10 shows 4D3 managers by title. The average annual salary for a 4D3 exempt manager was \$88,754 as of March 2012.

| Exhibit 2-10 4D3 EXEMPT MANAGERS BY TITLE Approved by the Civil Service Commission | |
|--|--------------|
| <u>Title</u> | <u>Total</u> |
| Senior Public Service Admin. | 579 |
| Public Service Administrator | 22 |
| Medical Administrator | 2 |
| Administrative Assistant II | 1 |
| Executive II | 1 |
| Mental Health Program Admin. | <u>1</u> |
| Total | <u>606</u> |
| Source: Agency survey data summarized by OAG. | |

4D4 Exemptions

There were 45 employees classified as managers with 4D4 exemptions. These **4D4 exemptions were prevailing wage** employees and all were in a union. Agencies reported 44 of these employees as a Stationary Engineer (Chief or Assistant Chief) and one employee was a Carpenter Foreman. Stationary Engineer job duties relate to operating, maintaining, and repairing building systems. The Stationary Engineer Chief or Assistant Chief positions were primarily located at the Department of Corrections and Department of Juvenile Justice. Exhibit 2-11 shows the number of 4D4 managers and their agencies. The average annual salary for a 4D4 exempt manager was \$97,930 as of March 2012.

| Exhibit 2-11 4D4 EXEMPT MANAGERS BY AGENCY Prevailing Wage Employees | |
|--|---------------------|
| <u>Agency</u> | <u>4D4 Managers</u> |
| Corrections | 31 |
| Juvenile Justice | 7 |
| State Police | 4 |
| Veterans' Affairs | <u>3</u> |
| Total | <u>45</u> |
| Source: Agency survey data summarized by OAG. | |

4D5 Exemptions

There were 315 managers with a 4D5 exemption. The **4D5 managers were professionals**, primarily licensed attorneys, professional engineers, licensed physicians, and registered nurses. Employees in this group accounted for the second largest group of

| Exhibit 2-12 4D5 EXEMPT MANAGERS BY AGENCY Professionals | | | |
|--|-------------------------|---------------------|------------|
| <u>Agency</u> | <u>4D5 Managers</u> | <u>In Union</u> | <u>%</u> |
| Human Services | 111 | 74 | 67% |
| Children & Family Svcs | 48 | 39 | 81% |
| Corrections | 44 | 32 | 73% |
| Healthcare & Family Svcs | 23 | 10 | 43% |
| Veterans' Affairs | 20 | | 0% |
| Natural Resources | 13 | 12 | 92% |
| Central Management Svcs | 13 | 4 | 31% |
| Remaining agencies | <u>43</u> | <u>8</u> | <u>19%</u> |
| Totals | <u>315</u> | <u>179</u> | <u>57%</u> |

Source: Agency survey data summarized by OAG.

exemptions. The largest group of exemptions (4D3) was discussed above. Agencies identified 315 managers with this exemption with 57 percent of these managers (179) in a union.

A breakdown of the 4D5 managers by agency is displayed in Exhibit 2-12. The job titles for these 315 managers were: Senior Public Service Administrator, Public Service Administrator, Civil Engineer III, and three different Medical Administrator titles. Fifteen more agencies, beyond those noted, had three or less managers that were 4D5 exempt. The average annual salary for a 4D5 exempt manager was \$87,671 as of March 2012.

4D6 Exemptions

There were only 15 managers that were 4D6 exempt. These **4D6 managers were all located outside of Illinois**. Nine of the 15 managers work for the Department of Revenue in various states in an auditing capacity. Other managers included a healthcare and human services liaison at Human Services, two Agriculture managers (one was a federal liaison and the other an international representative for Mexico) and the remaining three managers were employed through the Department of Commerce and Economic Opportunity as foreign service economic development executives. The average annual salary for a 4D6 exempt manager was \$110,539 as of March 2012.

| Exhibit 2-13 4D6 EXEMPT MANAGERS BY AGENCY Outside of Illinois | |
|--|---------------------|
| <u>Agency</u> | <u>4D6 Managers</u> |
| Revenue | 9 |
| Commerce & Econ Opportunity | 3 |
| Agriculture | 2 |
| Human Services | <u>1</u> |
| Total | <u>15</u> |

Source: Agency survey data summarized by OAG.

MANAGERS WITH RUTAN EXEMPTIONS

Of 6,423 total managers, 1,735 (27%) were Rutan exempt. Those that are Rutan exempt were not required to have the Rutan interview process which uses pre-determined and uniform questions. Instead, positions with Rutan exemptions provide the director or chair of an agency more flexibility in making a hiring selection.

Positions which are exempt from Rutan can consider political factors while positions where Rutan applies must follow established personnel practices to assure compliance with provisions of the court case. Rutan exemptions resulted from a court case decided in 1990 which established restrictions on political hiring practices (United States Supreme Court decision in Rutan, et al. v. Republican Party of Illinois, et al., 497 U.S. 62 (1990)).

Part of the justification for Rutan exemptions is that elected officials need to have politically loyal employees to implement their policies. In addition to carrying out policies, positions with Rutan exemptions may act as an agency spokesperson or may deal with confidential issues. Since developing and implementing policy helps to define managers, it would be expected that Rutan exemptions who carry out policy would be managers.

Exhibit 2-14 below breaks down managers between Rutan applies and Rutan exempt positions and also shows their union status by functional area. The exhibit also shows that Rutan requirements apply to 73 percent of managers and that 27 percent of managers are exempt from the Rutan requirements. Rutan exemptions for employees not identified as managers are discussed in Chapter Three.

| Exhibit 2-14 MANAGERS IN RUTAN EXEMPT POSITIONS BY FUNCTION INCLUDING UNION STATUS | | | | | | | | | | |
|--|---------------|--------------|------------|--------------|-------------------------------------|------------|------------|--------------|--------------|---------------|
| Functions | Rutan applies | | | | Rutan exempt | | | | Total | |
| | Not in Union | In Union | % Union | Total | Not in Union | In Union | % Union | Total | Positions | % in Function |
| Program | 412 | 3,724 | 90% | 4,136 | 787 | 280 | 26% | 1,067 | 5,203 | 81% |
| Administration | 21 | 194 | 90% | 215 | 310 | 64 | 17% | 374 | 589 | 9% |
| Fiscal | 17 | 140 | 89% | 157 | 53 | 14 | 21% | 67 | 224 | 3% |
| Legal | 3 | 14 | 82% | 17 | 117 | 62 | 35% | 179 | 196 | 3% |
| Information Systems | 49 | 65 | 57% | 114 | 17 | | 0% | 17 | 131 | 2% |
| Shared Services | 1 | 48 | 98% | 49 | 10 | 4 | 29% | 14 | 63 | 1% |
| Legislative Affairs | | | | | 13 | 4 | 24% | 17 | 17 | <1% |
| Total | <u>503</u> | <u>4,185</u> | <u>89%</u> | <u>4,688</u> | <u>1,307</u> | <u>428</u> | <u>25%</u> | <u>1,735</u> | <u>6,423</u> | |
| Rutan Applies for 73% of managers | | | | | Rutan Exemption for 27% of managers | | | | | |
| Source: Agency survey data summarized by OAG. | | | | | | | | | | |

UNION MANAGERS AND SUPERVISORS

Of the total 6,423 managers identified, 4,613 (72%) were covered by a collective bargaining agreement. Human Services had the largest number of managers in a union with 1,202 or 79 percent. Twenty-seven agencies had a majority of their managers covered by a collective bargaining agreement. Exhibit 2-15 shows the agencies where a high percent of managers were in a union.

Exhibit 2-16 shows more detail on agencies and union status. It shows all agencies and includes the number and percentage of managers in a union and not in a union.

One of the results of managers being in a collective bargaining unit is that there may be some functions associated with being a supervisor which cannot be performed by a union member. Many agencies noted that some of their supervisors were not responsible for discipline or grievances since they were in a collective bargaining unit.

| Exhibit 2-15 AGENCY MANAGERS IN A UNION Those with 70 Percent and Above | | | |
|--|-----------------|----------|-----------------|
| <u>Agency</u> | <u>In Union</u> | <u>%</u> | <u>Managers</u> |
| Children & Family Services | 539 | 88% | 613 |
| Juvenile Justice | 150 | 86% | 174 |
| Environmental Protection | 123 | 83% | 148 |
| State Police (excluding sworn officers) | 150 | 82% | 182 |
| Historic Preservation | 25 | 81% | 31 |
| Corrections | 492 | 79% | 621 |
| Human Services | 1,202 | 79% | 1,527 |
| Public Health | 192 | 76% | 252 |
| Lottery | 19 | 76% | 25 |
| Healthcare & Family Svcs | 299 | 70% | 428 |
| Emergency Management | 39 | 70% | 56 |

Source: CMS and agency survey data summarized by OAG.

For example, the Department of Human Services gave the brief explanation “working supervisor.” This description applied to 1,013 (84%) of the 1,202 union managers/supervisors at DHS. Healthcare and Family Services (HFS) expressed concern about 300 employees that they had classified as managers who were actually lead workers. As lead workers they cannot discipline or resolve grievances but have other supervisory responsibilities. HFS noted that this leaves them very short of managers. Agency responses explaining this issue were as follows:

- The supervisor handles all supervisory duties except discipline and grievances because that supervisor is in a collective bargaining unit. Therefore the first non-bargaining unit person up the chain of command would be the person to impose discipline or hear grievances. (DHS)
- Employees classified as managers were lead workers who cannot fulfill all of the responsibilities of managers. (HFS)
- These staff supervise day to day operational activities, but have no decision making authority. (Corrections)
- Most supervisors can’t perform discipline actions due to being in the union. (Revenue)
- Supervised by another manager outside the bargaining unit when discipline and/or grievances arise. (Gaming Board)

This is a union supervisor; a non-union supervisor handles all discipline and grievances. (Labor)

**Exhibit 2-16
MANAGERS: UNION AND NON-UNION BY AGENCY**

| Agency | Non-Union Managers | Percent Non-Union | Union Managers | Percent Union | Total Managers |
|--|-------------------------------|------------------------------|---------------------------|--------------------------|---------------------------|
| Aging | 16 | 38.1% | 26 | 61.9% | 42 |
| Agriculture | 30 | 38.5% | 48 | 61.5% | 78 |
| Arts Council | 6 | 85.7% | 1 | 14.3% | 7 |
| Capital Development Board | 8 | 44.4% | 10 | 55.6% | 18 |
| Central Management Services | 142 | 55.0% | 116 | 45.0% | 258 |
| Children & Family Services | 74 | 12.1% | 539 | 87.9% | 613 |
| Civil Service Commission | 3 | 100.0% | | 0.0% | 3 |
| Commerce & Economic Opportunity | 62 | 55.9% | 49 | 44.1% | 111 |
| Commerce Commission | 35 | 44.3% | 44 | 55.7% | 79 |
| Corrections | 129 | 20.8% | 492 | 79.2% | 621 |
| Criminal Justice Information Authority | 7 | 46.7% | 8 | 53.3% | 15 |
| Deaf & Hard Of Hearing Commission | 4 | 100.0% | | 0.0% | 4 |
| Developmental Disabilities Council | 3 | 100.0% | | 0.0% | 3 |
| Emergency Management Agency | 17 | 30.4% | 39 | 69.6% | 56 |
| Employment Security | 110 | 35.0% | 204 | 65.0% | 314 |
| Environmental Protection | 25 | 16.9% | 123 | 83.1% | 148 |
| Financial & Professional Regulation | 51 | 56.7% | 39 | 43.3% | 90 |
| Gaming Board | 9 | 34.6% | 17 | 65.4% | 26 |
| Guardianship & Advocacy | 10 | 45.5% | 12 | 54.5% | 22 |
| Healthcare & Family Services | 129 | 30.1% | 299 | 69.9% | 428 |
| Historic Preservation | 6 | 19.4% | 25 | 80.6% | 31 |
| Human Rights Commission | 4 | 100.0% | | 0.0% | 4 |
| Human Rights Department | 10 | 38.5% | 16 | 61.5% | 26 |
| Human Services | 325 | 21.3% | 1,202 | 78.7% | 1,527 |
| IL Sentencing Policy Advisory Council | 2 | 100.0% | | 0.0% | 2 |
| IL Torture Inquiry Relief Commission | 1 | 100.0% | | 0.0% | 1 |
| Insurance | 21 | 36.8% | 36 | 63.2% | 57 |
| Investment Board | 4 | 100.0% | | 0.0% | 4 |
| Juvenile Justice | 24 | 13.8% | 150 | 86.2% | 174 |
| Labor | 10 | 55.6% | 8 | 44.4% | 18 |
| Labor Relations Board, Educational | 4 | 100.0% | | 0.0% | 4 |
| Labor Relations Board, Illinois | 2 | 100.0% | | 0.0% | 2 |
| Law Enforcement Training & Standards Board | 4 | 80.0% | 1 | 20.0% | 5 |
| Lottery | 6 | 24.0% | 19 | 76.0% | 25 |
| Military Affairs | 12 | 37.5% | 20 | 62.5% | 32 |
| Natural Resources | 44 | 35.2% | 81 | 64.8% | 125 |
| Pollution Control Board | 4 | 100.0% | | 0.0% | 4 |
| Prisoner Review Board | 3 | 100.0% | | 0.0% | 3 |
| Property Tax Appeal Board | 6 | 100.0% | | 0.0% | 6 |
| Public Health | 60 | 23.8% | 192 | 76.2% | 252 |
| Racing Board | 8 | 100.0% | | 0.0% | 8 |
| Revenue | 71 | 31.4% | 155 | 68.6% | 226 |
| State Fire Marshal | 11 | 47.8% | 12 | 52.2% | 23 |
| State Police (excluding sworn officers) | 32 | 17.6% | 150 | 82.4% | 182 |
| State Police Merit Board | 5 | 100.0% | | 0.0% | 5 |
| State Retirement Systems | 11 | 52.4% | 10 | 47.6% | 21 |
| Transportation | 183 | 31.6% | 396 | 68.4% | 579 |
| Veterans' Affairs | 39 | 37.5% | 65 | 62.5% | 104 |
| Workers' Compensation Commission | 28 | 75.7% | 9 | 24.3% | 37 |
| Total | 1,810 | 28.2% | 4,613 | 71.8% | 6,423 |

Source: CMS and agency survey data summarized by OAG.

Although there were 14 agencies that had no managers in a union, they were all small agencies that had only 53 managers in total. These 14 agencies had a combined total of 208 employees.

Based on the distinguishing factors of managers that we were asked to summarize, Exhibit 2-17 below shows the categories and the proportion of managers that were in a union for each category.

| Exhibit 2-17 UNION STATUS OF MANAGERS BY SPECIFIED AUDIT CATEGORIES | | | | | |
|---|-----------------|--------------|------------|--------------|------------------------|
| Category | Not in Union | In Union | % Union | Total | % of Total Managers |
| Personnel Code Applies | 673 | 3,892 | 85% | 4,565 | 71% |
| 4C General Exemptions (Non-Code) | 344 | 467 | 58% | 811 | 13% |
| 4D Partial Exemptions | <u>793</u> | <u>254</u> | 24% | <u>1,047</u> | 16% |
| Total Managers | <u>1,810</u> | <u>4,613</u> | 72% | <u>6,423</u> | |
| Rutan Exempt (see Note) | 1,307 | 429 | 25% | 1,735 | 27% |
| Note: Rutan Exempt positions are not mutually exclusive of any of the Personnel Code categories. Source: Agency survey data summarized by OAG. | | | | | |

Chapter Three

EXEMPTIONS FOR NON-MANAGERS

CHAPTER CONCLUSIONS

There were several issues relating to employees who were classified by their agencies as non-managers but had other characteristics that could indicate that they are managers. Exhibit 3-1 summarizes the issues.

We identified 43 positions which agencies identified as non-managers that had a 4D3 exemption from the merit and fitness requirements of the Personnel Code. These exemptions are for employees who have responsibilities which involve either principal administrative responsibility for the determination of policy or principal administrative responsibility for the way in which policies are carried out.

| Exhibit 3-1 ISSUES FOR NON-MANAGERS WITH MANAGERIAL CHARACTERISTICS | |
|---|-------|
| 1. Direct Supervision | 1,400 |
| 2. Rutan Exemptions | 702 |
| 3. Selected Titles | 84 |
| 4. Personnel Code 4D3 Exemptions | 43 |
| 5. Personnel Code 4D1 Exemptions | 46 |
| Source: Agency survey data summarized by OAG. | |

There were 702 employees from our surveys that were in Rutan exempt positions that agencies identified as non-managers. Since developing and implementing policy helps to define managers, it would be expected that Rutan exemptions who carry out policy would be managers. Natural Resources had the most Rutan exempt non-managers with 109. Fifty-six of 109 of these employees functioned as Site Superintendents.

Of employees who were identified by agencies as non-managers there were 1,400 employees in 14 agencies who had direct supervisory authority. Supervisory responsibility is one characteristic that helps to define managers or supervisors. Corrections had most of the non-managers who supervise with 1,088. These Corrections employees were mostly Lieutenants (537) or Sergeants (411).

We identified 84 employees who had a title, a working title, or a functional title that indicated that they were in a position of authority, but their agency said that they were not a manager. Natural Resources had 61 employees whose function was Site Superintendent who were classified as non-managers.

There were 907 employees in the Public Service Administrator (PSA) title and 46 in the Senior Public Service Administrator (SPSA) title who were not considered managers by their agencies. Central Management Services (CMS) position classifications for both titles indicate

that they are managers. Human Services had 128 PSAs who were non-managers and CMS had 117. CMS also had the most SPSA non-managers with 15.

Central Management Services should consider revising the State's Personnel Code classification system so that issues identified in this audit can be addressed.

BACKGROUND ON NON-MANAGERS

As described in Chapter One, we identified potential Personnel Code managers by reviewing position titles at the Department of Central Management Services. Lists of those employees were sent to agencies for their review and determination of whether they were a manager. We sent out surveys to ask agencies whether the people that we identified were in fact managers, how many people they supervised, and whether those employees were supervised or managed by anyone else. The surveys for 49 agencies that we sent included 13,473 potential managers and agency responses indicated that there were 5,612 actual Code managers (plus 811 non-Code managers that agencies provided). This chapter includes some analysis of those potential managers that agencies identified as non-managers.

In particular the non-managers analyzed in this chapter are employees that had other indicators that suggested that they were managers. In our instructions for the survey we noted specifically to give consideration to:

- Whether employees have 4D partial exemptions which suggests that they may be managers; and
- Whether employees have Rutan exemptions which suggests that they may be managers.

The categories of employees that were identified as non-managers are discussed in the sections that follow.

PERSONNEL CODE ISSUES

We identified two issues related to non-managers having Personnel Code partial exemptions. In the first, we identified exemptions intended for private secretaries and confidential assistants which are union members. These exemptions are identified under section 4D1 of the Personnel Code. Second, we identified 43 positions which agencies identified as non-managers who had a 4D3 exemption from the merit and fitness requirements of the Personnel Code.

4D1 Exemptions

We identified nine positions which had an exemption for private secretaries and confidential assistants that were union members. These exemptions are identified under section 4D1 of the Personnel Code. The Personnel Code defines these exemptions:

In each department, board or commission that now maintains or may hereafter maintain a major administrative division, service or office in both Sangamon County and Cook County, 2 private secretaries for the director or chairman thereof, one located in the Cook County office and the other located in the Sangamon County office, shall be exempt from jurisdiction B; in all other departments, boards and commissions one private secretary for the director or chairman thereof shall be exempt from jurisdiction B. In all departments, boards and commissions one confidential assistant for the director or chairman thereof shall be exempt from jurisdiction B (20 ILCS 415/4d (1)).

Most non-manager 4D1 exemptions that we reviewed were not union members (37 of 46), which is appropriate, but nine were union members. Confidential employees who are managers and non-managers are discussed in more detail in Chapter Four on Other Issues.

4D3 Exemptions

We identified 43 positions which agencies identified as non-managers that had a 4D3 exemption from the merit and fitness requirements of the Personnel Code. These exemptions are for employees who have responsibilities which involve either principal administrative responsibility for the determination of policy or principal administrative responsibility for the way in which policies are carried out. These responsibilities define managers.

These exemptions are recommended by the Department of Central Management Services and approved by the Civil Service Commission. Exhibit 3-2 shows the agencies where the positions have a 4D3 exemption but were considered by the agencies to be non-managers. We asked an executive from the Civil Service Commission whether he thought employees with 4D3 exemptions were management positions and he said that they were. In spite of that, there were a total of 43 4D3 exemptions that were classified by agencies as non-managers.

The Personnel Code specifies that these exemptions are for positions that determine or carry out policy (20 ILCS 415/4d (3)). We used the definition of manager from the Public Labor Relations Act as our working definition of manager for this audit. The Act defines "managerial

| Exhibit 3-2 AGENCIES WITH 4D3 EXEMPTIONS FOR NON-MANAGERS | |
|---|------------|
| <u>Agency</u> | <u>4D3</u> |
| Central Management Services | 5 |
| Commerce & Econ Opportunity | 6 |
| Corrections | 3 |
| Emergency Mangmt Agency | 1 |
| Employment Security | 3 |
| Financial & Professional Reg | 7 |
| Gaming Board | 1 |
| Human Services | 1 |
| Insurance | 1 |
| Labor | 1 |
| Natural Resources | 5 |
| Public Health | 4 |
| Revenue | 2 |
| State Fire Marshal | 2 |
| Veterans' Affairs | 1 |
| Total | <u>43</u> |
| Source: Agency survey data summarized by OAG. | |

employee" as an individual who is engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of management policies and practices (5 ILCS 315/3 (j)).

This could be an issue of agencies defining managers too restrictively, or it could be an issue that too many titles are being approved as partial exemptions of the Personnel Code under section 4D3. Less than half (19 of these positions) are union members, so union status is not the primary issue here. When agencies indicated that employees were not managers we asked them to provide a brief explanation of why they did not consider an employee a manager. Among the reasons given were they had no direct reports, were not managers, were administrative or staff, and their duties were routine in nature.

| 4D3 EXEMPTIONS | |
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| RECOMMENDATION NUMBER 1 | <i>The Department of Central Management Services and the Civil Service Commission should assure 4D3 exemptions are approved appropriately in compliance with the Personnel Code (20 ILCS 415/4d(3)).</i> |
| Central Management Services' Response | <p>The Personnel Code (20 ILCS 415/4d(3)) states that "The Civil Service Commission, upon written recommendation of the Director of Central Management Services, shall exempt from jurisdiction B other positions which, in the judgment of the Commission, involve either principal administrative responsibility for the determination of policy or principal administrative responsibility for the way in which policies are carried out, except positions in agencies which receive federal funds if such exemption is inconsistent with federal requirements, and except positions in agencies supported in whole by federal funds."</p> <p>As the authority for granting 4d(3) exemptions lies with the Civil Service Commission (CSC), the Department of Central Management Services defers to the CSC for comment on ensuring compliance with this provision of the Personnel Code. Our response will discuss CMS' role in the submission of 4d(3) requests and the processing of subsequent approvals or denials.</p> <p>The proper classification of a position must be determined prior to requesting 4d(3) exemption from the CSC. As such, an agency must submit a position establishment or clarification (on a CMS-104) to CMS for review by a CMS Classification Analyst. The agency must also submit a letter from its Agency Director to CMS outlining the reasons for the exemption request and all associated organizational charts. The CMS Classification Analyst ensures the position is properly classified and performs a preliminary analysis to determine if the position meets the 4d(3) criteria. If the position is determined to be properly classified and the preliminary analysis indicates the position is consistent with similar 4d(3) exempt positions, CMS prepares a request packet for submission to the Civil Service Commission. Once the</p> |

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| <p>Central Management Services' Response (continued)</p> | <p>packet is submitted to the CSC, it is placed on the monthly agenda for consideration. CMS, in conjunction with the requesting agency, answers any preliminary questions the CSC may have in preparation for the meeting as well as attends the CSC meeting to address questions from the Commission. Once the Commission has ruled on the appropriateness of 4d(3) exemption for a position, CMS officially recognizes the position as 4d(3) exempt and notifies the agency of such status. Conversely, if the exemption is denied, CMS notifies the agency, as well.</p> <p>Note: Our response to Recommendation #3 discusses in detail the potential issues resulting from the methodologies the agencies may have applied in completing the surveys; the issues arising from usage of the Illinois Public Labor Relations Act's definitions of "manager" and "supervisor;" and our continuing efforts to remove 4d(1) and 4d(3) exempt positions from union inclusion pursuant to Senate Bill 1556, which is also covered in Recommendation #5.</p> |
| <p>Civil Service Commission's Response</p> | <p>The audit was undertaken to review "management" positions. As provided to the Civil Service Commission, the audit proceeds to define what a "manager" is:</p> <p>"Manager" is an individual who is engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of management policies and practices.</p> <p>The audit further notes that this definition was from the Illinois Public Labor Relations Act.</p> <p>The audit then references positions partially exempt from the Personnel Code pursuant to Section 4d(3). These are positions that "involve either principal administrative responsibility for determination of policy or principal administrative responsibility for the way in which policies are carried out." Such positions can only be exempted by judgment of the Civil Service Commission upon recommendation by the Director of Central Management Services. The audit goes on to note that such partially exempt positions "should be managers or supervisors" based on the statutory description and because of "the involvement in policy as noted in our definition."</p> <p>The Civil Service Commission is mostly in agreement with this sentiment. However, the Commission believes that there can be positions exempt pursuant to Section 4d(3) of the Personnel Code that do not fall within the audit's definition of "manager." That is because the audit's definition of "manager" is limited to directing the "effectuation" of management policies. Referring to Section 4d(3), that is tantamount to positions that involve "principal administrative responsibility for the way in which policies are carried out." Section 4d(3) has additional exemption criteria, "determination of policy." The Commission has approved exemption requests for titles solely</p> |

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| <p>Civil Service Commission's Response (continued)</p> | <p>dedicated to this function, i.e. Senior Policy Advisor, Media Administrator, Strategic Planning Advisor, etc. Such positions may not have any management responsibilities as set forth in the audit definition since they participate in the <i>development</i> of policy but do not participate in the <i>effectuation</i> of policy.</p> <p>This may also help explain why the audit identified 43 positions that the agencies indicated were not managers yet were exempt pursuant to section 4d(3) of the Personnel Code. To ensure compliance with the provisions of the Personnel Code, the Civil Service Commission has obtained a list of these positions and will follow up with the agencies to verify that they still qualify for a principal policy exemption.</p> <p>The Civil Service Commission is in agreement that Section 4d(3) exemptions are to be approved appropriately in compliance with the Personnel Code. In fact, your June 2010 Management Audit of Exemptions Granted by the Civil Service Commission (HR140) found that for all 50 positions in your sample, the granting of the exemption was consistent with State law.</p> |
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RUTAN ISSUES

There were 702 employees from our surveys that were in Rutan exempt positions that agencies identified as non-managers. Rutan exempt employees help agencies to carry out policies, to speak on their behalf, or to deal with confidential issues. Rutan exempt employees who carry out policy should be managers.

Exhibit 3-3 shows Rutan exempt non-managers. Natural Resources had the most Rutan exempt non-managers with 109. Fifty-six of 109 of these employees functioned as Site Superintendents. There were 532 of the 702 that were also union members.

The Rutan decision, from 1990, held that promotions, transfers, and recalls based on political affiliation or support are an impermissible infringement on public employees' First Amendment rights. Certain employees or positions may have an exemption to this rule for certain high-level employees. The Rutan decision noted that:

A government's interest in securing employees who will loyally implement its policies can be adequately served by choosing or dismissing certain high-level employees on the basis of their political views. [Rutan v. Republican Party, 497 U.S. 62 (1990)]

The definition of managers that we are applying and provided to agencies notes that a:

"Manager" is an individual who is engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of management policies and practices.

| Exhibit 3-3 AGENCIES WITH RUTAN EXEMPTIONS FOR NON-MANAGERS | |
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| <u>Agency</u> | <u>Rutan Exempt</u> |
| Natural Resources | 109 |
| Revenue | 67 |
| Corrections | 57 |
| Healthcare & Family Services | 53 |
| Human Services | 52 |
| Financial & Professional Reg | 44 |
| Central Management Services | 37 |
| Commerce & Econ Opportunity | 36 |
| Transportation | 26 |
| Employment Security | 24 |
| Children & Family Services | 22 |
| Insurance | 21 |
| Public Health | 20 |
| Pollution Control Board | 14 |
| Environmental Protection | 10 |
| State Police | 10 |
| 25 Other Agencies* | <u>100</u> |
| Total Rutan Exempt Non-Managers | <u>702</u> |
| * Twenty-five agencies had between one and nine employees who were Rutan exempt and identified as non-managers. | |
| Source: Agency survey data summarized by OAG. | |

It appears that either agencies may have misidentified some employees as non-managers or employees may have been exempted from requirements of the Rutan decision inappropriately. When agencies indicated that employees were not managers, their explanations were similar to employees with Personnel Code exemptions. Among the reasons given were duties were routine in nature, they did not supervise, or they had no managerial decision-making authority.

The Director of Central Management Services is responsible for setting forth a uniform set of rules that guide the process of personnel administration. Whether hiring decisions are exempt from Rutan is an important part of the process of personnel administration.

Central Management Services has internal documents which outline the process by which it determines whether a position can be considered exempt from Rutan requirements. Although a process exists, it does not seem to be a sufficient internal control to assure that exemptions to the Rutan decision are only used for certain high-level employees who will loyally implement the State’s policies. There are over 700 employees who are Rutan exempt but are not considered by agencies as managers.

| RUTAN EXEMPTIONS | |
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| RECOMMENDATION NUMBER 2 | <p><i>The Department of Central Management Services should assure that Rutan exemptions are only used for positions responsible for implementing policies.</i></p> |
| Central Management Services’ Response | <p>The Department believes that there are sufficient internal controls in place to ensure that the Rutan decision is implemented in accordance with all provisions of the law. The audit cites that these exemptions should only be used for certain high-level employees who will loyally implement the State’s policy. Utilizing established principles of management and accountability, the Rutan determination criteria was developed in 1990 by the external accounting firm of Ernst & Young and the law firm of Jenner and Block and were based on the then-recently released Rutan decision, the Elrod and Branti decisions. By law, the Rutan determinations are based on the type of duties and level of responsibilities in three critical areas: policy-making, spokesperson and confidentiality. While the spokesperson and/or confidentiality components were added into the draft audit report per our request, we are still of the opinion that the overall conclusion does not accurately take these two criteria into account. The threshold for all three criteria encompasses many more types and levels of duties and responsibilities than solely “implementing policies” and meeting the Illinois Public Labor Relations Act’s definition of “managing” and/or “supervising.”</p> <p>The report further cites that “Rutan exempt employees who carry out policies should be considered managers.” Policy-implementation is indeed one criterion used in determining the Rutan exempt status of a position though the level with which a position is charged with “carrying out” policy was likely interpreted in many ways by the agencies completing the surveys. Please note that positions, not employees, are determined to be Rutan Exempt; the determination is not based on the employee or work the employee is claimed to perform without regard to the officially assigned duties and responsibilities of the employee’s position reflected in the official position description</p> |

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| <p>Central Management Services’ Response (continued)</p> | <p>(CMS-104). Rutan determinations are based on the duties and responsibilities assigned and attested to by the Director of the agency via the CMS-104. As we discuss in greater detail in our response to Recommendation #3, we are uncertain of the extent to which the agencies utilized the official position description when completing the survey. Further, it does not appear that agencies were given the opportunity to address possible spokesperson and/or confidentiality aspects of the job in the survey but rather were limited to only addressing policy issues. Therefore, their conclusion would only address one aspect of potential Rutan exemption consideration, that being solely policy-making as defined by the “manager” and “supervisor” definitions in the Illinois Public Labor Relations Act.</p> <div data-bbox="581 653 1395 1045" style="border: 1px solid black; padding: 5px;"> <p><i>Auditor Comment 5:</i></p> <p><i>The purpose of the audit was to collect information from agencies on managers. One element auditors were required to collect was whether the employee was Rutan exempt. It was not an audit of purposes for Rutan exemptions. However, when audit results showed such a large number of Rutan exempt employees with management or supervisory responsibilities in their formal CMS position descriptions were being reported as non-managers by agencies, auditors simply recommended that CMS look into this matter.</i></p> </div> <p>There were 702 Rutan exempt positions identified by the agencies as non-managers, and a statement at the bottom of page 35 concludes that “It appears that either agencies may have misidentified some employees as non-managers or employees may have been exempted from requirements of the Rutan decision inappropriately.” A review by CMS of a sampling of the 702 Rutan exempt positions provided as the source data revealed that, while some of the positions were excluded based on policy-making, those same positions were also generally exempted based on the level of spokesperson and/or confidentiality responsibilities as well. Further, a majority of the positions reviewed were Rutan exempt based only on their confidential and/or spokesperson responsibilities and did not rise to the level of Rutan exemption with respect to policy-making.</p> <div data-bbox="581 1545 1395 1871" style="border: 1px solid black; padding: 5px;"> <p><i>Auditor Comment 6:</i></p> <p><i>Although auditors shared their survey results regarding the 702 Rutan exempt positions with CMS, CMS did not provide auditors with the results of their review. However, it appears that the CMS review consisted of reviewing the employees’ duties delineated in the CMS-104 for the position– what the employees should be doing – rather than determining what the employees were <u>actually</u> doing at the agency. <u>It is the auditors’</u></i></p> </div> |
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| <p><i>Auditor Comment</i> (continued)</p> | <p><u>position that the strength of the audit was to determine how employees were actually functioning in their position, rather than simply relying on a CMS position description which may or may not accurately depict the employees' actual duties.</u></p> |
| <p>Central Management Services' Response (continued)</p> | <p>As there have been several position number changes and employee movements since the data was provided and our record-keeping with respect to position history is only partially automated, verification for several of the 702 Rutan exempt positions requires a lengthy and manual process before a thorough analysis can be performed. Again, however, once completed, the results would only yield the exemption(s) based on the CMS-104, not necessarily the information used by the agencies to complete the survey. We believe the underlying reason is because of the definitional problems and that the agencies self-reported assessment of an employee's duties may or may not be accurately or thoroughly reflected in the CMS-104. There are several factors that may have been considered by the agencies including, but not limited to, agencies may not be considering some policy-exempted positions to be policy-implementers and/or fit the definition of "manager" used in the survey; agencies may not be working the employee to the level described on the position description with respect to policy-making; the person completing the survey may not have consulted the CMS-104 but rather based the comments on the duties known to be performed by the incumbent; and/or the incumbent is currently temporarily assigned to other duties or otherwise assigned duties not reflected in the job description which may have resulted in the survey being completed reflecting those duties. These factors are discussed in greater detail in Recommendation #3. CMS will remind agencies that the official record of a position's duties is the CMS-104, and the document must be updated to reflect any changes in duties and/or authorities.</p> <p>We would also like to provide a comment regarding the excerpt from the Rutan decision which appears on page 35 and states "A government's interest in securing employees who will loyally implement its policies can be adequately served by choosing or dismissing certain high-level employees on the basis of their political views." This statement is, in the abstract, correct. However, when taken into context with the additional rights afforded employees under the Personnel Code, Personnel Rules, applicable union contract language, and any other source of rights an employee may enjoy, most employees may only be dismissed for work-related and/or performance reasons with due process. As we stated in our request to consider removal of this language, this statement is misleading.</p> <p><i>See Auditor Comment on the next page.</i></p> |

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| | <p>Auditor Comment 7:</p> <p><i>The purpose of the quote from the Rutan decision was to provide the reader with perspective as to why it may be in the government’s interest to have Rutan exempt employees. The audit has no discussion of dismissals of Rutan exempt employees. Rather, CMS, in its comments, raises dismissals as an issue.</i></p> |
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DIRECT SUPERVISION

Of employees who are identified by agencies as non-managers, there were 1,400 employees in 14 agencies who have direct supervisory authority, but were not reported as managers by agencies. Most of these workers are bargaining unit covered supervisory positions. In one agency’s survey response it was noted that bargaining unit-covered supervisory positions may perform the following supervisory duties, per Central Management Services:

- Serve as working supervisor;
- Assign and review work;
- Provide guidance and training to assigned staff;
- Counsel staff regarding work performance;
- Reassign staff to meet day-to-day operating needs;
- Establish annual goals and objectives;
- Approve/disapprove time off requests;
- Prepare and sign performance evaluations.

| Exhibit 3-4 NON-MANAGERS WHO SUPERVISE BY AGENCY | | |
|--|---------------------------|---------------------------------|
| <u>Agency</u> | <u># of Employees</u> | <u>Average # Supervised</u> |
| Central Management Services | 79 | 6.8 |
| Children & Family Services | 2 | 4.0 |
| Commerce & Econ Opportunity | 7 | 1.9 |
| Corrections | 1,088 | 101.3 |
| Criminal Justice Authority | 1 | 1.0 |
| Emergency Management Agency | 4 | 1.8 |
| Gaming Board | 2 | 3.0 |
| Military Affairs | 1 | 1.0 |
| Natural Resources | 185 | 2.5 |
| Pollution Control Board | 1 | 6.0 |
| Prisoner Review Board | 2 | 2.0 |
| Property Tax Appeal Board | 2 | 2.0 |
| Revenue | 23 | 4.7 |
| State Retirement Systems | <u>3</u> | <u>3.0</u> |
| Total | <u>1,400</u> | <u>79.5</u> |
| Source: CMS and agency survey data summarized by OAG. | | |

Exhibit 3-4 shows the agencies that have non-managers with responsibility for direct supervision. It shows the number of non-manager employees who supervise and the average number of employees that they supervise. All but nine of these employees are in a union. The most common reason for employees who supervised to be classified as non-managers was that they had “no managerial decision-making authority.” There were 1,085 at the Department of Corrections that were non-managers with that explanation. Three others had another explanation

for a total of 1,088 Corrections employees identified as non-managers who supervise. These Corrections employees were mostly Lieutenants (537) or Sergeants (411). The number supervised for the Department of Corrections employees is high because numbers are based on the largest number of employees that a lead worker may supervise on a shift. For example, the agency responded “up to 411” for supervisors at a specific correctional facility.

The Department of Natural Resources had the next highest number of non-managers who supervise. The agency had over 20 titles for non-managers who supervise, but three titles accounted for over half, Site Superintendents (62), Public Service Administrators (29), and Rangers (27). Natural Resources non-manager supervisors supervised many less employees than Corrections with an average of 2.5. All of these Natural Resources employees were classified as non-managers because the supervision was “routine in nature.”

Other common explanations were that employees did not supervise/only assigned tasks, or only lead other trades/union staff. In addition there were unit supervisors that had an additional note that other management staff have to perform any discipline or grievance issues due to unionization of supervisor.

SELECTED TITLES

We identified selected titles that indicated that employees were in a position of authority even though their agency said that they were not a manager. There were 84 employees identified as non-managers who had a working title or functional title that we selected. Exhibit 3-5 shows the titles that we selected that had more than ten employees in them. Agencies titles were not always identical but employees appeared to be fulfilling the selected function. The three selected titles which had more than ten employees are discussed in the following paragraphs.

| Exhibit 3-5 NON-MANAGERS IN OAG SELECTED TITLES | |
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| <u>Selected Title</u> | <u>Employees</u> |
| Superintendent | 61 |
| Director | 12 |
| Legislative Liaison | 11 |
| Source: Agency survey data summarized by OAG. Titles selected by OAG. | |

Superintendent

The largest number of employees in a selected title was Superintendents with 61. These employees all had the functional title of Site Superintendents for the Department of Natural Resources. All of these employees are in a bargaining unit, the Illinois Federation for Public Employees (IFPE) unit for Site Superintendents and Managers. The agency indicated they were not considered managers because their responsibilities were “routine in nature.”

Director

These 12 employees were spread over eight different agencies. Their title or function identified them as the director of a program or functional area but they were still identified as

non-managers. All except two of these employees were union members. The functions for the two who were not union members were the Land Management Director at Natural Resources and the Director of Information Strategy at Central Management Services. The employees were SPSAs, had a 4D3 exemption from the Personnel Code, and were Rutan exempt. To explain these employees being non-managers, Natural Resources noted the employee’s responsibilities were routine in nature and CMS noted that this was a staff position.

Legislative Liaison

Non-managers included eleven employees who were legislative liaisons for seven different agencies. Nine of these positions were in a union and two were not. Exhibit 3-6 shows agencies with non-manager legislative liaisons.

This position was specifically noted in three bills considered in the 97th General Assembly session. All three bills sought to have this position excluded from collective bargaining. Two bills sought to exclude additional titles like deputy director, chief legal counsel, or chief fiscal officer. One of these bills passed both houses in January 2013, at the end of the 97th General Assembly. The Governor signed the bill as Public Act 97-1172 in April 2013.

| Exhibit 3-6 NON-MANAGER LEGISLATIVE LIAISONS BY AGENCY | |
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| <u>Agency</u> | <u>Employees</u> |
| Employment Security (See note) | 1 |
| Financial & Professional Regulation (See note) | 3 |
| Labor | 1 |
| Natural Resources | 2 |
| Revenue | 1 |
| State Fire Marshal | 1 |
| State Police | <u>2</u> |
| Total | <u>11</u> |
| Note: All legislative liaisons are in a union except for two. One employee at Employment Security and one at Financial & Professional Regulation were not in a union. | |
| Source: CMS and agency survey data summarized by OAG. | |

PUBLIC SERVICE ADMINISTRATOR NON-MANAGERS

There were 907 employees in the Public Service Administrator title who were not considered managers by their agencies. The Public Service Administrator job title encompasses 3,441 employees and of those 907 (26%) were not considered a supervisor or manager by their agency.

Although the majority of these positions were classified as managers by agencies, a large number were classified as non-managers even though the Central Management Services position classification clearly describes them as managers. According to the Central Management Services’ position classification system the Public Service Administrator position:

*...is designed for a broad band of **middle management positions** located in agencies, boards, and commissions and subject to the Civil Service Code. Positions allocated to this class serve as **policy implementing officials and/or have considerable administrative responsibilities that are managerial, supervisory, or confidential in nature.** [emphasis added by OAG]*

The Public Service Administrator position is broken down into various options based on the specialization required. Among the categories are: general administration, business, fiscal management, financial regulatory, management information systems, physical sciences, health and human services, laboratory specialist, law enforcement, and a variety of special licenses. However, because the classification is so broad, the description cannot match all of the many employees' responsibilities very well. Human Services had 128 Public Service Administrators who were non-managers and CMS had 117.

Senior Public Service Administrator

There were 46 Senior Public Service Administrators who were not considered managers by their agency. The Senior Public Service Administrator job title encompasses 1,274 employees and of those 46 (4%) were not considered a supervisor or manager by their agency. According to the Central Management Services' position classification system the Senior Public Service Administrator position includes:

*...a broad band of **senior state management positions** in agencies, boards, and commissions with a level of responsibility at least equivalent to a major program manager's and subject to the provisions of the Civil Service Code.
[emphasis added by OAG]*

Central Management Services had the largest number of non-manager SPSAs with 15. Its survey responses varied on the reason the positions were not managers but the two most common were that the position was a technician or was staff. Commerce and Economic Opportunity (DCEO) and Employment Security tied for the second largest number, each with seven. For five of the DCEO employees the agency said that employees were not managers because they were administrative or non-management. Two of the DCEO non-managers have the functional title of "Business Finance Manager" and "Business Finance Project Manager." Employment Security noted that its non-manager SPSAs did not meet the OAG's definitions. The functional titles of its employees included: "Executive Deputy Director of Programs," "Deputy Legal Counsel," and "Assistant Legal Counsel."

PERSONNEL CODE CLASSIFICATION SYSTEM

Central Management Services should consider revising the State’s Personnel Code classification system so that issues that we identified in this audit can be addressed. Among the problems that could be clarified with an improved plan are:

- Inconsistency of manager and supervisor positions that have partial exemptions to Section 4D of the Personnel Code;
- Inconsistency of manager and supervisor positions that have a Rutan exemption;
- Unclear responsibility for the supervision of employees, including responsibility for important functions like evaluations, discipline, and grievances;
- Issues with functional titles with significant authority within agencies that are classified as non-managers;

According to the Personnel Code, Central Management Services and its Director are responsible for the preparation, maintenance, and revision of a position classification plan for all covered positions, based upon similarity of duties performed, responsibilities assigned, and conditions of employment (20 ILCS 415/8a). This classification plan is subject to approval by the Civil Service Commission.

| PERSONNEL CLASSIFICATION SYSTEM | |
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| RECOMMENDATION NUMBER 3 | <i>The Department of Central Management Services should review and revise the State’s classification plan to address the issues identified in this management audit.</i> |
| Central Management Services’ Response | <p>Specifically cited:</p> <ul style="list-style-type: none"> • Inconsistency of manager and supervisor positions that have partial exemptions to Section 4d of the Personnel Code; • Inconsistency of manager and supervisor positions that have a Rutan exemption; • Unclear responsibility for the supervision of employees, including responsibility for important functions like evaluations, discipline, and grievances; • Issues with functional titles with significant authority within agencies that are classified as non-managers. <p>The Department believes the “inconsistency of manager and supervisor positions that have partial exemptions to Section 4d of the Personnel</p> |

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| <p>Central Management Services' Response (continued)</p> | <p>Code” and “inconsistency of manager and supervisor positions that have a Rutan exemption” recommendations have been addressed in our responses to Recommendations #1 and #2.</p> <p>CMS will review the Classification Plan to remedy the issues as outlined below. The Department would like to comment on the recommendations to amend the Classification Plan to address “unclear responsibility for the supervision of employees, including responsibility for important functions like evaluations, discipline, and grievances” and “issues with functional titles with significant authority within agencies that are classified as non-managers.” As CMS cannot accurately discern the thought process behind individual agencies’ completion of the survey, our response focuses on the process CMS has in place and remedies that are underway or may be necessary to address the issues identified in the Management Audit. Our comments are broken down into several distinctly different issues: those related to the survey as completed by the agencies, the usage of working/functional titles, the official classification aspect and history of the broad-banded titles, the changes needed to the PSA and SPSA classifications, and the role of “managerial” for union-covered positions.</p> <p><u>Agency Survey</u></p> <p>As discussed in the draft audit report, the survey tool was self-reported by the agencies. Many individuals completed the surveys which may have resulted in a more subjective analysis rather than a consistent application of definitions. The responses may or may not accurately reflect the scope and level of duties and responsibilities officially assigned to the incumbent’s position as designated on the Position Description (CMS-104), the official legal document of record outlining the responsibilities and authorities to be carried out by an incumbent.</p> <p>Position Descriptions (CMS-104) serve as the cornerstone of the Classification Plan in assigning jobs to specific titles. CMS relies on the attestation by the Director of a given Department (signature line, bottom, far right, CMS-104) that those functions/authorities outlined in the document are, in fact, those to be carried out by the position’s incumbent. Delineating and separating the work that an incumbent may be performing from that for which is officially assigned to the position is essential, as an agency may not be using the incumbent assigned to a position to carry out the functions and authorities of said position. CMS must rely on the CMS-104 in its decision-making processes to maintain a consistent Classification Plan.</p> <p>Again, we are uncertain the extent to which the position description was utilized in the review process, if at all. If the agencies completed the surveys based on the duties the incumbent was currently performing</p> |
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Central Management Services' Response
(continued)

or as they perceive the incumbent to be performing rather than those officially assigned to the position of said incumbent, an inaccurate reporting could well result.

Auditor Comment 8:

CMS asserts that if agencies based their responses on what the employee was actually doing, rather than what was delineated in the position description, "inaccurate reporting could well result." To the contrary, the auditors believe that agencies reporting survey results on what employees are actually doing results in accurate reporting.

Further, with the large number of retirements, layoffs and other severe budgetary constraints placed on agencies, incumbents could be temporarily assigned or otherwise assuming duties not reflected in their official position description.

CMS has controls in place to ensure job descriptions are kept up-to-date. For example, the annual performance evaluation due each Merit Compensation employee requires a box to be checked indicating that the duties being performed are accurately reflected on the CMS-104. We are presently pursuing the incorporation of the documentation of the same review process in the non-Merit Compensation performance evaluation form. Further, Personnel Rules, Section 301.20 requires that each agency head report to the Director of Central Management Services "any significant changes in the duties of every position within the agency." As a result, BOP Technical Services requires the position descriptions be updated whenever there is a change in duties, authorities and/or reporting structure. However, there are no penalties or consequences associated with noncompliance; therefore, enforcement is met with varying degrees of success, especially as budgetary constraints force agencies to prioritize the work that must be done. But again, whether the agency was reflecting the officially assigned duties of the incumbent's position or duties the incumbent may be performing at any given time is unknown. BOP does not perform a random audit of duties being performed by an incumbent versus the duties officially recorded to and attested on the CMS-104. To do so would challenge the honesty and integrity of the Director of the Agency attesting to officially assigned duties and responsibilities. Further, from a fiscal standpoint, we do not have the staffing or resources to complete such task, even if desired or recommended.

Functional Titles (aka Working Title)

The survey requested functional titles. It is important to note that working titles are not recognized by CMS as official titles, nor are they

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| <p>Central Management Services' Response (continued)</p> | <p>considered when determining a position's assigned duties and responsibilities. They may be arbitrarily assigned within the agencies with no consistent application across agencies or even within them.</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><i>Auditor Comment 9:</i> <i>Because the audit resolution specifically asked auditors to report on managers' functions, auditors included "functional title" or function as an element in the survey instrument.</i></p> </div> <p>The recommendation cited some examples of functional titles being inappropriately characterized as non-managers. Absent the source data, it is generally impossible to discern which classification and/or position is being referenced. Even after identifying the position, the methodology the agency used to complete the survey would still be unknown.</p> <p>The one exception is in the Superintendent classification where an established classification of Site Superintendents is referenced. The agency indicated these incumbents are not managers (as defined in the survey's instruction) due to the "routine nature" of their responsibilities.</p> <p>As mentioned, the distinction that these positions are Rutan Exempt is due solely to their spokesperson responsibilities and not their policy-making authority or lack thereof. It is presumed the agency considered the lack of policy-making when indicating the Site Superintendents were not managers, though the agency would need to be consulted.</p> <p><u>Classification Plan and History of the PSA and SPSA Classifications</u></p> <p>The Classification Plan addresses the duties and responsibilities associated with 960+ classifications and approximately 39,000 positions. A class specification defines a class encompassing the broad scope of duties and responsibilities of all positions assigned to it. A class specification is divided into 3 parts: Distinguishing Features of Work, the Illustrative Examples of Work and the Requirements section. The Distinguishing Features of Work define the work roles required to be allocated to the class. The Illustrative Examples of Work are simply that, a sample of work roles that may be included in the class. Illustrative Examples are not all-inclusive. Requirements define the minimal knowledge, skills and abilities necessary to successfully achieve the objectives of the position work roles assigned to the class. Examples of class specifications are available at work.illinois.gov.</p> <p>The Classification Plan is a constantly changing work in progress. A class may be updated at the agency's request, due to technological advances or changes, as a result of collective bargaining, by the</p> |
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| <p>Central Management Services' Response (continued)</p> | <p>changing requirements within a particular field such as licensure and/or other educational/experience requirements, or by CMS' initiation. A Classification Study is a review of existent positions to determine and define groupings of jobs which have similar work roles, authorities and requirements, and the subsequent development of a class specification defining such grouping. The process is quite lengthy, and one study requirement is that agencies ensure all CMS-104s are up-to-date. Positions within a particular class study are then analyzed; draft specifications developed and subsequent discussions held with the user agencies and the union regarding study findings and proposals. When the study is complete, Civil Service Commission approval must be obtained as outlined in the Personnel Code. Subsequently, all potential positions affected by the study must be reviewed and allocated to the appropriate classification. Agencies and employees are then notified, and the Personnel Code and collective bargaining agreement's right to appeal provisions then go into effect. Again, note throughout the class study process and the allocating of individuals, sole reliance is given to the CMS-104. To do otherwise would not result in a consistent application of class study principles, would not necessarily describe the officially assigned duties and responsibilities of the position but rather the duties an incumbent is performing at a given period, the result of which would not provide the maximum legal defense.</p> <p>Inasmuch as the Management Audit primarily focuses on the Public Service Administrator and Senior Public Service Administrator classifications, our response does as well. A brief background into the establishment of the PSA and SPSA classifications is provided to explain the complexity of the broad-banding process that occurred in the early 1990s. Based on recommendations from the Governor's Human Resources Advisory Council to provide more flexibility in the Classification Plan, the PSA and SPSA classifications were established. The PSA classification broad-banded almost all classifications previously in the MC 8 – MC 11 pay ranges: 219 classifications. The SPSA classification broad-banded almost all classifications previously in the MC 12 and above pay ranges: 221 classifications. As such, based solely on pay grades, a wide variety of professional classifications were merged into these two classes including titles related to general administration, personnel and labor relations, fiscal, accounting, auditing, communication and computer services, health and human services, environmental, conservation and agriculture, corrections and law enforcement, and positions requiring specific licensures which may be associated within any of the areas noted above, etc.</p> <p>Examples of the classifications broad-banded into PSA are: Accountant IV, Administrative Assistant III, Assistant Real Estate Commissioner, Child Welfare Administrator I, II, III, Corrections Industry Superintendent, Corrections Parole Supervisor, Disability</p> |
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| <p>Central Management Services' Response (continued)</p> | <p>Claims Analyst Supervisor, Disability Claims Supervisor I, II, Executive III, Information Systems Executive I, II, III, IV V, Personnel Officer II, III, Rehabilitation Services Supervisor I, II, Sanitarian IV, V and Veterinarian Supervisor I, II.</p> <p>Examples of the classifications broad-banded into SPSA are: Administrative Assistant IV, Architect V, Assistant Mental Health Program Executive, Chief Hearings Referee, Child Welfare Administrator IV, V, Conservation Police Captain, Corrections Superintendent I, II, III, Developmental Disabilities Council Program Supervisor, Environmental Engineer V, Fiscal Officer I, II, Forensic Science Administrator, II-V, Internal Auditor IV, V, Mental Health Program Executive, Nursing Services Administrator II, Public Information Executive, Rehabilitation Children's Facility Assistant Administrator, Substance Abuse Program Executive I, II, III, Substance Abuse Specialist IV, Superintendent of Boiler Safety, Technical Advisor IV, V, and Veterinary Pathologist.</p> <p>As you will note above from the wide range of classifications that were broad-banded, the definition of who and what is being managed and the level to which "management" plays a significant role assigned to a given position varies just as greatly. Examples of work role options within the PSA and SPSA classifications were established to delineate the work roles and types of education and/or experience required. An all-encompassing and exhaustive list of the roles associated with broad-banded classifications is virtually impossible given the multitude of positions that were broad-banded. As previously noted, the appropriate consideration is of the Distinguishing Features of Work which are required to be met for a position to be allocated to the class.</p> <p>While encompassing various occupational-specific titles and a vast number of disciplines, the PSA and SPSA classifications became generally characterized as "middle management" and "senior state management" positions, respectively. As we discussed throughout the preliminary phases of this audit and as is recognized throughout the draft Audit, the "management" component contained in both classifications is general terminology and not designed to be coextensive with the definition utilized by the Illinois Public Labor Relations Act and this Management Audit. Generally, the "management" of established programs and/or policies is not recognized in the Illinois Public Labor Relations Act definition which states "engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of management policies and practices." However, the SPSA class also recognizes those positions which supervise day-to-day operations of a program unit or serve in an assistant capacity to a Director or Deputy Director.</p> |
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| <p>Central Management Services' Response (continued)</p> | <p>We do recognize that there are positions within the classes that are not vested with managerial and/or administrative responsibilities and, instead, provide specialized support for administrators/managers to make decisions. As we discuss below, we are currently working on removing such roles from the classes. Based upon the Audit recommendation, we will also study the feasibility of amending the class specifications to remove the management and/or administrative support roles or amending the class specifications to better address the broad and varied legacy classes that the broad-banded classes encompass. Further, we continue to perform the same analysis on the other classifications as needed changes are identified.</p> <p><u>Changes Needed to the PSA and SPSA Classifications</u></p> <p>Initially, one of the appealing factors behind the broad-banded classifications was broadening of the pool of candidates from which hiring selections could be made. On April 24, 1997, veterans' preference became absolute via the Illinois Supreme Court's decision in Denton v. Civil Service Commission of the State of Illinois, 176 Ill.2d 144 (1997). This decision meant that absolutely no non-veterans could be hired from an open competitive eligible list when veterans (as defined in the Personnel Code and Rules) within the same grade category are eligible. With absolute veterans' preference, the need became evident to return to more occupational-specific titles to narrow the eligible lists to just those applicants possessing a requisite and more refined skill set. An example of the problems created by broad-banding and subsequent passage of absolute veterans' preference: A Fiscal Accountant and an Auditor are two distinctly different professions, requiring entirely different, though seemingly similar, skill sets. Yet, the candidate pools for both would utilize the same PSA, Option 2 eligible list. As a matter of fact, the PSA, Option 2 class encompasses many more fiscal and audit-related legacy classifications. A veteran candidate may receive an "A" grade on the broader, more general class specification requirements of PSA, Option 2 though not possess the desired position requirements of a particular vacancy. Absolute veterans' preference means that the agency may not bypass the veteran candidate in favor of the candidate possessing the requisite skill set. Establishing separate classifications to address the different occupations would yield eligible lists that contained veterans and non-veterans with the desired skill sets.</p> <p>However, because of the extensive research and resources previously dedicated to establishing the broad-banding classifications, the need to return to more occupational-specific classifications has been slow to gain acceptance. It has only been in the past few years that efforts to split various disciplines and occupational-specific groups back out into their legacy classifications have been undertaken. Due to the increased unionization of these titles and the broad-banded salary ranges, these</p> |
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| <p>Central Management Services' Response (continued)</p> | <p>efforts are lengthy and quite involved, requiring extensive Classification Studies and complex union negotiations. The most notable and successful disbandment to date is that of the PSA, Option 5 (Conservation/Agriculture) classification which was split into 18 occupational-specific titles. CMS continues in this lengthy endeavor and recognizes changes to the Class Specifications for the PSA and SPSA will be necessary to properly characterize the type of work that will remain within these classifications.</p> <p>CMS recognizes the PSA and SPSA class specifications specifically exclude positions subject to collective bargaining contracts. The class specifications have not been updated since October 1, 2002, and the increased unionization efforts began in the mid-2000s. These efforts include the petitioning of a large number of PSAs and SPSAs, many of which were ultimately certified into the union by the Illinois Labor Relations Board. When determining the union inclusion of particular positions, the Illinois Labor Relations Board relies significantly on testimony provided by the incumbent(s) and supervisor which can differ greatly from the official position description. (Note: See our more complete discussion of this issue in our response to Recommendation #5.) This has led to some inconsistencies in union inclusions/exclusions for seemingly identical or comparable positions as reflected on the official position descriptions.</p> <p>A policy decision needs to be made as to whether to proceed with the lengthy process of performing a Class Study to assign a different classification(s) to the current union positions. Discussions remain on-going, and a decision is pending the outcome of the initiative to remove numerous positions from the union pursuant to passage of the Management Bill (SB 1556).</p> <p><u>“Managerial” Role in Union-Covered Positions</u></p> <p>As noted in the Audit, the Illinois Public Labor Relations Act definition of “Supervisor” is “an employee whose principal work is substantially different from that of his or her subordinate, and who has authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, to adjust their grievances or to effectively recommend any of those actions, if the exercise of that authority is not merely routine or clerical nature, but requires the consistent use of independent judgment.”</p> <p>Including many of these titles in the union has precluded the performance of a few of the key functions listed in the definition of “supervisor” that was used, specifically imposing discipline and hearing grievances. From the survey conclusions, it appears that agencies, and even units within the various agencies, applied the definition of “supervisor” differently, considering whether the incumbent functioned as a line supervisor or a working supervisor</p> |
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| <p>Central Management Services' Response (continued)</p> | <p>without the ability to impose discipline and hear grievances. Still others may have disregarded the discipline and grievance provisions when considering whether an incumbent is a supervisor. Additionally, whether union or non-union, most personnel actions such as to hire, transfer, suspend, layoff, recall, promote, etc., are performed within a centralized personnel entity and not within the role of the supervisor of the position, though they may consult in the process. Again, CMS is uncertain whether the official position description was referenced during completion of this survey.</p> <p>We agree with the Management Audit's findings related to the need for a consistent definition of functions that a union supervisor may perform. CMS' Labor Relations continues to work with the applicable bargaining units regarding the definition for the role of a union-covered supervisor, and we are hopeful that there will be some consistent language and application of such in the near future.</p> <p>Another issue is that, due to budgetary constraints, many vacancies have not been filled. Application of the definition needs to include consideration of the number of current filled incumbents the position had reporting to it at the time as this can significantly impact the "principal work being substantially different." Additionally, the length of tenure and experience levels of the subordinates as well as complexity of duties can affect the amount of supervision that is required. Again, the information used to complete this survey may not necessarily correspond with the information provided on the official position description with respect to duties or number of subordinates.</p> |
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Chapter Four

OTHER ISSUES

CHAPTER CONCLUSIONS

The Department of Central Management Services has not conducted research and planning regarding the total manpower needs of all offices as required by provisions in the Personnel Code (20 ILCS 415/9(11)).

Some employees who are classified as confidential employees were union members. These employees should either be non-union or should not be classified as confidential. Confidential employees assist management with regard to labor relations or collective bargaining issues.

State agencies reported that there were 5,447 managers who supervised an average of 6.5 employees each based on surveys we received. That average is based on the 85 percent of managers (5,447/6,423) who supervised employees.

Survey responses showed that there were 1,206 managers who supervised employees who were also supervised by other managers. The most common reason for employees with multiple managers was that employees also reported to a higher ranking manager for issues like discipline or grievances.

MANPOWER PLANNING

The Department of Central Management Services (CMS) had not conducted research and planning regarding the total manpower needs of all offices as required by provisions in the Personnel Code. This section of the Personnel Code states it is the duty of the Director of the Department of Central Management Services:

To conduct research and planning regarding the total manpower needs of all offices, including the Lieutenant Governor, Secretary of State, State Treasurer, State Comptroller, State Superintendent of Education, and Attorney General, and of all departments, agencies, boards, and commissions of the executive branch, except state-supported colleges and universities, and for that purpose to prescribe forms for the reporting of such personnel information as the department may request both for positions covered by this Act and for those exempt in whole or in part. (20 ILCS 415/9(11))

Although CMS does not fulfill requirements related to this manpower planning requirement, it does obtain some related information which is required by other statutory

mandates. CMS obtains information regarding manpower needs from numerous sources for inclusion in various reports, including the Annual Flex Time Report (20 ILCS 415/9 (13)), the State Hispanic Employment Plan, the State Asian-American Employment Plan (20 ILCS 405/405-120), and the African American Employment Plan (20 ILCS 30/15); however, the reports exclude information for offices not under the jurisdiction of the Governor. CMS officials stated that dating back to the 1970’s, there was no evidence of the Department ever completing a manpower study.

CMS also has concern about this mandate because it includes other constitutional offices which are not under the jurisdiction of the Personnel Code. CMS officials said they do not have the resources to perform a manpower study on all agencies, and they lack sufficient knowledge of mandates applicable to constitutional offices and personnel rules and, as such, cannot provide meaningful input into the manpower needs of the offices, nor do they see the importance of the findings from a study. The Department has sought legislative relief from the manpower requirements but proposed changes had not yet been made at the conclusion of our audit work.

| MANPOWER PLANNING | |
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| RECOMMENDATION NUMBER 4 | <i>Central Management Services should conduct research and planning regarding the total manpower needs of all offices as required by the Personnel Code (20 ILCS 415/9 (11)) or should obtain legislative relief from this mandate.</i> |
| Central Management Services’ Response | <p>The Department accepts the recommendation of obtaining legislative relief from the mandate. Noncompliance with this provision of the Personnel Code was cited as an Immaterial Finding (IM09-12) in CMS’ 2009 Compliance Audit and subsequently as an Immaterial Finding (IM11-06) in the Compliance Audit ending June 30, 2011.</p> <p>The Personnel Code (20 ILCS 415/9(11)) states it is the duty of the Director of the Department of Central Management Services, “To conduct research and planning regarding the total manpower needs of all offices, including the Lieutenant Governor, Secretary of State, State Treasurer, State Comptroller, State Superintendent of Education, and Attorney General, and all departments, agencies, boards, and commissions of the executive branch, except state-supported colleges and universities, and for that purpose to prescribe forms for the reporting of such personnel information as the department may request both for positions covered by this Act and for those exempt in whole or in part.”</p> <p>The Personnel Code does not define “manpower needs,” and this is the only mention of it. In previous audit inquiries and discussions, it has been difficult to discern exactly what duties were required to be performed, especially with regards to the other constitutional offices for which CMS maintains no official oversight responsibility.</p> |

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| <p>Central Management Services' Response (continued)</p> | <p>CMS' Bureau of Personnel is primarily charged with administering the Personnel Code for those positions under the jurisdiction of the Governor. In staff recollection going back as far as the mid-1970's, this mandate has never been performed for positions outside the jurisdiction of the Personnel Code, nor has there been staff or resources dedicated to accomplishing this mandate even for those positions under the Code. Although we recognize that we do not "determine" manpower needs, we do provide agencies under the jurisdiction of the Governor with data in the form of various reports that break down current manpower availability based on their staffing counts, structure and diversity.</p> <p>For positions under the jurisdiction of the Personnel Code, CMS surveys the manpower population annually pursuant to various statutory requirements. Cited in the Management Audit are the Annual Flex Time Report (Public Act 87-0552), the State Hispanic Employment Plan (Public Act 94-0597), the State Asian-American Employment Plan (Public Act 97-0856) and the African American Employment Plan (Public Act 096-1341). (Note: The constitutional offices are also required to report on the various employment plans though this information is not mandated to be reported through CMS.) Also filed annually per Statute are the Bilingual Needs/Bilingual Pay Survey (Personnel Code 20 ILCS 415/9(6)), the Bilingual Pay Study per the State Services Assurance Act (Public Act 95-707), the Report on Merit Appointments to Positions (Personnel Code 20 ILCS 415/9(12)) and the Annual Report of the Supported Employment Program (5 ILCS 390/9(b)). Additionally, Executive Order 10-02 (April 2010) was issued which provided for a New Americans Immigrant Policy and created the Governor's Office of New Americans. The Governor's Office of New Americans is charged with identifying strategic partnerships with State agencies in an effort to implement best practices, policies and procedures and make recommendations for statewide policy and administrative changes.</p> <p>In all of these reporting mechanisms, the information is self-reported by the agencies. Regarding determining manpower needs, such needs of the agency are defined by the agency as they are the best entities to assess their staffing needs consistent with their operational mandates and business requirements. CMS relies on the agencies' compliance with their governing statutes and rules; CMS does not interpret their rules nor tell an agency how it must organize to achieve compliance. As described below in greater detail, CMS ensures that the needs they have defined are performed by the appropriate classifications. Additionally, CMS does not have the staff and/or resources to audit the information reported by the agencies nor to create staffing plans and/or monitor such staffing plans to ensure they are being followed.</p> <p>While we continue to perform the roles discussed below, we agree that this provision in the Code should be eliminated. CMS has made two</p> |
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| <p>Central Management Services' Response (continued)</p> | <p>attempts to delete this requirement from the Personnel Code:</p> <ul style="list-style-type: none"> • In Spring 2011, SB 2188 was introduced. The legislation passed the Senate and was assigned to the House. Prior to being heard in the House, the bill was amended and our language was removed. The necessary language never passed. • In Spring 2012, Senate Bill 3222 was introduced. The legislative session adjourned Sine Die with no action taken. <p>CMS is in the process of trying to identify an appropriate legislative vehicle to include the requisite language in for consideration in the Spring 2013 session. CMS also continues to discuss the importance of removing this statutory requirement with members of the General Assembly and their staffs.</p> <p>CMS Classification staff is primarily charged with approving the classification of staff based on the level and types of duties and/or responsibilities being performed as reflected on the CMS-104 and, in conjunction with this function, approves the organizational/staffing structure. CMS also works with the various agencies under the jurisdiction of the Governor on an on-going basis regarding their staffing and manpower needs as it relates to the number of positions that must be established and/or clarified to perform certain functions as dictated by the agencies and any applicable governing statutes and/or mandates. CMS does not dictate how many workers may be needed to achieve an agency objective; however, we do ensure they have the appropriate classifications of workers for the duties they have defined based upon a position's work roles which is the primary management tool utilized within CMS' Bureau of Personnel. We do not look at staff ratios unless specifically required by the class specification for Coded positions. We do look at span of control based on impact factors as defined in the Personnel Code including the Classification Plan, Partial Exemptions to the Code, Term Appointment Requirements, etc. Additionally, CMS does review positions for overlaps of authority in various day-to-day submissions of the Code agencies such as in layering of supervision, duplication of authority, etc. We would also identify overlaps in proposed restructurings and layoff plans. We would report our findings back to the agencies of submission and require that they clarify the work role to eliminate any overlap or duplication of managerial work roles. We do not perform 'desk audits' to ensure employees are doing what is on the CMS-104 and/or try to assess whether it is a necessary function for the agency.</p> <p>The Personnel Code (20 ILCS 415/9(11)) is the only reference that directs CMS to somehow control or monitor employee staffing plans of other elected officials. CMS has no knowledge, nor vested control, of other constitutional officers' or entities' personnel codes, rules, collective bargaining agreements, policies or procedures. Without such</p> |
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| <p>Central Management Services' Response (continued)</p> | <p>knowledge and control, CMS would not be adequately capable of developing staffing plans or providing meaningful input into the management to staffing ratios or the manpower needs of these entities should an attempt to gather such information be made.</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>Auditor Comment 10:</p> <p><i>In the OAG 2009 Compliance Audit of Central Management Services, the Department concurred and responded to the manpower planning immaterial finding (IM09-12):</i></p> <p><i>“The Department will request the required information from the constitutional officers to ensure compliance with the Personnel Code. CMS will then study the findings to determine the practicality, feasibility and resources necessary to implement a statewide, comprehensive plan on an on-going basis which includes these previously excluded entities.”</i></p> <p><i>When the finding was repeated in the OAG 2011 Compliance Audit of Central Management Services, the Department had changed its position and was attempting to pursue the removal of the requirement through legislation.</i></p> </div> |
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CONFIDENTIAL EMPLOYEES

There were a total of four employees who were identified as confidential assistants who were in a union. Employees who meet the Public Labor Relations Act definition of confidential are to be excluded from collective bargaining. The Public Labor Relations Act notes that confidential employee:

... means an employee who, in the regular course of his or her duties, assists and acts in a confidential capacity to persons who formulate, determine, and effectuate management policies with regard to labor relations or who, in the regular course of his or her duties, has authorized access to information relating to the effectuation or review of the employer's collective bargaining policies. (5 ILCS 315/3)

The Public Labor Relations Act at 5 ILCS 315/3 (n) notes that confidential employees are excluded from the definition of public employee and as a result would be excluded from being union members.

Exhibit 4-1 shows the four employees which were identified as confidential and were in a union. One agency has two confidential assistants noted and the remainder have only one.

| Exhibit 4-1 CONFIDENTIAL EMPLOYEES IN A UNION | | |
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| <u>Agency</u> | <u>Employees and Function</u> | <u>Employees</u> |
| Agriculture | Two Confidential Assistants | 2 |
| Emergency Management | One Confidential Assistant | 1 |
| Financial & Professional Reg | One Confidential Assistant | 1 |
| Total Noted as Confidential | | <u>4</u> |
| Source: CMS and agency survey data summarized by OAG. | | |

Employees should not be in unions if in the regular course of their duties, they assist and act in a confidential capacity to persons who formulate, determine, and effectuate management policies with regard to labor relations or who, in the regular course of their duties, have authorized access to information relating to the effectuation or review of the employer's collective bargaining policies.

| CONFIDENTIAL EMPLOYEES IN UNIONS | |
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| RECOMMENDATION NUMBER 5 | <i>The identified State agencies should assure all confidential assistants are not included in a collective bargaining unit or their confidential responsibilities as defined by the Public Labor Relations Act (5 ILCS 315/3) are transferred to non-union employees.</i> |
| Agriculture's Response | Please be advised that the Agency concurs with your audit assessment. Any positions that are involved in confidential matters for the Director should be exempt from the bargaining unit. |
| Emergency Management's Response | IEMA agrees and disputed the inclusion of this position into the union. Unfortunately, the Labor Board did not find in our favor and certified the position. Additionally due to more than 90% of the agency's positions being included in the bargaining unit, as well as our difficult fiscal situation, there is no other position to transfer these confidential duties to that would not also be in the union. |
| Financial and Professional Regulation's Response | We concur with your finding related to one employee who was classified as a confidential employee and also in a union. It is our hope that this position will be removed from the union as a result of the management bill. |
| Central Management Services' Response | The Department of Central Management Services accepts the recommendation to "assure all confidential assistants are not included in a collective bargaining unit." It would not be in the incumbent's best interest to transfer the confidential responsibilities to non-union employees as it would require removing the very duties that necessitated the creation of the position, likely resulting in a layoff for |

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| <p>Central Management Services Response (continued)</p> | <p>the incumbent. Further, such action would do nothing to correct the Illinois Labor Relations Board’s approval of extending bargaining unit inclusion to employees responsible for such confidential duties, which CMS disputed.</p> <p>CMS’ Labor Relations, in conjunction with the Governor’s Office and members of the Legislature, have worked through the legislative process for the past two years to address the increased unionization in upper management positions, including 4d(1) and 4d(3) positions. As a result, Senate Bill 1556 passed the House of Representatives on May 31, 2012, and the Senate on January 8, 2013. The bill was sent to the Governor on February 6, 2013, and awaits his signature. It is anticipated that Governor Quinn will sign this legislation into law.</p> <p>The unionization in the State’s workforce has increased from 79.27% in 2003 to 95.59% currently, while workforce numbers have drastically declined due to retirements and budgetary constraints. These opposing trends have significantly hindered the State’s ability to govern and fill key roles with the most qualified individual for the position rather than the most senior according to union contract provisions.</p> <p>Senate Bill 1556 further provides that the Governor may designate up to 1,900 positions under the jurisdiction of the Governor that have been certified in a bargaining unit on or after December 2, 2008, to be excluded from collective bargaining provisions. In preparation for the expected passage of this legislation, CMS’ Labor Relations has begun surveying the agencies to identify the priority order in which the agencies would like these positions excluded. The first priority are the Legislative Liaisons and 4d(1) and 4d(3) positions followed by higher-level personnel, budget, legal and other key managerial, supervisory, and/or programmatic positions as defined in the legislation. It is expected that the 4d(1) positions cited in the Management Audit will be excluded from collective bargaining through this exercise.</p> <p>Central Management Services has been arguing the problem of increased unionization of managerial, supervisory and other key higher level positions in front of the Illinois Labor Relations Board (“ILRB”) for the past several years. The ILRB previously applied a very narrow interpretation of the Public Labor Relations Act exemptions for positions with confidential, supervisory and managerial responsibilities without any consideration of how their interpretation conflicted with the Personnel Code and Rules and the classification system created pursuant to them. Additionally, when considering petitions for union inclusion of particular positions, the ILRB relies significantly on testimony of the incumbents and their supervisors as to the duties that may satisfy the confidential, supervisory or managerial exemptions. Perhaps not surprisingly, this testimony can differ greatly from the duties set forth in the official position description. This approach conflicts with the standard in use by federal courts for considering the</p> |
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| <p>Central Management Services Response (continued)</p> | <p>legal effect of a position’s duties. For example, in Riley v. Blagojevich, 425 F.3d 357 (7th Cir. 2005), the Court ruled in the State’s favor prior to discovery based on the duties and responsibilities set forth for the positions at issue in their official position descriptions. In addressing the harms that could result from a contrary approach, the Court stated, “Nor would it be sensible to give employees who are assigned policy duties an incentive to try to protect their jobs simply by not performing those duties.” Id., at 361. These problematic rulings have caused several of our key management positions, including the 4d(1)s and 4d(3)s, to become covered by collective bargaining agreements. CMS continues to maintain that the threshold for these two exemptions established by the Personnel Code and monitored and enforced by the Civil Service Commission should preclude union inclusion from ever being found appropriate. In recent months, the ILRB and State Appellate Court have issued more favorable decisions regarding exclusion of key positions.</p> <p>We were encouraged to see support for our position in this Management Audit with respect to the need to prevent 4d(1) positions from further union inclusion and remove the union inclusion provisions for those already included. We are hopeful that this Recommendation will assist in our on-going efforts to address these concerns with the Illinois Labor Relations Board.</p> |
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MANAGERS' SPAN OF CONTROL

State agencies reported that there were 5,447 managers who supervised an average of 6.5 employees each based on surveys we received. That average is based on the 85 percent of managers (5,447/6,423) who supervised employees. The remaining 976 managers have executive or management responsibilities but agencies reported that they do not supervise. The number supervised is based on information reported by agencies in our surveys. We made adjustments to data when agencies reported pools of employees who had multiple supervisors who worked with the pool. In those cases, we used the total number in the pool divided by the total supervisors in the pool as the number supervised for each pool supervisor. Also, if an agency reported "up to 7" supervised, we used 7 to allow us to calculate averages. Exhibit 4-2 on the following page shows by agency total managers, managers who supervise, and the average number supervised for managers who supervise.

The average span of control or number supervised varied from a high of just over 17 employees per manager down to one. Agencies with a high number included large agencies like Juvenile Justice, Revenue, and Human Services as well as small agencies like the Human Rights Commission and Labor Relations Board.

The Department of Human Services is the agency with the largest number of employees who supervise with 1,298. The Departments of Corrections and Children and Family Services were the next largest, each having over 500 employees who supervise. In total, thirteen agencies have over one hundred employees who supervise.

SUPERVISION BY MORE THAN ONE MANAGER

Survey responses showed that there were 1,206 managers that had employees who were supervised by multiple managers. The audit resolution asked us to look at employees who are supervised or managed by more than one management position. Agencies were asked to provide an explanation when a manager or supervisor's direct reports also reported to someone else. The most common reason for employees with multiple managers was that employees also reported to a higher ranking manager for issues like discipline or grievances. Agency responses varied greatly and several large agencies indicated that they did not have any managers whose employees were also supervised by another employee. Two agencies had over 100 managers who supervised, none of whom had employees supervised by another employee. The two were Juvenile Justice (153), and Veterans' Affairs (102). This compares to a large agency like Central Management Services that had 86 managers whose subordinates were not supervised by others and 90 managers whose subordinates were supervised by others. This variation in responses may indicate that some agencies responses are a clearer reflection of actual supervision than others.

**Exhibit 4-2
AGENCY AVERAGE MANAGERS' SPAN OF CONTROL - March 2012**

| <u>Agency</u> | <u>Total Managers</u> | <u>Managers Who Supervise</u> | <u>Average Number Supervised</u> |
|--|---------------------------|-----------------------------------|--------------------------------------|
| Aging | 42 | 29 | 3.5 |
| Agriculture | 78 | 57 | 4.9 |
| Arts Council | 7 | 5 | 3.2 |
| Capital Development Board | 18 | 18 | 6.6 |
| Central Management Services | 258 | 173 | 5.4 |
| Children & Family Services | 613 | 515 | 4.6 |
| Civil Service Commission | 3 | 1 | 3.0 |
| Commerce & Economic Opportunity | 111 | 89 | 5.1 |
| Commerce Commission | 79 | 49 | 4.7 |
| Corrections | 621 | 539 | 6.0 |
| Criminal Justice Information Authority | 15 | 13 | 4.3 |
| Deaf & Hard Of Hearing Commission | 4 | 3 | 3.0 |
| Developmental Disabilities Council | 3 | 3 | 2.3 |
| Emergency Management Agency | 56 | 55 | 4.0 |
| Employment Security | 314 | 305 | 5.8 |
| Environmental Protection | 148 | 143 | 4.8 |
| Financial & Professional Regulation | 90 | 86 | 4.7 |
| Gaming Board | 26 | 22 | 5.0 |
| Guardianship & Advocacy | 22 | 19 | 5.4 |
| Healthcare & Family Services | 428 | 351 | 4.2 |
| Historic Preservation | 31 | 29 | 4.7 |
| Human Rights Commission | 4 | 3 | 17.3 |
| Human Rights Department | 26 | 25 | 5.2 |
| Human Services | 1,527 | 1,298 | 8.6 |
| IL Sentencing Policy Advisory Council | 2 | 1 | 1.0 |
| IL Torture Inquiry Relief Commission | 1 | 1 | 1.0 |
| Insurance | 57 | 49 | 5.5 |
| Investment Board | 4 | 4 | 3.5 |
| Juvenile Justice | 174 | 153 | 16.0 |
| Labor | 18 | 15 | 5.2 |
| Labor Relations Board, Educational | 4 | 4 | 2.3 |
| Labor Relations Board, IL | 2 | 2 | 11.5 |
| Law Enforcement Training & Standards Bd | 5 | 5 | 3.2 |
| Lottery | 25 | 21 | 4.2 |
| Military Affairs | 32 | 25 | 3.7 |
| Natural Resources | 125 | 96 | 5.1 |
| Pollution Control Board | 4 | 3 | 6.0 |
| Prisoner Review Board | 3 | 3 | 5.0 |
| Property Tax Appeal Board | 6 | 6 | 2.5 |
| Public Health | 252 | 214 | 3.4 |
| Racing Board | 8 | 6 | 3.5 |
| Revenue | 226 | 222 | 7.9 |
| State Fire Marshal | 23 | 20 | 5.6 |
| State Police (excluding sworn officers) | 182 | 152 | 5.8 |
| State Police Merit Board | 5 | 1 | 4.0 |
| State Retirement Systems | 21 | 18 | 5.9 |
| Transportation | 579 | 467 | 5.7 |
| Veterans' Affairs | 104 | 102 | 9.7 |
| Workers' Compensation Commission | 37 | 27 | 7.2 |
| Total Managers / Average Supervised | <u>6,423</u> | <u>5,447</u> | <u>6.5</u> |

Source: Agency survey data summarized by OAG.

APPENDICES

APPENDIX A

**Legislative Audit Commission Resolution
Number 141**

Legislative Audit Commission

RESOLUTION NO. 141

Presented Representative Pihos

WHEREAS, the Personnel Code [20 ILCS 415] was established in 1955 to bring some consistency into the State's system of personnel practices; and

WHEREAS, certain positions in State government are exempt from the Personnel Code pursuant to Section 415/4c (General exemptions) or 415/4d (Partial exemptions); and

WHEREAS, the Civil Service Commission, upon written recommendation of the Director of CMS, may exempt additional positions which, in its judgment, involve either principal administrative responsibility for the determination of policy or principal administrative responsibility for the way in which policies are carried out [20 ILCS 415/4d (3)]; and

WHEREAS, positions in State government are also classified by whether they are exempt from protections under the U.S. Supreme Court decision in Rutan v. Republican Party of Illinois, 497 U.S. 62 (1990); and

WHEREAS, a provision in the Personnel Code directs the Department of Central Management Services (CMS) to "conduct research and planning regarding the total manpower needs of all offices, including the Lieutenant Governor, Secretary of State, State Treasurer, State Comptroller, State Superintendent of Education, and Attorney General, and of all departments, agencies, boards, and commissions of the executive branch, except state-supported colleges and universities, and for that purpose to prescribe forms for the reporting of such personnel information as the department may request both for positions covered by this Act and for those exempt in whole or in part." [20 ILCS 415/9 (11)]; and

WHEREAS, according to State Comptroller records, the State of Illinois expended \$5.1 billion in FY09 and \$5.3 billion in FY10 from appropriated funds on regular positions; and

WHEREAS, the Executive Budget for Fiscal Year 2012 recommends a total of 57,642 positions in State government (excluding public universities), an increase of 4,150 positions from the FY10 actual headcount of 53,492; and

WHEREAS, development and analysis of staff to management ratios at the various State agencies is a critical element of efficiency and effectiveness; therefore,

BE IT RESOLVED, BY THE LEGISLATIVE AUDIT COMMISSION that the Auditor General is directed to conduct a management audit of management positions in the Executive Branch of State government, excluding public universities; and be it further

RESOLVED, that the audit include an analysis, based on information provided by the various agencies, of:

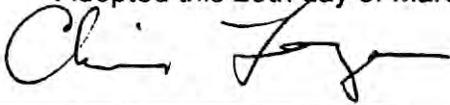
- the number of management positions, by organizational unit, job title and function;
- the number of positions supervised or managed by each management position and whether any of those employees are supervised or managed by more than one management position;
- for each management position, whether it is exempt from the Personnel Code, exempt from Rutan, or covered by a collective bargaining agreement; and be it further

RESOLVED, that the audit include a determination of whether the Department of Central Management Services has performed any analysis to determine appropriate management to staff ratios or span of control, and whether it has conducted any reviews, or has other controls in place, to ensure that management positions do not unnecessarily overlap or duplicate other management positions; and be it further

RESOLVED, that the Department of Central Management Services, the Civil Service Commission and any other entity having information relevant to this audit cooperate fully and promptly with the Auditor General's Office in the conduct of this audit; and be it further

RESOLVED, that the Auditor General commence this audit as soon as possible and report his findings and recommendations upon completion in accordance with the provisions of Section 3-14 of the Illinois State Auditing Act.

Adopted this 29th day of March, 2011.



Senator Chris Lauzen
Co-Chair



Representative Frank J. Mautino
Co-Chair

APPENDIX B
Scope and Methodology

Appendix B

AUDIT METHODOLOGY

This audit was conducted in accordance with generally accepted government auditing standards and the audit standards promulgated by the Office of the Auditor General at 74 Ill. Adm. Code 420.310. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We interviewed representatives of the Department of Central Management Services. We reviewed information from CMS and identified position titles that were potentially managers or supervisors. Based on those identified titles we requested electronic data from CMS for those employees. CMS was able to provide many of the elements required by the audit resolution for employees who are subject to the Illinois Personnel Code (Code employees). Data provided by CMS included 50 agencies in 212 position classifications or titles and a total of 13,474 employees as potential Code managers or supervisors. One agency, the Medical District Commission, had one potential manager but responded and indicated that they had no applicable employees. We accepted the Commission's conclusion. That change left 49 agencies and 13,473 potential managers. The potential managers included only managers subject to the Personnel Code. Information on non-Code managers was provided directly by agencies. Agencies identified a total of 811 non-Code managers.

Using data provided by CMS we sent surveys with many of the elements already completed to the fifty agencies which had potential management positions subject to the Personnel Code as of March 2012. Our scope included agencies with Code management employees to identify a coherent group of employees to do our analyses. We asked the agencies to verify the electronic data which CMS provided. We also asked agencies to provide a few pieces of information for each employee and asked them whether the potential management positions were considered managers or supervisors by the agency. A copy of survey instructions for Code and non-Code managers is included at the end of this appendix. A sample Code and non-Code survey, which was sent electronically to agencies, is also included.

The Illinois State Police have both Code and non-Code employees which were in our survey process. However, sworn officers which are under a different merit system code were excluded from our survey.

There is subjectivity in determining whether an employee is a manager or not. To achieve consistent results, we provided definitions for manager and supervisor for agencies to use in determining whether a potential manager was actually a manager. We noted for agencies that for the purposes of the survey, whether an employee is a manager or supervisor may not correspond to determinations that have been made to allow a position into a union. We also noted that consideration should be given to whether positions had 4D partial exemptions or Rutan exemptions which could have suggested that employees were managers.

Agencies interpreted the definition and gave us their responses. For potential managers which agencies identified as non-managers, we asked agencies to provide a brief explanation why the employee was not classified as a manager. If we had questions about why a position was not a manager we followed up with the agency.

We also asked agencies to add any Code management or supervisory positions that were not included in the survey list that was provided. Some agencies did add a few employees to our list.

We also asked the 49 agencies to provide information on employees that are managers or supervisors but who are not subject to the Personnel Code (non-Code). The Personnel Code provides for general exemptions to the Code for certain positions (20 ILCS 415/4c). This includes agency directors and others including technical and engineering staff at certain specified agencies. Some agencies included their directors and some did not. To allow for consistent results, we included directors and similar positions from the Comptroller's State officers' payroll data in our results as managers.

We reviewed and summarized some of the survey results to allow us to report clearer categories and to summarize and calculate on one numeric field. We classified employee information on organizational unit or function that was captured in our survey into seven short functional areas: (1) administration, (2) fiscal, (3) information systems, (4) legal, (5) legislative affairs, (6) program, or (7) shared services. These short functions allow for easier comparisons among agencies.

We also classified the reasons that agencies indicated if employees were supervised by more than one manager. We classified the explanations into three major categories. The first was supervisors who did many supervisory tasks, but their employees also reported to a higher ranking manager for issues like disciplines or grievances. The second was a general category where managers have employees who also have another supervisor. The third group of managers involved a pool or team of employees who are supervised by more than one manager.

Another of the pieces of information that we gathered in surveys was the number of employees that were supervised by a specific employee. In some cases we had to adjust the response to make it into a numeric field that we could use to calculate averages. For example if agencies indicated two employees with two vacant positions we used two since we were trying to capture the number actually supervised at the time of the survey. If agencies reported "up to 7" supervised, we used 7 to allow calculation of averages. We also made adjustments to data when agencies reported pools of employees who had multiple supervisors who worked with the pool. In those cases, we used the total number in the pool divided by the total supervisors in the pool as the number supervised for each pool supervisor.

We reviewed risk and internal controls related to management and supervisory positions and related issues as they related to the audit's objectives. The audit objectives are contained in Legislative Audit Commission Resolution Number 141 (see Appendix A). A risk assessment was conducted to identify areas that needed closer examination. This audit identified some weaknesses in those controls and some issues of noncompliance which are included as findings in this report.

We reviewed the previous financial audits and compliance attestation engagements released by the Office of the Auditor General for the State agencies. This included reviewing findings for the most recent compliance attestation engagements and financial audits. It also included reviewing a performance audit that dealt with granting exemptions from certain provisions of the Illinois Personnel Code.

Given the number of agencies that we surveyed, and the large volume of data we compiled, it was not possible to independently verify all information provided. For example, agencies answered questions about whether employees were managers, how many people they supervised, and whether those employees were supervised by someone else. We reviewed organization charts that were provided, but multiple reporting is difficult to record or review in charts. In addition, we were trying to present a picture of management structure for the State of Illinois. In such a large organization, its management and employees are changing constantly.

Consequently, we relied on the agencies' reporting of management status and reporting responsibility with verification to other sources when questions or conflicts arose. We also followed up with agencies to better understand conflicts or complex information. Considering these data limitations, we believe that the evidence obtained provides a reasonable basis for our findings and conclusions related to the management positions in State government as described in our audit's objectives.

Appendix B - Sample Survey Instructions sent to Agencies

Office of the Auditor General - Audit of Management Positions Code Instructions

The Auditor General's Audit of Management Positions is being conducted pursuant to Legislative Audit Commission Resolution Number 141. A copy of the resolution is attached. The audit is to analyze information on management positions which is to be provided by Executive Branch agencies.

The definitions of "manager" and "supervisor" that we are using for purposes of this audit are attached. For employees subject to the Personnel Code, Central Management Services provided most of the needed information. Please provide the few fields of additional information for each employee on the attached spreadsheet. Personal identifiers like **SOCIAL SECURITY NUMBERS SHOULD NOT BE INCLUDED.**

Please review the information in the survey that we are providing for accuracy. Data provided relate to employees in positions as of March 2012. If you have questions about the survey process or about the data in your survey, please call or e-mail your OAG contact.

SURVEY INSTRUCTIONS FOR CODE POSITIONS

Following are the questions that need to be answered related to each management position for your agency. The Code survey includes the Personnel Code titles that we have identified as management positions. The questions are included in the Excel file which is named OAG Survey with three numerals as the identifying number that we are using for your agency. The Excel file has one tab for the survey for Code positions and one tab for the survey for Non Code positions. The survey has a few fields to be completed at the top and then the following questions for each employee:

Questions 1 to 4: Information provided by CMS. Please verify.

Question 5: For this question, indicate the functional title for each position. An example of a functional title is "*Deputy Director.*" If there is not a functional title, indicate a brief function like administration, finance, or the name of a specific program.

Questions 6 to 11: Information provided by CMS. Please verify.

Question 12a: For this question, answer whether your agency agrees that the position and employee that the OAG has included is a management or supervisory position based on the definitions that we have provided. This question can be answered yes or no. The cell has a pull down menu to answer. Just put your cursor on the cell and click the down arrow (▼) and pick the appropriate answer.

Question 12b: If the answer to question 12a was no, write a brief explanation why your agency does not think that this is a management or supervisory position using the definitions we have provided.

Question 13: For this question, the answer will be the number of employees **directly** supervised or managed by this position. Some management positions do not supervise anyone and "0" is an appropriate answer. A whole number that is "0" or greater must be used in this cell. Include only employees that report **directly** to this manager.

Question 14a: For this question, the answer is yes, no, or not applicable. You should answer whether any employees noted in the answer to Question 13 are supervised or managed by more

than this manager. This question is specifically requested by the audit resolution. If any of these employees are supervised or managed by more than this person, answer yes. If these employees are NOT supervised or managed by more than this person, answer no. If you answered “0” for question 13 (number of employees managed), answer not applicable. The cell has a pull down menu to answer. Just put your cursor on the cell and click the down arrow (▼) and pick the appropriate answer.

Question 14b: This cell should be used to explain if you answered yes to question 14a. Yes indicates that the employees that report to this person are also supervised or managed by someone other than this manager. Provide a brief explanation like “*also supervised by one other PSA.*”

NOTE: Please add any Code management or supervisory positions that are not included or contact the OAG.

SURVEY INSTRUCTIONS FOR NON CODE POSITIONS

Following are the questions that need to be answered related to each management position for your agency which is Non-Code. For some agencies, only agency Directors or Assistant Directors are Non-Code. For other agencies, there may be larger numbers of technical or engineering staffs. For this survey, only Non-Code employees who are in management positions need to be included. The definitions of “manager” and “supervisor” that we are using for purposes of this audit are attached. The questions are included in the Excel file which is named OAG SURVEY with three numerals being the identifying number that we are using for your agency. The Excel file has one tab for the survey for Code positions and one tab for the survey for Non Code positions. The survey has a few fields to be completed at the top and then the following questions for each employee:

Question 1: For this question, indicate the Division in which each manager works. The audit resolution specifically asks for “*organizational unit*.” See examples of divisions in the Code tab of this survey.

Question 2: For this question, indicate the title for each manager that is Non-Code. For example “*Director*” or “*Secretary*” may be appropriate.

Question 3: For this question, indicate the functional title for each position. An example of a functional title is “*Deputy Director*.” If there is not a functional title, please indicate a brief function like administration, finance, or the name of a specific program.

Question 4: The question has already been answered as Non-Code.

Question 5: Is this employee in a collective bargaining unit? This question can be answered yes or no. The cell has a pull down menu to answer. Just put your cursor on the cell and click the down arrow (▼) and pick the appropriate answer.

Question 6: If the answer to question 5 is yes, please indicate the name or code of the bargaining unit for this position. See examples of bargaining units in the Code tab of this survey.

Question 7: For question 7, indicate the last name of this employee.

Question 8: For question 8, indicate the first name of this employee.

Question 9: Indicate the monthly salary for this individual for the month of March 2012.

Question 10: For this question, answer whether the management position is exempt from Rutan. This question can be answered yes or no. The cell has a pull down menu to answer. Just put your cursor on the cell and click the down arrow (▼) and pick the appropriate answer.

Question 11: For this question, the answer will be the number of employees **directly** supervised or managed by this position. Some management positions do not supervise anyone and 0 is an appropriate answer. A whole number that is “0” or greater must be used in this cell. Include only employees that report **directly** to this manager.

Question 12a: For this question, the answer is yes, no, or not applicable. You should answer whether any employees noted in the answer to Question 11 are supervised or managed by more than this manager. This question is specifically requested by the audit resolution. If any of these employees are supervised or managed by more than this person, answer yes. If these employees are NOT supervised or managed by more than this person, answer no. If you answered “0” for

question 11 (number of employees managed), answer not applicable. The cell has a pull down menu to answer. Just put your cursor on the cell and click the down arrow (▼) and pick the appropriate answer.

Question 12b: This cell should be used to explain if you answered yes to question 12a. Yes indicates that the employees that report to this person are also supervised or managed by someone other than this manager. Provide a brief explanation like “*also supervised by one other PSA.*”

OAG Definitions of Management Positions:

"Manager" is an individual who is engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of management policies and practices.

"Supervisor" is an employee whose principal work is substantially different from that of his or her subordinates and who has authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, **or** discipline employees, to adjust their grievances, **or** to effectively recommend **any** of those actions, if the exercise of that authority is not of a merely routine or clerical nature, but requires the consistent use of independent judgment.

For the purposes of this survey, whether an employee is a manager or supervisor may not correspond to determinations that have been made to allow a position into a union. If an employee carries out the functions in the definitions, then they should be considered a manager or supervisor for the purposes of this survey. In addition to the functions delineated in the definitions for manager and supervisor, consideration should also be given to the following:

- **Whether the position has a 4D partial exemption which suggests that they may be managers; and**
- **Whether the position has a Rutan exemption, which suggests that they may be managers.**

Appendix B - Sample Surveys Sent to Agencies Electronically

SAMPLE CODE SURVEY

| | | | | | | | |
|--|--|--|--|--|--------------------|--|--|
| OAG AUDIT OF MANAGEMENT POSITIONS AT EXECUTIVE AGENCIES - | | | | | CODE SURVEY | | |
| Agency: <i>Completed by OAG</i> | | | | | | | |
| Agency Number: <i>Completed by OAG</i> | | | | | | | |
| The total number of Personnel Code management positions: <i>Completed by OAG</i> | | | | | | | |
| The total number of Personnel Code employees: <i>Completed by OAG</i> | | | | | | | |
| Total employees both Code and non Code: ----- | | | | | | | |

| <u>Code Management Positions</u> | | | | | | | | |
|----------------------------------|------------------|------------------|-------------------|------------------|------------------------------|----------------|--------|------------|
| | | | | | Functional Title or Function | | | |
| Question #1 | Question #2 | Question #3 | Question #4 | Question #5 | Q #6 | Q #7 | Q #8 | |
| # | Agency | Division Name | Title Description | Position Number | Function | 4D Code Exempt | union? | Union Code |
| | Completed by OAG | Completed by OAG | Completed by OAG | Completed by OAG | ----- | OAG | OAG | OAG |
| | Completed by OAG | Completed by OAG | Completed by OAG | Completed by OAG | ----- | OAG | OAG | OAG |
| | Completed by OAG | Completed by OAG | Completed by OAG | Completed by OAG | ----- | OAG | OAG | OAG |
| | Completed by OAG | Completed by OAG | Completed by OAG | Completed by OAG | ----- | OAG | OAG | OAG |
| | Completed by OAG | Completed by OAG | Completed by OAG | Completed by OAG | ----- | OAG | OAG | OAG |

Note: Completed by OAG indicates that these fields were completed by auditors based on data provided by Central Management Services.

SAMPLE NON-CODE SURVEY

| | | | | | | | |
|--|--|--|--|--|------------------------|--|--|
| OAG AUDIT OF MANAGEMENT POSITIONS AT EXECUTIVE AGENCIES - | | | | | NON-CODE SURVEY | | |
| Agency: <i>Completed by OAG</i> | | | | | | | |
| The total number of management positions which are Non-Code: ----- | | | | | | | |
| Total employees which are Non-Code: ----- | | | | | | | |

| <u>NON Code Management Positions</u> | | | | | | | |
|--------------------------------------|------------------|---------------|-------------------|------------------------------|-------------|---------------|------------------------------------|
| Question #1 | Question #2 | Question #3 | Question #4 | Question #5 | Question #6 | | |
| # | Agency | Division Name | Title Description | Functional Title or Function | Non Code | union? Y or N | Union Code (which bargaining unit) |
| 1 | Completed by OAG | ----- | ----- | ----- | yes | ----- | ----- |
| 2 | Completed by OAG | ----- | ----- | ----- | yes | ----- | ----- |
| 3 | Completed by OAG | ----- | ----- | ----- | yes | ----- | ----- |
| 4 | Completed by OAG | ----- | ----- | ----- | yes | ----- | ----- |
| 5 | Completed by OAG | ----- | ----- | ----- | yes | ----- | ----- |
| 6 | Completed by OAG | ----- | ----- | ----- | yes | ----- | ----- |
| 7 | Completed by OAG | ----- | ----- | ----- | yes | ----- | ----- |
| 8 | Completed by OAG | ----- | ----- | ----- | yes | ----- | ----- |

Name of Person Completing Survey: _____

Contact Number for Questions: _____

Contact E-mail for Questions: _____

Is the information on this spreadsheet accurate for March 2012 (yes or no): _____ Explain below if no: _____

| Q #9 | Question #10 | Q #11 | Q #12a | Question #12b | Question #13 | Q #14 a | Question #14 b | NOTES |
|------------------|----------------|---------------|-----------|---------------|----------------|----------------|----------------|---|
| Employee Name | Monthly Salary | Rutan Exempt? | yes or no | If NO Explain | # of employees | yes, no or n/a | Explain | Add any additional notes about your answers here. |
| Completed by OAG | OAG | OAG | | | | | | |
| Completed by OAG | OAG | OAG | | | | | | |
| Completed by OAG | OAG | OAG | | | | | | |
| Completed by OAG | OAG | OAG | | | | | | |
| Completed by OAG | OAG | OAG | | | | | | |

| Q #7 | Question #8 | Q #9 | Q #10 | Question #11 | Q #12a | Q #12b | NOTES |
|-----------|-------------|---------------------------|---------------|----------------|----------------|---------|---|
| Last Name | First Name | Monthly Salary March 2012 | Rutan Exempt? | # of employees | yes, no or n/a | Explain | Add any additional notes about your answers here. |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

APPENDIX C

Management Positions by Agency and OAG Assigned Function With Totals, Personnel Code and Rutan Exemptions, and Union Status - March 2012

Appendix C
MANAGEMENT POSITIONS BY AGENCY AND FUNCTION ¹
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Function | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|--------|----------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|---|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |

Aging

| | | | | | | | | | | | |
|---------------------|----|--|--|---|--|---|--|---|----|----|-----|
| Administration | 8 | | | 3 | | 1 | | 2 | 8 | 1 | 13% |
| Fiscal | 7 | | | 1 | | | | | 2 | 4 | 57% |
| Information Systems | 2 | | | | | | | | | 1 | 50% |
| Program | 25 | | | 3 | | | | | 10 | 20 | 80% |
| Agency Totals | 42 | | | 7 | | 1 | | 2 | 20 | 26 | 62% |

Agriculture

| | | | | | | | | | | | |
|---------------------|----|---|--|----|--|--|---|---|----|----|------|
| Administration | 15 | 3 | | 5 | | | 1 | 2 | 13 | 3 | 20% |
| Fiscal | 3 | | | 1 | | | | | 1 | 2 | 67% |
| Information Systems | 1 | | | | | | | | | 1 | 100% |
| Program | 59 | | | 7 | | | 1 | | 20 | 42 | 71% |
| Agency Totals | 78 | 3 | | 13 | | | 2 | 2 | 34 | 48 | 62% |

Arts Council

| | | | | | | | | | | | |
|----------------|---|---|--|---|--|--|--|--|---|---|------|
| Administration | 5 | 2 | | 2 | | | | | 5 | | 0% |
| Fiscal | 1 | | | | | | | | 1 | | 0% |
| Program | 1 | | | | | | | | 1 | 1 | 100% |
| Agency Totals | 7 | 2 | | 2 | | | | | 7 | 1 | 14% |

Capital Development Board

| | | | | | | | | | | | |
|---------------------|----|--|--|--|--|--|--|----|----|----|------|
| Administration | 6 | | | | | | | 6 | 6 | 1 | 17% |
| Fiscal | 1 | | | | | | | 1 | 1 | | 0% |
| Information Systems | 1 | | | | | | | | | 1 | 100% |
| Legal | 1 | | | | | | | 1 | 1 | | 0% |
| Program | 9 | | | | | | | 9 | 9 | 8 | 89% |
| Agency Totals | 18 | | | | | | | 17 | 17 | 10 | 56% |

Central Management Services

| | | | | | | | | | | | |
|---------------------|-----|--|--|----|--|----|--|---|-----|-----|-----|
| Administration | 14 | | | 8 | | | | 2 | 14 | 4 | 29% |
| Fiscal | 7 | | | 1 | | | | | 4 | 3 | 43% |
| Information Systems | 1 | | | | | | | 1 | 1 | | 0% |
| Legal | 22 | | | 7 | | 13 | | | 22 | 6 | 27% |
| Legislative Affairs | 2 | | | 1 | | | | | 2 | 1 | 50% |
| Program | 212 | | | 70 | | | | 2 | 98 | 102 | 48% |
| Agency Totals | 258 | | | 87 | | 13 | | 5 | 141 | 116 | 45% |

Appendix C
MANAGEMENT POSITIONS BY AGENCY AND FUNCTION ¹
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Function | Total Managers | Code Partial Exemptions | | | | | Code Exempt | Rutan Exempt | Union | |
|--------|----------|-------------------|-------------------------|-----|-----|-----|-----|----------------|-----------------|-------|-------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | | | 4D6 | Count |

Children & Family Services

| | | | | | | | | | | | | |
|--|----------------|-----|--|--|----|--|----|--|---|-----|-----|-----|
| | Administration | 44 | | | 15 | | 1 | | 1 | 30 | 26 | 59% |
| | Fiscal | 44 | | | 3 | | | | | 7 | 39 | 89% |
| | Legal | 47 | | | 4 | | 38 | | | 44 | 39 | 83% |
| | Program | 478 | | | 17 | | 9 | | 1 | 55 | 435 | 91% |
| | Agency Totals | 613 | | | 39 | | 48 | | 2 | 136 | 539 | 88% |

Civil Service Commission

| | | | | | | | | | | | | |
|--|----------------|---|--|--|--|--|---|--|--|---|--|----|
| | Administration | 3 | | | | | 2 | | | 3 | | 0% |
| | Agency Totals | 3 | | | | | 2 | | | 3 | | 0% |

Commerce & Economic Opportunity

| | | | | | | | | | | | | |
|--|---------------------|-----|--|--|----|--|--|---|---|----|----|-----|
| | Administration | 46 | | | 20 | | | 3 | 3 | 34 | 20 | 43% |
| | Information Systems | 3 | | | | | | | | | 2 | 67% |
| | Program | 62 | | | 22 | | | | | 41 | 27 | 44% |
| | Agency Totals | 111 | | | 42 | | | 3 | 3 | 75 | 49 | 44% |

Commerce Commission

| | | | | | | | | | | | | |
|--|---------------------|----|--|--|--|--|--|--|----|----|----|-----|
| | Administration | 17 | | | | | | | 15 | 10 | 9 | 53% |
| | Legal | 20 | | | | | | | 20 | 19 | 10 | 50% |
| | Legislative Affairs | 1 | | | | | | | 1 | 1 | | 0% |
| | Program | 41 | | | | | | | 41 | 23 | 25 | 61% |
| | Agency Totals | 79 | | | | | | | 77 | 53 | 44 | 56% |

Corrections

| | | | | | | | | | | | | |
|--|-----------------|-----|--|----|----|----|----|--|---|-----|-----|------|
| | Administration | 70 | | | 12 | | 10 | | 3 | 30 | 40 | 57% |
| | Fiscal | 1 | | | | 1 | | | | | 1 | 100% |
| | Program | 510 | | 22 | 59 | 30 | 34 | | | 89 | 418 | 82% |
| | Shared Services | 40 | | | 6 | | | | | 9 | 33 | 83% |
| | Agency Totals | 621 | | 22 | 77 | 31 | 44 | | 3 | 128 | 492 | 79% |

Criminal Justice Information Authority

| | | | | | | | | | | | | |
|--|---------------------|----|--|--|---|--|--|--|---|---|---|-----|
| | Administration | 3 | | | 1 | | | | 1 | 2 | | 0% |
| | Fiscal | 2 | | | 1 | | | | | 1 | 1 | 50% |
| | Information Systems | 2 | | | | | | | | | 1 | 50% |
| | Legal | 1 | | | 1 | | | | | 1 | | 0% |
| | Program | 7 | | | 1 | | | | | 4 | 6 | 86% |
| | Agency Totals | 15 | | | 4 | | | | 1 | 8 | 8 | 53% |

Appendix C
MANAGEMENT POSITIONS BY AGENCY AND FUNCTION ¹
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Function | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|--------|----------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|---|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |

Deaf & Hard Of Hearing Commission

| | | | | | | | | | | | | |
|--|----------------|---|---|--|---|--|---|--|--|---|--|----|
| | Administration | 2 | 1 | | 1 | | | | | 2 | | 0% |
| | Fiscal | 1 | | | | | | | | 1 | | 0% |
| | Legal | 1 | | | | | 1 | | | 1 | | 0% |
| | Agency Totals | 4 | 1 | | 1 | | 1 | | | 4 | | 0% |

Developmental Disabilities Council

| | | | | | | | | | | | | |
|--|----------------|---|--|--|---|--|--|--|--|---|--|----|
| | Administration | 1 | | | 1 | | | | | 1 | | 0% |
| | Fiscal | 1 | | | | | | | | | | 0% |
| | Program | 1 | | | | | | | | 1 | | 0% |
| | Agency Totals | 3 | | | 1 | | | | | 2 | | 0% |

Emergency Management Agency

| | | | | | | | | | | | | |
|--|----------------|----|--|--|---|--|--|--|----|----|----|-----|
| | Administration | 3 | | | 1 | | | | 2 | 3 | | 0% |
| | Fiscal | 1 | | | 1 | | | | | 1 | | 0% |
| | Legal | 1 | | | | | | | 1 | 1 | | 0% |
| | Program | 51 | | | 3 | | | | 33 | 19 | 39 | 76% |
| | Agency Totals | 56 | | | 5 | | | | 36 | 24 | 39 | 70% |

Employment Security

| | | | | | | | | | | | | |
|--|---------------------|-----|--|--|----|--|---|--|---|----|-----|-----|
| | Administration | 27 | | | 3 | | 1 | | 2 | 10 | 14 | 52% |
| | Fiscal | 14 | | | 1 | | | | | 1 | 11 | 79% |
| | Information Systems | 4 | | | 1 | | | | | 2 | 2 | 50% |
| | Legal | 2 | | | 1 | | 1 | | | 2 | | 0% |
| | Program | 267 | | | 15 | | 7 | | | 43 | 177 | 66% |
| | Agency Totals | 314 | | | 21 | | 9 | | 2 | 58 | 204 | 65% |

Environmental Protection

| | | | | | | | | | | | | |
|--|----------------|-----|--|--|----|--|---|--|---|----|-----|-----|
| | Administration | 26 | | | 6 | | | | 2 | 10 | 16 | 62% |
| | Legal | 9 | | | 2 | | 3 | | | 6 | 4 | 44% |
| | Program | 113 | | | 4 | | | | | 12 | 103 | 91% |
| | Agency Totals | 148 | | | 12 | | 3 | | 2 | 28 | 123 | 83% |

Financial & Professional Regulation

| | | | | | | | | | | | | |
|--|---------------------|----|---|--|----|--|---|--|---|----|----|------|
| | Administration | 10 | 1 | | 2 | | | | 4 | 8 | 3 | 30% |
| | Fiscal | 1 | | | 1 | | | | | 1 | | 0% |
| | Information Systems | 1 | | | | | | | | | 1 | 100% |
| | Legal | 8 | | | 5 | | 2 | | | 8 | 1 | 13% |
| | Legislative Affairs | 2 | | | 2 | | | | | 2 | 1 | 50% |
| | Program | 68 | | | 24 | | 1 | | | 44 | 33 | 49% |
| | Agency Totals | 90 | 1 | | 34 | | 3 | | 4 | 63 | 39 | 43% |

Appendix C
MANAGEMENT POSITIONS BY AGENCY AND FUNCTION ¹
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Function | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|--------|----------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|---|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |

Gaming Board

| | | | | | | | | | | | |
|---------------------|----|--|--|---|--|---|--|--|----|----|------|
| Administration | 2 | | | 1 | | | | | 2 | | 0% |
| Fiscal | 2 | | | 1 | | | | | 2 | | 0% |
| Information Systems | 1 | | | | | | | | | 1 | 100% |
| Legal | 3 | | | 1 | | 2 | | | 3 | 2 | 67% |
| Legislative Affairs | 1 | | | | | 1 | | | 1 | | 0% |
| Program | 17 | | | | | | | | 6 | 14 | 82% |
| Agency Totals | 26 | | | 3 | | 3 | | | 14 | 17 | 65% |

Guardianship & Advocacy

| | | | | | | | | | | | |
|---------------------|----|---|--|---|--|---|--|---|----|----|------|
| Administration | 5 | 2 | | 2 | | | | 1 | 5 | 1 | 20% |
| Fiscal | 1 | | | 1 | | | | | 1 | | 0% |
| Information Systems | 1 | | | | | | | | 1 | | 0% |
| Legal | 2 | | | | | 2 | | | 2 | 2 | 100% |
| Program | 13 | | | 4 | | | | | 5 | 9 | 69% |
| Agency Totals | 22 | 2 | | 7 | | 2 | | 1 | 14 | 12 | 55% |

Healthcare & Family Services

| | | | | | | | | | | | |
|---------------------|-----|---|--|----|--|----|--|---|-----|-----|-----|
| Administration | 43 | 1 | | 13 | | | | 3 | 28 | 19 | 44% |
| Fiscal | 21 | | | 1 | | | | | 6 | 16 | 76% |
| Information Systems | 30 | | | 1 | | | | | 4 | 11 | 37% |
| Legal | 13 | | | 1 | | 12 | | | 13 | 1 | 8% |
| Legislative Affairs | 3 | | | 3 | | | | | 3 | | 0% |
| Program | 318 | | | 3 | | 11 | | | 67 | 252 | 79% |
| Agency Totals | 428 | 1 | | 22 | | 23 | | 3 | 121 | 299 | 70% |

Historic Preservation

| | | | | | | | | | | | |
|----------------|----|--|--|---|--|--|--|---|----|----|-----|
| Administration | 7 | | | 3 | | | | 2 | 6 | 2 | 29% |
| Program | 24 | | | 1 | | | | | 16 | 23 | 96% |
| Agency Totals | 31 | | | 4 | | | | 2 | 22 | 25 | 81% |

Human Rights Commission

| | | | | | | | | | | | |
|----------------|---|---|--|---|--|--|--|---|---|--|----|
| Administration | 2 | | | 1 | | | | 1 | 2 | | 0% |
| Fiscal | 1 | 1 | | | | | | | 1 | | 0% |
| Program | 1 | | | | | | | 1 | 1 | | 0% |
| Agency Totals | 4 | 1 | | 1 | | | | 2 | 4 | | 0% |

Appendix C
MANAGEMENT POSITIONS BY AGENCY AND FUNCTION ¹
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Function | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|--------|----------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|---|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |

Human Rights Department

| | | | | | | | | | | | | |
|--|----------------|----|--|--|---|--|---|--|--|----|----|-----|
| | Administration | 5 | | | 3 | | | | | 4 | 1 | 20% |
| | Legal | 5 | | | 2 | | 1 | | | 4 | 2 | 40% |
| | Program | 16 | | | 3 | | | | | 3 | 13 | 81% |
| | Agency Totals | 26 | | | 8 | | 1 | | | 11 | 16 | 62% |

Human Services

| | | | | | | | | | | | | |
|--|---------------------|------|---|----|----|--|-----|---|---|-----|------|-----|
| | Administration | 80 | 2 | | 13 | | | 1 | 3 | 25 | 54 | 68% |
| | Fiscal | 37 | | | 1 | | | | | 5 | 31 | 84% |
| | Information Systems | 30 | | | 1 | | | | | 2 | 19 | 63% |
| | Legal | 20 | | | 2 | | 8 | | | 12 | 8 | 40% |
| | Legislative Affairs | 1 | | | 1 | | | | | 1 | | 0% |
| | Program | 1359 | | 15 | 46 | | 103 | | | 198 | 1090 | 80% |
| | Agency Totals | 1527 | 2 | 15 | 64 | | 111 | 1 | 3 | 243 | 1202 | 79% |

Illinois Sentencing Policy Adv Council

| | | | | | | | | | | | | |
|--|----------------|---|--|--|---|--|--|--|--|---|--|----|
| | Administration | 1 | | | 1 | | | | | 1 | | 0% |
| | Program | 1 | | | 1 | | | | | 1 | | 0% |
| | Agency Totals | 2 | | | 2 | | | | | 2 | | 0% |

Illinois Torture Inquiry Relief Commission

| | | | | | | | | | | | | |
|--|----------------|---|--|--|---|--|--|--|--|---|--|----|
| | Administration | 1 | | | 1 | | | | | 1 | | 0% |
| | Agency Totals | 1 | | | 1 | | | | | 1 | | 0% |

Insurance

| | | | | | | | | | | | | |
|--|---------------------|----|--|--|----|--|---|--|---|----|----|-----|
| | Administration | 2 | | | 1 | | | | 1 | 2 | | 0% |
| | Fiscal | 7 | | | | | | | | 4 | 6 | 86% |
| | Information Systems | 3 | | | 1 | | | | | 1 | | 0% |
| | Legal | 3 | | | 1 | | 1 | | | 3 | | 0% |
| | Legislative Affairs | 1 | | | 1 | | | | | 1 | | 0% |
| | Program | 41 | | | 6 | | | | | 16 | 30 | 73% |
| | Agency Totals | 57 | | | 10 | | 1 | | 1 | 27 | 36 | 63% |

Investment Board

| | | | | | | | | | | | | |
|--|----------------|---|--|--|---|--|--|--|---|---|--|----|
| | Administration | 2 | | | | | | | 2 | 2 | | 0% |
| | Fiscal | 2 | | | 1 | | | | 1 | 2 | | 0% |
| | Agency Totals | 4 | | | 1 | | | | 3 | 4 | | 0% |

Juvenile Justice

| | | | | | | | | | | | | |
|--|----------------|-----|---|---|----|---|---|--|---|----|-----|-----|
| | Administration | 9 | 1 | | 4 | | | | 1 | 7 | 2 | 22% |
| | Program | 165 | | 7 | 7 | 7 | 2 | | | 21 | 148 | 90% |
| | Agency Totals | 174 | 1 | 7 | 11 | 7 | 2 | | 1 | 28 | 150 | 86% |

Appendix C
MANAGEMENT POSITIONS BY AGENCY AND FUNCTION ¹
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Function | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|--------|----------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|---|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |

Labor

| | | | | | | | | | | | | |
|--|----------------|----|--|--|---|--|---|--|---|----|---|-----|
| | Administration | 6 | | | 4 | | | | 1 | 5 | 1 | 17% |
| | Program | 12 | | | 3 | | 1 | | 2 | 11 | 7 | 58% |
| | Agency Totals | 18 | | | 7 | | 1 | | 3 | 16 | 8 | 44% |

Labor Relations Board, Educational

| | | | | | | | | | | | | |
|--|----------------|---|--|--|---|--|--|--|--|---|--|----|
| | Administration | 2 | | | 1 | | | | | 2 | | 0% |
| | Fiscal | 1 | | | | | | | | 1 | | 0% |
| | Legal | 1 | | | 1 | | | | | 1 | | 0% |
| | Agency Totals | 4 | | | 2 | | | | | 4 | | 0% |

Labor Relations Board, Illinois

| | | | | | | | | | | | | |
|--|----------------|---|--|--|---|--|--|--|--|---|--|----|
| | Administration | 1 | | | 1 | | | | | 1 | | 0% |
| | Legal | 1 | | | 1 | | | | | 1 | | 0% |
| | Agency Totals | 2 | | | 2 | | | | | 2 | | 0% |

Law Enforcement Training & Standards Board

| | | | | | | | | | | | | |
|--|----------------|---|--|--|---|--|--|--|--|---|---|-----|
| | Administration | 2 | | | 2 | | | | | 2 | | 0% |
| | Program | 3 | | | | | | | | 3 | 1 | 33% |
| | Agency Totals | 5 | | | 2 | | | | | 5 | 1 | 20% |

Lottery

| | | | | | | | | | | | | |
|--|----------------|----|--|--|---|--|--|--|---|---|----|-----|
| | Administration | 4 | | | 3 | | | | 1 | 4 | 1 | 25% |
| | Fiscal | 7 | | | | | | | | 1 | 6 | 86% |
| | Legal | 1 | | | 1 | | | | | 1 | | 0% |
| | Program | 13 | | | | | | | | 3 | 12 | 92% |
| | Agency Totals | 25 | | | 4 | | | | 1 | 9 | 19 | 76% |

Military Affairs

| | | | | | | | | | | | | |
|--|----------------|----|--|--|---|--|--|--|----|----|----|-----|
| | Administration | 6 | | | 1 | | | | 5 | 6 | 1 | 17% |
| | Fiscal | 1 | | | 1 | | | | | 1 | | 0% |
| | Legal | 1 | | | | | | | 1 | 1 | | 0% |
| | Program | 24 | | | 1 | | | | 19 | 3 | 19 | 79% |
| | Agency Totals | 32 | | | 3 | | | | 25 | 11 | 20 | 63% |

Natural Resources

| | | | | | | | | | | | | |
|--|---------------------|-----|---|--|----|--|----|--|---|----|----|-----|
| | Administration | 10 | 1 | | 5 | | | | 3 | 10 | 1 | 10% |
| | Fiscal | 5 | | | 1 | | | | | 1 | 4 | 80% |
| | Legal | 2 | | | 1 | | 1 | | | 2 | | 0% |
| | Legislative Affairs | 2 | | | 2 | | | | | 2 | 1 | 50% |
| | Program | 106 | | | 6 | | 12 | | 6 | 45 | 75 | 71% |
| | Agency Totals | 125 | 1 | | 15 | | 13 | | 9 | 60 | 81 | 65% |

Appendix C
MANAGEMENT POSITIONS BY AGENCY AND FUNCTION ¹
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Function | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|--------|----------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|---|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |

Pollution Control Board

| | | | | | | | | | | | | |
|--|----------------|---|--|--|---|--|--|--|---|---|--|----|
| | Administration | 1 | | | | | | | 1 | 1 | | 0% |
| | Legal | 1 | | | 1 | | | | | 1 | | 0% |
| | Program | 2 | | | | | | | 2 | 2 | | 0% |
| | Agency Totals | 4 | | | 1 | | | | 3 | 4 | | 0% |

Prisoner Review Board

| | | | | | | | | | | | | |
|--|----------------|---|--|--|--|--|---|--|--|---|--|----|
| | Administration | 2 | | | | | | | | 1 | | 0% |
| | Legal | 1 | | | | | 1 | | | 1 | | 0% |
| | Agency Totals | 3 | | | | | 1 | | | 2 | | 0% |

Property Tax Appeal Board

| | | | | | | | | | | | | |
|--|----------------|---|--|--|---|--|--|--|---|---|--|----|
| | Administration | 1 | | | 1 | | | | | 1 | | 0% |
| | Program | 5 | | | | | | | 5 | 5 | | 0% |
| | Agency Totals | 6 | | | 1 | | | | 5 | 6 | | 0% |

Public Health

| | | | | | | | | | | | | |
|--|---------------------|-----|---|--|----|--|---|--|---|----|-----|------|
| | Administration | 17 | 1 | | 5 | | | | 4 | 12 | 5 | 29% |
| | Fiscal | 3 | | | | | | | | | 3 | 100% |
| | Information Systems | 13 | | | 1 | | | | | 1 | 10 | 77% |
| | Legal | 5 | | | 1 | | 3 | | 1 | 5 | | 0% |
| | Legislative Affairs | 2 | | | 2 | | | | | 2 | 1 | 50% |
| | Program | 212 | | | 18 | | 1 | | | 38 | 173 | 82% |
| | Agency Totals | 252 | 1 | | 27 | | 4 | | 5 | 58 | 192 | 76% |

Racing Board

| | | | | | | | | | | | | |
|--|----------------|---|--|--|--|--|--|--|---|---|--|----|
| | Administration | 1 | | | | | | | 1 | 1 | | 0% |
| | Fiscal | 1 | | | | | | | | 1 | | 0% |
| | Legal | 1 | | | | | | | 1 | 1 | | 0% |
| | Program | 5 | | | | | | | 5 | 4 | | 0% |
| | Agency Totals | 8 | | | | | | | 7 | 7 | | 0% |

Revenue

| | | | | | | | | | | | | |
|--|---------------------|-----|--|--|----|--|---|---|---|----|-----|-----|
| | Administration | 14 | | | 6 | | | | 2 | 9 | 6 | 43% |
| | Fiscal | 2 | | | 1 | | | | | 2 | | 0% |
| | Information Systems | 14 | | | | | | | | 2 | 4 | 29% |
| | Legal | 11 | | | 6 | | 4 | | | 11 | 1 | 9% |
| | Legislative Affairs | 1 | | | 1 | | | | | 1 | | 0% |
| | Program | 161 | | | 19 | | | 9 | | 27 | 125 | 78% |
| | Shared Services | 23 | | | 3 | | | | | 5 | 19 | 83% |
| | Agency Totals | 226 | | | 36 | | 4 | 9 | 2 | 57 | 155 | 69% |

Appendix C
MANAGEMENT POSITIONS BY AGENCY AND FUNCTION ¹
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Function | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|--------|----------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|---|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |

State Fire Marshal

| | | | | | | | | | | | |
|---------------------|----|--|--|---|--|---|--|---|----|----|-----|
| Administration | 7 | | | 3 | | | | 2 | 6 | 2 | 29% |
| Fiscal | 1 | | | 1 | | | | | 1 | | 0% |
| Information Systems | 1 | | | 1 | | | | | 1 | | 0% |
| Legal | 2 | | | 1 | | 1 | | | 2 | | 0% |
| Program | 12 | | | 2 | | | | | 3 | 10 | 83% |
| Agency Totals | 23 | | | 8 | | 1 | | 2 | 13 | 12 | 52% |

State Police

| | | | | | | | | | | | |
|---------------------|-----|---|--|---|---|---|--|---|----|-----|------|
| Administration | 15 | | | 3 | | 2 | | 2 | 11 | 7 | 47% |
| Fiscal | 6 | | | | | | | | 2 | 6 | 100% |
| Information Systems | 14 | | | | | | | | 1 | 8 | 57% |
| Program | 147 | 1 | | | 4 | | | | 7 | 129 | 88% |
| Agency Totals | 182 | 1 | | 3 | 4 | 2 | | 2 | 21 | 150 | 82% |

State Police Merit Board

| | | | | | | | | | | | |
|---------------------|---|--|--|---|--|--|--|--|---|--|----|
| Administration | 1 | | | 1 | | | | | 1 | | 0% |
| Fiscal | 1 | | | | | | | | 1 | | 0% |
| Information Systems | 1 | | | | | | | | | | 0% |
| Program | 2 | | | | | | | | | | 0% |
| Agency Totals | 5 | | | 1 | | | | | 2 | | 0% |

State Retirement Systems

| | | | | | | | | | | | |
|---------------------|----|--|--|---|--|--|--|---|---|----|-----|
| Administration | 5 | | | 2 | | | | | 3 | 2 | 40% |
| Fiscal | 2 | | | | | | | | | 1 | 50% |
| Information Systems | 4 | | | | | | | | | 2 | 50% |
| Program | 10 | | | | | | | 3 | 1 | 5 | 50% |
| Agency Totals | 21 | | | 2 | | | | 3 | 4 | 10 | 48% |

Transportation

| | | | | | | | | | | | |
|---------------------|-----|--|--|--|--|--|--|-----|-----|-----|-----|
| Administration | 10 | | | | | | | 10 | 10 | 2 | 20% |
| Fiscal | 35 | | | | | | | 34 | 11 | 18 | 51% |
| Legal | 7 | | | | | | | 7 | 6 | | 0% |
| Legislative Affairs | 1 | | | | | | | 1 | 1 | | 0% |
| Program | 526 | | | | | | | 505 | 86 | 376 | 71% |
| Agency Totals | 579 | | | | | | | 557 | 114 | 396 | 68% |

Appendix C
MANAGEMENT POSITIONS BY AGENCY AND FUNCTION ¹
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Function | Total Managers | Code Partial Exemptions | | | | | Code Exempt | Rutan Exempt | Union | |
|--------|----------|-------------------|-------------------------|-----|-----|-----|-----|----------------|-----------------|-------|-------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | | | 4D6 | Count |

Veterans' Affairs

| | | | | | | | | | | | |
|----------------|-----|--|---|---|---|----|--|---|----|----|-----|
| Administration | 15 | | | 3 | | | | 2 | 7 | 10 | 67% |
| Fiscal | 2 | | | 1 | | | | | 1 | 1 | 50% |
| Program | 87 | | 4 | | 3 | 20 | | | 12 | 54 | 62% |
| Agency Totals | 104 | | 4 | 4 | 3 | 20 | | 2 | 20 | 65 | 63% |

Workers' Compensation Commission

| | | | | | | | | | | | |
|---------------------|----|---|--|---|--|---|--|----|----|---|-----|
| Administration | 10 | 1 | | 2 | | | | 3 | 7 | 4 | 40% |
| Fiscal | 2 | | | 1 | | | | | 2 | 1 | 50% |
| Information Systems | 4 | | | 1 | | | | | 1 | 1 | 25% |
| Legal | 4 | | | 2 | | 2 | | | 4 | | 0% |
| Program | 17 | | | 3 | | | | 10 | 14 | 3 | 18% |
| Agency Totals | 37 | 1 | | 9 | | 2 | | 13 | 28 | 9 | 24% |

Grand Totals All Agencies

| Total | Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|--------------|--------------------|-----------|------------|-----------|------------|-----------|----------------|-----------------|--------------|------------|
| | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| <u>6,423</u> | <u>18</u> | <u>48</u> | <u>606</u> | <u>45</u> | <u>315</u> | <u>15</u> | <u>811</u> | <u>1,735</u> | <u>4,613</u> | <u>72%</u> |

Auditor Note:

¹ Auditors classified managers into seven major functions. Classifications were done based on individual employee information that was provided by agencies in response to our survey. We did this classification because agency assigned divisions varied significantly among agencies. In choosing the function we looked at the division each employee reported to at their respective agency as well as their reported function provided by the agency.

APPENDIX D

Management Positions by Agency and Division

**With Totals, Personnel Code and Rutan
Exemptions, and Union Status - March 2012**

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|----------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|---|
| | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |

Aging

| | | | | | | | | | | | |
|--------------------------|----|--|--|---|--|---|--|---|----|----|-----|
| Circuit Bkr/Phar Asst | 5 | | | 1 | | | | | 4 | 4 | 80% |
| Div of Finance & Admin | 9 | | | 1 | | | | | 2 | 5 | 56% |
| Div of Comm & Outreach | 7 | | | 1 | | | | | 2 | 5 | 71% |
| Executive Office | 8 | | | 3 | | 1 | | 2 | 8 | 1 | 13% |
| Home & Community Svcs | 7 | | | | | | | | 1 | 6 | 86% |
| Planning, Research & Dev | 6 | | | 1 | | | | | 3 | 5 | 83% |
| Agency Totals | 42 | | | 7 | | 1 | | 2 | 20 | 26 | 62% |

Agriculture

| | | | | | | | | | | | |
|------------------------------|----|---|--|----|--|--|---|---|----|----|------|
| Animal Disease Lab - Cent | 3 | | | | | | | | 1 | 2 | 67% |
| Animal Disease Lab - Galesb | 5 | | | | | | | | 1 | 4 | 80% |
| Bur Co Fairs & Horse Rcng | 4 | | | 1 | | | | | 1 | | 0% |
| Bur Marketng, Promo & Grants | 3 | | | 1 | | | 1 | | 2 | 1 | 33% |
| Bur of Agric Prod Insp | 1 | | | | | | | | | 1 | 100% |
| Bur of Budget/Fiscal F Se | 3 | | | 1 | | | | | 1 | 2 | 67% |
| Bur of Computer Services | 1 | | | | | | | | | 1 | 100% |
| Bur of Duquoin State Fair | 4 | | | | | | | | 1 | 3 | 75% |
| Bur of Environmental Prog | 5 | | | | | | | | 2 | 4 | 80% |
| Bur of Human Resources | 3 | | | 1 | | | | | 3 | | 0% |
| Bur of IL State Fair | 3 | | | 1 | | | | | 3 | 2 | 67% |
| Bur of Land/Water Resc | 1 | | | | | | | | | 1 | 100% |
| Bur of Meat & Poultry Ins | 13 | | | | | | | | 1 | 12 | 92% |
| Bur of Warehouses | 1 | | | | | | | | | 1 | 100% |
| Bur of Weights/Measures | 2 | | | | | | | | | 2 | 100% |
| Bur of Animal Hlth | 4 | | | | | | | | 1 | 3 | 75% |
| Bureau of Business Serv | 3 | | | 1 | | | | | 1 | 2 | 67% |
| Div Administrative Serv | 3 | | | 1 | | | | | 1 | 2 | 67% |
| Div Food Safety & Anim Prot | 4 | | | 1 | | | | | 3 | 3 | 75% |
| Div of Agri Ind Reg | 1 | | | 1 | | | | | 1 | | 0% |
| Div of Natural Resources | 2 | | | 1 | | | | | 2 | 1 | 50% |
| Executive Office | 9 | 3 | | 3 | | | 1 | 2 | 9 | 1 | 11% |
| Agency Totals | 78 | 3 | | 13 | | | 2 | 2 | 34 | 48 | 62% |

Arts Council

| | | | | | | | | | | | |
|---------------|---|---|--|---|--|--|--|--|---|---|-----|
| Arts Council | 7 | 2 | | 2 | | | | | 7 | 1 | 14% |
| Agency Totals | 7 | 2 | | 2 | | | | | 7 | 1 | 14% |

Capital Development Board (CDB)

| | | | | | | | | | | | |
|------------------|---|--|--|--|--|--|--|---|---|---|------|
| Capital Planning | 1 | | | | | | | 1 | 1 | 1 | 100% |
| Construction | 6 | | | | | | | 5 | 5 | 5 | 83% |

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|------------|---------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| CDB | Contracts | 1 | | | | | | | 1 | 1 | 1 | 100% |
| | Executive | 2 | | | | | | | 2 | 2 | | 0% |
| | Fair Employment Practices | 1 | | | | | | | 1 | 1 | 1 | 100% |
| | Fiscal Management | 1 | | | | | | | 1 | 1 | | 0% |
| | Internal Audit | 1 | | | | | | | 1 | 1 | | 0% |
| | Legal | 1 | | | | | | | 1 | 1 | | 0% |
| | Operations | 1 | | | | | | | 1 | 1 | | 0% |
| | Personnel | 1 | | | | | | | 1 | 1 | | 0% |
| | Professional Services | 1 | | | | | | | 1 | 1 | 1 | 100% |
| | Project Development | 1 | | | | | | | 1 | 1 | 1 | 100% |
| | Agency Totals | 18 | | | | | | | 17 | 17 | 10 | 56% |

Central Management Services (CMS)

| | | | | | | | | | | | |
|-----------------------------|----|--|--|----|--|--|--|---|----|----|------|
| Agency Support & Vehicles | 20 | | | | | | | | | 19 | 95% |
| BCCS | 1 | | | | | | | 1 | 1 | | 0% |
| BCCS/Business Services | 4 | | | 1 | | | | | 1 | 3 | 75% |
| BCCS/Custr & Account Mgt | 4 | | | 1 | | | | | 1 | 1 | 25% |
| BCCS/Enterp Applic & Arch | 3 | | | 1 | | | | | 2 | 1 | 33% |
| BCCS/Security Compl Solut | 4 | | | 1 | | | | | 1 | 2 | 50% |
| BCCS/Service Infrastructr | 13 | | | 1 | | | | | 2 | 3 | 23% |
| Bob/Benefit Systems | 2 | | | | | | | | | 1 | 50% |
| Bob/Benefits Analysis | 1 | | | | | | | | | 1 | 100% |
| Bob/Deferred Compensation | 2 | | | | | | | | | 2 | 100% |
| Bob/Group Insurance | 10 | | | | | | | | | 10 | 100% |
| Bob/Local Govnmnt Hlth Pl | 1 | | | | | | | | 1 | 1 | 100% |
| Bob/Risk Management | 7 | | | | | | | | 1 | 6 | 86% |
| Bop/Examining & Counseling | 7 | | | | | | | | 1 | 6 | 86% |
| Bop/Statewide Services | 3 | | | | | | | | 1 | 1 | 33% |
| Bop/Tech Svs/Traing & Dev | 8 | | | | | | | | 4 | 4 | 50% |
| Bop/Tran, Rec, Backwage Cls | 3 | | | | | | | | | 3 | 100% |
| Bopm Facility Management | 2 | | | | | | | 2 | | | 0% |
| Bopm/Facilities Mgnt | 14 | | | 1 | | | | | 1 | 13 | 93% |
| Bopm/Stra Plan Space Sorc | 3 | | | 1 | | | | | 1 | 1 | 33% |
| Bopm/Surplus Prop Contr | 4 | | | | | | | | 1 | 3 | 75% |
| Bopm/Trans & Prop Admin | 4 | | | 4 | | | | | 4 | | 0% |
| Bur Comm Comp Serv BCCS | 8 | | | 2 | | | | | 4 | 3 | 38% |
| Bur of Personnel (Bop) | 7 | | | 1 | | | | | 6 | 1 | 14% |
| Bur of Prop Mgnt (Bopm) | 16 | | | 9 | | | | | 12 | 4 | 25% |
| Bur Strategic Sourc(Boss) | 24 | | | 16 | | | | | 20 | 7 | 29% |
| Bureau of Benefits (Bob) | 3 | | | 1 | | | | | 1 | 1 | 33% |
| Business Enterprise Prog | 4 | | | 1 | | | | | 3 | 3 | 75% |

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|------------|----------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| CMS | Director's Office | 12 | | | 8 | | | | 2 | 12 | 2 | 17% |
| | IL Off Comm Inform (loci) | 31 | | | 29 | | | | | 30 | 2 | 6% |
| | IL Off Governmental Affs | 2 | | | 1 | | | | | 2 | 1 | 50% |
| | Internal Audits | 2 | | | | | | | | 2 | 2 | 100% |
| | Legal Services | 22 | | | 7 | | 13 | | | 22 | 6 | 27% |
| | Off of Finance & Mgt (Ofm) | 7 | | | 1 | | | | | 4 | 3 | 43% |
| | Agency Totals | 258 | | | 87 | | 13 | | 5 | 141 | 116 | 45% |

Children & Family Services (DCFS)

| | | | | | | | | | | | | |
|-----------------------------|----|--|--|---|--|----|--|---|---|----|----|------|
| Affirmative Action Div | 4 | | | 2 | | 1 | | | | 4 | 4 | 100% |
| Cent Reg - Champaign Site | 22 | | | | | | | | | 1 | 21 | 95% |
| Cent Reg - Peoria Hdq | 21 | | | | | | | | | | 21 | 100% |
| Cent Reg - Springfield Site | 20 | | | 1 | | | | | | 2 | 18 | 90% |
| Clinical Prac Prof Develop | 36 | | | 1 | | 1 | | | | 3 | 31 | 86% |
| Cook Central Region | 7 | | | 1 | | | | | | 1 | 6 | 86% |
| Cook North Region | 8 | | | 1 | | | | | | 1 | 7 | 88% |
| Cook South Region | 11 | | | 1 | | | | | | 1 | 10 | 91% |
| Director's Office | 1 | | | | | | | 1 | 1 | | | 0% |
| Director's Staff | 9 | | | 7 | | | | | | 9 | 6 | 67% |
| Div of Affirmative Action | 1 | | | 1 | | | | | | 1 | | 0% |
| Div of Communications | 6 | | | 3 | | 1 | | | | 5 | 5 | 83% |
| Div of Field Operations | 7 | | | 1 | | | | | | 2 | 5 | 71% |
| Div of Guard & Advocacy | 8 | | | 1 | | 3 | | | | 5 | 3 | 38% |
| Div of Quality Assurance | 18 | | | 1 | | | | | | 2 | 17 | 94% |
| Div of Services Support | 39 | | | 1 | | | | | | 5 | 37 | 95% |
| Div Placement & Permanence | 13 | | | 1 | | | | | | 2 | 11 | 85% |
| Div Planning & Performance | 14 | | | 2 | | | | | | 4 | 10 | 71% |
| Div Service Intervention | 23 | | | 2 | | 1 | | | | 6 | 20 | 87% |
| Div of Budget & Finance | 44 | | | 3 | | | | | | 7 | 39 | 89% |
| Div of Child Protection | 76 | | | | | | | | | 6 | 70 | 92% |
| Division of Monitoring | 68 | | | | | | | | | 4 | 67 | 99% |
| External Affairs | 1 | | | 1 | | | | | | 1 | | 0% |
| Internal Audits | 2 | | | | | | | | | 2 | 1 | 50% |
| North Reg - Aurora Hdq | 32 | | | 1 | | | | | | 2 | 30 | 94% |
| North Reg - Rockford Site | 18 | | | | | | | | | | 18 | 100% |
| Off Legal Services | 47 | | | 4 | | 38 | | | | 44 | 39 | 83% |
| Office of Employee Serv | 10 | | | 1 | | | | | | 7 | 4 | 40% |
| Office of Inspector General | 6 | | | 1 | | 3 | | 1 | | 6 | | 0% |
| Procurement & Contracts | 2 | | | 1 | | | | | | 1 | 1 | 50% |
| South Reg - E St Louis Hdq | 21 | | | | | | | | | 1 | 20 | 95% |
| South Reg - Marion Site | 18 | | | | | | | | | | 18 | 100% |

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|-------------|-----------------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|-----|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| DCFS | Children & Family Services Totals | 613 | | | 39 | | 48 | | 2 | 136 | 539 | 88% |

Civil Service Commission

| | | | | | | | | | | | |
|-----------------------------|---|--|--|--|--|---|--|--|---|--|----|
| Administrative (Operations) | 3 | | | | | 2 | | | 3 | | 0% |
| Agency Totals | 3 | | | | | 2 | | | 3 | | 0% |

Commerce & Economic Opportunity

| | | | | | | | | | | | |
|----------------------------------|-----|--|--|----|--|--|---|---|----|----|-----|
| Bur Business Development | 4 | | | 3 | | | | | 3 | 1 | 25% |
| Bur of Community Devl | 7 | | | 2 | | | | | 4 | 4 | 57% |
| Bur of Energy Assistance | 10 | | | 2 | | | | | 2 | 8 | 80% |
| Bur of Energy & Recycling | 9 | | | 3 | | | | | 6 | 5 | 56% |
| Bur of Workforce Develop | 1 | | | 1 | | | | | 1 | | 0% |
| Bureau of Tourism | 6 | | | 2 | | | | | 6 | 2 | 33% |
| Director's Office | 45 | | | 19 | | | 3 | 3 | 33 | 20 | 44% |
| Employment & Training | 16 | | | 1 | | | | | 10 | 7 | 44% |
| Off of Regional Outreach | 9 | | | 8 | | | | | 9 | | 0% |
| Office of Information Management | 3 | | | | | | | | | 2 | 67% |
| (blank) | 1 | | | 1 | | | | | 1 | | 0% |
| Agency Totals | 111 | | | 42 | | | 3 | 3 | 75 | 49 | 44% |

Commerce Commission

| | | | | | | | | | | | |
|-----------------------------|----|--|--|--|--|--|--|----|----|----|------|
| Administrative Law Judges | 14 | | | | | | | 14 | 14 | 5 | 36% |
| Administrative Services | 1 | | | | | | | | | 1 | 100% |
| Chairman & Commissioners | 1 | | | | | | | 1 | 1 | | 0% |
| Executive Director's Office | 4 | | | | | | | 3 | 3 | 2 | 50% |
| External Affairs | 5 | | | | | | | 5 | 4 | 1 | 20% |
| Office of General Counsel | 18 | | | | | | | 18 | 17 | 8 | 44% |
| Planning & Operations | 10 | | | | | | | 10 | 4 | 7 | 70% |
| Public Utilities | 17 | | | | | | | 17 | 4 | 13 | 76% |
| Transportation | 9 | | | | | | | 9 | 6 | 7 | 78% |
| Agency Totals | 79 | | | | | | | 77 | 53 | 44 | 56% |

Corrections (DOC)

| | | | | | | | | | | | |
|-------------------------------|----|--|---|---|---|---|--|---|----|----|-----|
| Administrative | 44 | | | 7 | | 3 | | 2 | 15 | 32 | 73% |
| Adult - Bur of Operations | 7 | | | 5 | | | | | 5 | 2 | 29% |
| Centralia Correctional Center | 14 | | 1 | 2 | | | | | 4 | 9 | 64% |
| Chief of Staff | 5 | | | 2 | | | | | 3 | 3 | 60% |
| Community Correction | 10 | | 4 | 5 | | | | | 9 | | 0% |
| Correctional Industries | 36 | | | 2 | 1 | | | | 5 | 32 | 89% |
| Danville Correctional Center | 14 | | 1 | 2 | 1 | | | | 3 | 10 | 71% |
| Decatur Correctional Center | 14 | | 1 | 1 | 1 | 1 | | | 2 | 12 | 86% |
| Dixon Correctional Center | 14 | | 1 | 1 | 1 | 2 | | | 2 | 12 | 86% |

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|------------|----------------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| DOC | Dwight Correctional Center | 20 | | 1 | 2 | 1 | 1 | | | 3 | 17 | 85% |
| | E Moline Correctional Center | 14 | | | 2 | 1 | 1 | | | 2 | 12 | 86% |
| | Finance & Administration | 1 | | | | 1 | | | | | 1 | 100% |
| | Graham Correctional Center | 10 | | 1 | 2 | 1 | 2 | | | 3 | 7 | 70% |
| | Hill Correctional Center | 11 | | | 1 | 1 | 1 | | | 1 | 9 | 82% |
| | IL River Correctional Center | 12 | | | 1 | 1 | | | | 1 | 11 | 92% |
| | Invest & Intelligence | 4 | | | 1 | | | | | 4 | 1 | 25% |
| | Jacksonville Correctional Center | 15 | | 1 | 1 | 1 | 1 | | | 2 | 13 | 87% |
| | Labor Relations | 5 | | | 1 | | 2 | | | 5 | | 0% |
| | Lawrence Correctional Center | 13 | | | 1 | 1 | 1 | | | 1 | 12 | 92% |
| | Lincoln Correctional Center | 9 | | 1 | 2 | | | | | 3 | 6 | 67% |
| | Logan Correctional Center | 16 | | 1 | 2 | 1 | 2 | | | 3 | 13 | 81% |
| | Menard Correctional Center | 25 | | 1 | 2 | 1 | 4 | | | 3 | 22 | 88% |
| | Muddy River Correctional Center | 14 | | 1 | | 1 | 1 | | | 1 | 13 | 93% |
| | Off of Adult Ed & Voc Ser | 16 | | | 1 | | | | | 1 | 15 | 94% |
| | Office of Internal Audits | 1 | | | | | | | 1 | 1 | | 0% |
| | Parole Division | 34 | | | 3 | | | | | 4 | 31 | 91% |
| | Pinckeyville Correctional Center | 19 | | | 2 | 2 | 1 | | | 2 | 17 | 89% |
| | Pontiac Correctional Center | 18 | | 1 | 2 | 1 | 1 | | | 3 | 15 | 83% |
| | Robinson Correctional Center | 13 | | 1 | 1 | 1 | 1 | | | 2 | 11 | 85% |
| | Shared Services Center | 40 | | | 6 | | | | | 9 | 33 | 83% |
| | Shawnee Correctional Center | 15 | | | 2 | 2 | 1 | | | 2 | 13 | 87% |
| | Sheridan Correctional Center | 12 | | 1 | 1 | 1 | 2 | | | 2 | 10 | 83% |
| | Southwestern IL Correctional Ctr | 14 | | | 2 | 1 | 1 | | | 2 | 12 | 86% |
| | Stateville Correctional Center | 28 | | 1 | 3 | 1 | 5 | | | 4 | 24 | 86% |
| | Support Services | 15 | | | 2 | | 5 | | | 6 | 5 | 33% |
| | Tamms Correctional Center | 16 | | | 2 | 2 | 1 | | | 2 | 14 | 88% |
| | Taylorville Correctional Center | 10 | | | 1 | 1 | 1 | | | 1 | 9 | 90% |
| | Vandalia Correctional Center | 15 | | 1 | 2 | 1 | 1 | | | 3 | 11 | 73% |
| | Vienna Correctional Center | 13 | | 1 | 1 | 2 | 1 | | | 2 | 11 | 85% |
| | Western IL Correctional Center | 15 | | 1 | 1 | 1 | 1 | | | 2 | 12 | 80% |
| | Agency Totals | | 621 | | 22 | 77 | 31 | 44 | | 3 | 128 | 492 |

Criminal Justice Information Authority

| | | | | | | | | | | | |
|-----------------------------|----|--|--|---|--|--|--|---|---|---|-----|
| Criminal Justice Auth | 14 | | | 4 | | | | | 7 | 8 | 57% |
| Executive Director's Office | 1 | | | | | | | 1 | 1 | | 0% |
| Agency Totals | 15 | | | 4 | | | | 1 | 8 | 8 | 53% |

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|----------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|---|
| | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |

Deaf & Hard of Hearing Commission

| | | | | | | | | | | | |
|----------------------------|---|---|--|---|--|---|--|--|---|--|----|
| Deaf & Hard of Hearing Com | 4 | 1 | | 1 | | 1 | | | 4 | | 0% |
| Agency Totals | 4 | 1 | | 1 | | 1 | | | 4 | | 0% |

Developmental Disabilities Council

| | | | | | | | | | | | |
|--------------------------|---|--|--|---|--|--|--|--|---|--|----|
| Dev Disabilities Council | 3 | | | 1 | | | | | 2 | | 0% |
| Agency Totals | 3 | | | 1 | | | | | 2 | | 0% |

Emergency Management Agency

| | | | | | | | | | | | |
|-----------------------|----|--|--|---|--|--|--|----|----|----|-----|
| Emergency Mgmt Agency | 56 | | | 5 | | | | 36 | 24 | 39 | 70% |
| Agency Totals | 56 | | | 5 | | | | 36 | 24 | 39 | 70% |

Employment Security (DES)

| | | | | | | | | | | | |
|------------------------------|----|--|--|---|--|---|--|---|---|----|------|
| Administrative Systems | 1 | | | | | | | | | 1 | 100% |
| Appeals | 15 | | | 1 | | 7 | | | 8 | 7 | 47% |
| Benefit Systems | 2 | | | | | | | | 1 | 1 | 50% |
| Board of Review | 3 | | | 1 | | | | | 1 | 2 | 67% |
| Central Region | 16 | | | 1 | | | | | 1 | 9 | 56% |
| Chief of Staff | 1 | | | 1 | | | | | 1 | | 0% |
| Director | 4 | | | 2 | | | | 1 | 4 | | 0% |
| Econ Info & Analysis | 12 | | | 1 | | | | | 1 | 8 | 67% |
| Employer Services | 7 | | | | | | | | | 4 | 57% |
| Employment Services | 6 | | | | | | | | 3 | 4 | 67% |
| Equal Employment Opportunity | 3 | | | | | | | | 2 | 2 | 67% |
| Field Audit/Collection | 22 | | | | | | | | 5 | 20 | 91% |
| Financial Operations | 14 | | | 1 | | | | | 1 | 11 | 79% |
| General Services | 9 | | | | | | | | 1 | 6 | 67% |
| Human Resource Mgmt | 5 | | | | | | | | 1 | 4 | 80% |
| Information Services | 2 | | | 1 | | | | | 2 | | 0% |
| Internal Audit | 1 | | | | | | | 1 | 1 | | 0% |
| Legal Counsel/Fed Admin | 2 | | | 1 | | 1 | | | 2 | | 0% |
| Metro North Region | 27 | | | 1 | | | | | 1 | 18 | 67% |
| Metro South Region | 25 | | | 1 | | | | | 1 | 18 | 72% |
| Northern Region | 31 | | | 1 | | | | | 1 | 22 | 71% |
| Northwest Region | 21 | | | 1 | | | | | 1 | 13 | 62% |
| Planning | 2 | | | | | | | | 2 | | 0% |
| Planning/Procedures | 1 | | | 1 | | | | | 1 | | 0% |
| Programs/Community Relations | 1 | | | 1 | | | | | 1 | | 0% |
| Procedures | 1 | | | | | | | | 1 | | 0% |
| QA / Comp Review | 13 | | | | | | | | 3 | 9 | 69% |
| Report & Remittance Proc | 7 | | | | | | | | | 6 | 86% |

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MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|------------|--------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| DES | Revenue | 1 | | | 1 | | | | | 1 | | 0% |
| | Revenue Administration | 10 | | | | | | | | 1 | 9 | 90% |
| | Revenue Systems | 2 | | | | | | | | | 2 | 100% |
| | Service Delivery | 1 | | | 1 | | | | | 1 | | 0% |
| | Southern Region | 24 | | | 1 | | | | | 3 | 13 | 54% |
| | Srvc Dlvry/Modl Strtgies | 1 | | | 1 | | | | | 1 | | 0% |
| | Support Services | 6 | | | | | | | | | 5 | 83% |
| | Unemployment Insurance | 12 | | | | | | | | 1 | 10 | 83% |
| | Workforce Development | 1 | | | 1 | | | | | 1 | | 0% |
| | Labor Mngmnt Relations | 2 | | | | | 1 | | | 2 | | 0% |
| | Agency Totals | 314 | | | 21 | | 9 | | 2 | 58 | 204 | 65% |

Environmental Protection

| | | | | | | | | | | | |
|---------------------------|-----|--|--|----|--|---|--|---|----|-----|------|
| Bureau of Air | 33 | | | 1 | | | | | 4 | 30 | 91% |
| Bureau of Land | 31 | | | 1 | | | | | 3 | 28 | 90% |
| Bureau of Water | 43 | | | 1 | | | | | 4 | 40 | 93% |
| Deputy Director | 11 | | | 1 | | | | | 2 | 11 | 100% |
| Director | 14 | | | 5 | | | | 2 | 7 | 5 | 36% |
| Div of Administration | 2 | | | | | | | | 1 | 1 | 50% |
| Div of Laboratories | 5 | | | 1 | | | | | 1 | 4 | 80% |
| Div of Legal Counsel | 5 | | | 1 | | 3 | | | 4 | 1 | 20% |
| Env Prot Dir/Legal Affair | 4 | | | 1 | | | | | 2 | 3 | 75% |
| Agency Totals | 148 | | | 12 | | 3 | | 2 | 28 | 123 | 83% |

Financial & Professional Regulation

| | | | | | | | | | | | |
|---------------------------|----|---|--|----|--|---|--|---|----|----|------|
| Administrative Services | 5 | | | 2 | | | | | 3 | 3 | 60% |
| Banking | 20 | | | 4 | | 1 | | | 10 | 8 | 40% |
| Dir Financial Institution | 1 | | | | | | | 1 | 1 | | 0% |
| Div Financial Institution | 7 | | | 4 | | | | | 4 | 2 | 29% |
| Div of Professional Reg | 43 | | | 16 | | | | 2 | 32 | 23 | 53% |
| Fiscal Operations | 1 | | | 1 | | | | | 1 | | 0% |
| General Counsel | 8 | | | 5 | | 2 | | | 8 | 1 | 13% |
| Information Technology | 1 | | | | | | | | | 1 | 100% |
| Legislative Affairs | 2 | | | 2 | | | | | 2 | 1 | 50% |
| Secretary's Office | 2 | 1 | | | | | | 1 | 2 | | 0% |
| Agency Totals | 90 | 1 | | 34 | | 3 | | 4 | 63 | 39 | 43% |

Gaming Board

| | | | | | | | | | | | |
|---------------|----|--|--|---|--|---|--|--|----|----|-----|
| Gaming Board | 26 | | | 3 | | 3 | | | 14 | 17 | 65% |
| Agency Totals | 26 | | | 3 | | 3 | | | 14 | 17 | 65% |

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MANAGEMENT POSITIONS BY AGENCY AND DIVISION
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| Agency Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|----------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|---|
| | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |

Guardianship & Advocacy

| | | | | | | | | | | | |
|-------------------------|----|---|--|---|--|---|--|---|----|----|------|
| Guardianship & Advocacy | 21 | 2 | | 7 | | 2 | | | 13 | 11 | 52% |
| Guardianship & Advocacy | 1 | | | | | | | 1 | 1 | 1 | 100% |
| Agency Totals | 22 | 2 | | 7 | | 2 | | 1 | 14 | 12 | 55% |

Healthcare & Family Services (HFS)

| | | | | | | | | | | | |
|-------------------------------|----|--|--|---|--|---|--|--|---|----|------|
| Bob & Cash Mgmt | 12 | | | | | | | | 2 | 11 | 92% |
| Bur Child Sup Srv Enf Dso | 23 | | | | | | | | 9 | 21 | 91% |
| Bur Maternal & Child Hlth Pro | 4 | | | | | | | | 1 | 4 | 100% |
| Bur Med Elig & Spec Prgm | 3 | | | | | | | | 1 | 2 | 67% |
| Bur of Admin Litigation | 1 | | | | | 1 | | | 1 | | 0% |
| Bur of Admin Services | 7 | | | | | | | | 2 | 6 | 86% |
| Bur of Claims Processing | 10 | | | | | 1 | | | 1 | 6 | 60% |
| Bur of Collection Service | 19 | | | | | | | | 7 | 17 | 89% |
| Bur of Compreh Health Svcs | 15 | | | | | | | | 3 | 11 | 73% |
| Bur of Css - Contract Mgt | 3 | | | | | | | | 1 | 1 | 33% |
| Bur of Federal Finance | 4 | | | | | | | | 2 | 3 | 75% |
| Bur of Fiscal Operations | 16 | | | | | | | | 1 | 15 | 94% |
| Bur of Infor Technology | 3 | | | | | | | | 1 | 1 | 33% |
| Bur of Internal Affairs | 3 | | | | | | | | 2 | 1 | 33% |
| Bur of Investigations | 8 | | | | | | | | 3 | 6 | 75% |
| Bur of Med Admin Support | 7 | | | | | | | | 1 | 5 | 71% |
| Bur of Medicaid Integrity | 15 | | | | | 2 | | | 2 | 10 | 67% |
| Bur of Pharmacy Services | 3 | | | | | | | | 2 | 1 | 33% |
| Bur of Quality Management | 4 | | | | | 2 | | | | 4 | 100% |
| Bur Prog & Reimbur Anal | 16 | | | | | | | | 3 | 12 | 75% |
| Bur Rate Develop & Anal | 5 | | | | | | | | | 3 | 60% |
| Bur of Info Systems | 23 | | | | | | | | 2 | 8 | 35% |
| Bur of Technical Supp | 8 | | | | | | | | 1 | 7 | 88% |
| Bur of Managed Care | 8 | | | | | 1 | | | 3 | 5 | 63% |
| Bureau of All Kids | 30 | | | | | | | | 2 | 27 | 90% |
| Bureau of Health Finance | 4 | | | | | | | | | 4 | 100% |
| Bureau of Long Term Care | 15 | | | | | 5 | | | 2 | 10 | 67% |
| Bureau of Training | 1 | | | | | | | | | 1 | 100% |
| Child Supp Srv Adm Opr | 26 | | | | | | | | 1 | 24 | 92% |
| Css - Cook Co Adm Opr | 9 | | | | | | | | 2 | 9 | 100% |
| Css - Cook Co Jud Opr | 15 | | | | | | | | 4 | 14 | 93% |
| Css - Cook Co Coll & Accts | 8 | | | | | | | | 1 | 7 | 88% |
| Div of Child Support Srv | 32 | | | 1 | | | | | 5 | 25 | 78% |
| Div of Medical Programs | 5 | | | 1 | | | | | 5 | | 0% |

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|------------|---------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|-----|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| HFS | Div of Per & Admin Serv | 8 | | | | | | | 3 | 4 | 50% | |
| | Div of Information Svcs | 4 | | | 1 | | | | 1 | 2 | 50% | |
| | Division of Finance | 5 | | | 1 | | | | 5 | 1 | 20% | |
| | Off Healthcare Purchasing | 1 | | | | | | | 1 | | 0% | |
| | Off of Gen Counsel | 12 | | | 1 | | 11 | | 12 | 1 | 8% | |
| | Off of Inspector General | 4 | | | 1 | | | | 2 | 2 | 50% | |
| | Office of Internal Audits | 1 | | | | | | 1 | 1 | | 0% | |
| | Office of Legis Affairs | 3 | | | 3 | | | | 3 | | 0% | |
| | Office of The Dir | 22 | 1 | | 13 | | | 2 | 20 | 6 | 27% | |
| | (blank) | 3 | | | | | | | | 2 | 67% | |
| | Agency Totals | 428 | 1 | | 22 | | 23 | | 3 | 121 | 299 | 70% |

Historic Preservation

| | | | | | | | | | | | |
|----------------------------|----|--|--|---|--|--|--|---|----|----|------|
| Administrative Services | 1 | | | 1 | | | | | 1 | | 0% |
| ALPLM | 1 | | | | | | | 1 | 1 | | 0% |
| Constituent Serv | 1 | | | | | | | | | 1 | 100% |
| Director's Office | 5 | | | 2 | | | | 1 | 4 | 2 | 40% |
| Historic Sites | 15 | | | | | | | | 13 | 15 | 100% |
| Library Services | 2 | | | 1 | | | | | 1 | 1 | 50% |
| Lincoln Lib & Museum Guest | 2 | | | | | | | | | 2 | 100% |
| Marketing & Comm Relation | 1 | | | | | | | | 1 | 1 | 100% |
| Museum Shows Programs | 1 | | | | | | | | | 1 | 100% |
| Preservation Services | 1 | | | | | | | | | 1 | 100% |
| Research & Collections | 1 | | | | | | | | 1 | 1 | 100% |
| Agency Totals | 31 | | | 4 | | | | 2 | 22 | 25 | 81% |

Human Rights Commission

| | | | | | | | | | | | |
|----------------------------|---|---|--|---|--|--|--|---|---|--|----|
| Administrative Law Section | 1 | | | | | | | 1 | 1 | | 0% |
| Executive | 1 | | | | | | | 1 | 1 | | 0% |
| Human Rights Commission | 2 | 1 | | 1 | | | | | 2 | | 0% |
| Agency Totals | 4 | 1 | | 1 | | | | 2 | 4 | | 0% |

Human Rights Department

| | | | | | | | | | | | |
|------------------------|----|--|--|---|--|---|--|--|----|----|-----|
| Administration Div | 3 | | | 1 | | | | | 2 | 1 | 33% |
| Charge Processing Div | 13 | | | 1 | | | | | 1 | 12 | 92% |
| Executive Office | 2 | | | 2 | | | | | 2 | | 0% |
| Housing Division | 2 | | | 1 | | | | | 1 | 1 | 50% |
| Legal Division | 5 | | | 2 | | 1 | | | 4 | 2 | 40% |
| Off of Deputy Director | 1 | | | 1 | | | | | 1 | | 0% |
| Agency Totals | 26 | | | 8 | | 1 | | | 11 | 16 | 62% |

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|-----------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|---|
| | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| Human Services (DHS) | | | | | | | | | | | |
| Alcohol/Substance Abuse | 30 | | | 4 | | | | 6 | 23 | 77% | |
| Alton Mh & Dd Center | 22 | | 1 | 1 | | 9 | | 3 | 16 | 73% | |
| Ann M Kiley Develop Ctr | 45 | | 1 | | | 5 | | 2 | 39 | 87% | |
| Assistant Secretary | 3 | | | 1 | | | 2 | 3 | | 0% | |
| Asst Secretary - Chi | 4 | | | 2 | | | | 4 | 2 | 50% | |
| Blind Service Region III | 1 | | | | | | | | 1 | 100% | |
| Blind Services Region I | 1 | | | | | | | 1 | 1 | 100% | |
| Blind Services Region II | 1 | | | | | | | 1 | 1 | 100% | |
| Blind Services Region IV | 1 | | | | | | | 1 | 1 | 100% | |
| Budget | 7 | | | 1 | | | | 3 | 5 | 71% | |
| Bureau of Blind Services | 6 | | | 1 | | | | 2 | 3 | 50% | |
| Bureau of Field Services | 1 | | | | | | | 1 | | 0% | |
| Chester Mental Hlth Ctr | 32 | | 1 | | | 4 | | 1 | 28 | 88% | |
| Chicago - Read Mh Ctr | 19 | | 1 | 1 | | 4 | | 2 | 11 | 58% | |
| Child Care & Dev | 18 | | | 1 | | | | 3 | 16 | 89% | |
| Choate Mh & Dd Ctr | 39 | | 1 | | | 8 | | 2 | 34 | 87% | |
| Clinical/Admin/Prog Supp | 22 | | | 2 | | | | 2 | 20 | 91% | |
| Community Health & Prev | 21 | | | 2 | | | | 5 | 14 | 67% | |
| Contract Administration | 8 | | | 2 | | | | 2 | 6 | 75% | |
| Disability Determin Serv | 78 | | | | | | | 9 | 65 | 83% | |
| Elgin Mental Health Ctr | 35 | | 1 | 1 | | 15 | | 2 | 22 | 63% | |
| Employment Access/Safety | 6 | | | 1 | | | | 1 | 4 | 67% | |
| Family Support Svcs | 10 | | | 1 | | | | 2 | 8 | 80% | |
| Fiscal Administration | 30 | | | | | | | 2 | 26 | 87% | |
| Fox Develop Center | 23 | | 1 | | | 6 | | 2 | 17 | 74% | |
| Hispanic/Latino Affairs | 2 | | | 1 | | | | 1 | 1 | 50% | |
| Human Capital Dev | 24 | | | 3 | | | | 4 | 18 | 75% | |
| Human Resources | 17 | | | 1 | | | | 2 | 14 | 82% | |
| IL School For The Deaf | 21 | | | | | 1 | | | 20 | 95% | |
| IL School - Visual Impair | 11 | | | | | 1 | | | 10 | 91% | |
| Inspector General | 14 | | | 1 | | | | 14 | 11 | 79% | |
| Jacksonville Develop Ctr | 24 | | | | | 3 | | | 23 | 96% | |
| Legal | 20 | | | 2 | | 8 | | 12 | 8 | 40% | |
| Legislation | 1 | | | 1 | | | | 1 | | 0% | |
| Ludeman Develop Ctr | 41 | | | | | 5 | | 2 | 33 | 80% | |
| Mabley Develop Center | 13 | | 1 | | | | | 3 | 11 | 85% | |
| Madden Mental Health Ctr | 30 | | | 1 | | 10 | | 1 | 24 | 80% | |
| McFarland Ment Hlth Ctr | 20 | | 1 | 1 | | 6 | | 3 | 15 | 75% | |
| Mgmt Info Serv | 30 | | | 1 | | | | 2 | 19 | 63% | |

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|------------|----------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| DHS | Mh & Dd Services | 1 | | | | | | | | | 1 | 100% |
| | Murray Develop Ctr | 29 | | 1 | | | 6 | | | 1 | 23 | 79% |
| | North Central Network | 2 | | | | | 1 | | | | 1 | 50% |
| | Off/Develop Disabilities | 30 | | | 4 | | 1 | | | 5 | 22 | 73% |
| | Office of Comm Relations | 1 | | | 1 | | | | | 1 | | 0% |
| | Office of Family Health | 21 | | | | | 2 | | | 1 | 19 | 90% |
| | Office of Mental Health | 36 | | | 6 | | 3 | | | 9 | 17 | 47% |
| | Office/Business Services | 23 | | | 1 | | | | | 1 | 20 | 87% |
| | Office/Rehab Services | 24 | | | 3 | | | | | 7 | 14 | 58% |
| | Outcomes/Strategic Plan | 3 | | | 1 | | | | | 3 | 2 | 67% |
| | Prevention | 10 | | | 1 | | | | | 2 | 8 | 80% |
| | Prog Support & Fiscal Mgnt | 7 | | | | | | | | 1 | 6 | 86% |
| | Program/Perf Mgnt | 6 | | | | | | | | 1 | 5 | 83% |
| | Region I | 221 | | | 3 | | | | | 23 | 204 | 92% |
| | Region II | 76 | | | 1 | | | | | 14 | 65 | 86% |
| | Region III | 35 | | | 1 | | | | | 12 | 21 | 60% |
| | Region III & IV | 11 | | | | | | | | 1 | 10 | 91% |
| | Region IV | 27 | | | 1 | | | | | 14 | 14 | 52% |
| | Region V | 46 | | | 1 | | | | | 19 | 30 | 65% |
| | Rehab/Educ Ctr - Wood | 2 | | 1 | | | | | | 1 | 1 | 50% |
| | Rehab/Educ Ctr - Roosevelt | 11 | | 1 | | | 1 | | | 1 | 8 | 73% |
| | Secretary's Office | 24 | 2 | | 5 | | | 1 | 1 | 12 | 12 | 50% |
| | Shapiro Develop Center | 111 | | 1 | | | 5 | | | 2 | 100 | 90% |
| | Singer Mh & Dd Center | 13 | | | 1 | | 4 | | | 1 | 10 | 77% |
| | Special Projects | 1 | | | 1 | | | | | 1 | | 0% |
| | Tinley Park Mh Center | 15 | | 1 | | | 2 | | | 2 | 13 | 87% |
| | Treatment/Detention Fac | 10 | | 1 | | | 1 | | | 1 | 6 | 60% |
| | Agency Totals | 1527 | 2 | 15 | 64 | | 111 | 1 | 3 | 243 | 1202 | 79% |

Illinois Sentencing Policy Advisory Council

| | | | | | | | | | | | |
|-------------------------------|---|--|--|---|--|--|--|--|---|--|----|
| IL Sentencing Policy Adv Cncl | 2 | | | 2 | | | | | 2 | | 0% |
| Agency Totals | 2 | | | 2 | | | | | 2 | | 0% |

Illinois Torture Inquiry Relief Commission

| | | | | | | | | | | | |
|--------------------------|---|--|--|---|--|--|--|--|---|--|----|
| Il Torture Inqry Rlf Com | 1 | | | 1 | | | | | 1 | | 0% |
| Agency Totals | 1 | | | 1 | | | | | 1 | | 0% |

Insurance

| | | | | | | | | | | | |
|--------------------------|---|--|--|---|--|--|--|---|---|---|-----|
| Consumer Education | 1 | | | 1 | | | | | 1 | | 0% |
| Director's Staff | 1 | | | 1 | | | | | 1 | | 0% |
| Executive | 1 | | | | | | | 1 | 1 | | 0% |
| Finance & Administration | 7 | | | | | | | | 4 | 6 | 86% |

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|------------------|--------------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| Insurance | Financial/Corp Regulatory | 21 | | | 1 | | | | | 7 | 17 | 81% |
| | Health Care Insurance Exchange | 1 | | | 1 | | | | | 1 | | 0% |
| | Health Info Tech Exchange | 1 | | | 1 | | | | | 1 | | 0% |
| | Health Products | 3 | | | | | | | | | 2 | 67% |
| | Information Technology | 3 | | | 1 | | | | | 1 | | 0% |
| | Legislative Affairs | 1 | | | 1 | | | | | 1 | | 0% |
| | Life & Annuities Products | 1 | | | | | | | | 1 | 1 | 100% |
| | Office of Legal Affairs | 3 | | | 1 | | 1 | | | 3 | | 0% |
| | Pension | 2 | | | | | | | | 2 | 1 | 50% |
| | Prod Reg Svcs/P & C Prod | 10 | | | 1 | | | | | 2 | 9 | 90% |
| | Workers' Comp Fraud | 1 | | | 1 | | | | | 1 | | 0% |
| Insurance Totals | | 57 | | | 10 | | 1 | | 1 | 27 | 36 | 63% |

Investment Board

| | | | | | | | | | | | |
|------------------|---|--|--|---|--|--|--|---|---|--|----|
| Investment Board | 4 | | | 1 | | | | 3 | 4 | | 0% |
| Agency Totals | 4 | | | 1 | | | | 3 | 4 | | 0% |

Juvenile Justice

| | | | | | | | | | | | |
|----------------------|-----|---|---|----|---|---|--|---|----|-----|------|
| Director's Office | 9 | 1 | | 4 | | | | 1 | 7 | 2 | 22% |
| IYC - Chicago | 12 | | 1 | | | | | | 2 | 10 | 83% |
| IYC - Harrisburg | 24 | | 1 | 1 | 1 | | | | 3 | 22 | 92% |
| IYC - Joliet | 23 | | 1 | 2 | 1 | | | | 4 | 20 | 87% |
| IYC - Kewanee | 27 | | 1 | | 1 | 1 | | | 1 | 26 | 96% |
| IYC - Murphysboro | 15 | | | 1 | 1 | | | | 2 | 14 | 93% |
| IYC - Pere Marquette | 11 | | 1 | | 1 | | | | 2 | 9 | 82% |
| IYC - St Charles | 26 | | 1 | 1 | 1 | | | | 3 | 23 | 88% |
| IYC - Warrenville | 16 | | 1 | 1 | 1 | 1 | | | 3 | 14 | 88% |
| IYC - Warrenville | 1 | | | | | | | | | 1 | 100% |
| School District #428 | 10 | | | 1 | | | | | 1 | 9 | 90% |
| Agency Totals | 174 | 1 | 7 | 11 | 7 | 2 | | 1 | 28 | 150 | 86% |

Labor

| | | | | | | | | | | | |
|----------------------|----|--|--|---|--|---|--|---|----|---|-----|
| Administration | 6 | | | 3 | | | | 2 | 5 | 1 | 17% |
| Director's Office | 2 | | | 1 | | | | 1 | 2 | | 0% |
| Fair Labor Standards | 5 | | | 2 | | 1 | | | 4 | 3 | 60% |
| Public Safety | 5 | | | 1 | | | | | 5 | 4 | 80% |
| Agency Totals | 18 | | | 7 | | 1 | | 3 | 16 | 8 | 44% |

Labor Relations Board, Educational

| | | | | | | | | | | | |
|--------------------------|---|--|--|---|--|--|--|--|---|--|----|
| Labor Rel Bd Educational | 4 | | | 2 | | | | | 4 | | 0% |
| Agency Totals | 4 | | | 2 | | | | | 4 | | 0% |

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|----------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|---|
| | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |

Labor Relations Board, Illinois

| | | | | | | | | | | |
|------------------------|---|--|--|---|--|--|--|---|--|----|
| Labor Relations Bd, IL | 2 | | | 2 | | | | 2 | | 0% |
| Agency Totals | 2 | | | 2 | | | | 2 | | 0% |

Law Enforcement Training & Standards Board

| | | | | | | | | | | |
|----------------------------|---|--|--|---|--|--|--|---|---|-----|
| Law Enf Trng & Standard Bd | 5 | | | 2 | | | | 5 | 1 | 20% |
| Agency Totals | 5 | | | 2 | | | | 5 | 1 | 20% |

Lottery

| | | | | | | | | | | |
|----------------|----|--|--|---|--|--|---|---|----|------|
| Communications | 1 | | | | | | | | 1 | 100% |
| Executive | 4 | | | 3 | | | 1 | 4 | 1 | 25% |
| Finance | 7 | | | | | | | 1 | 6 | 86% |
| Legal | 1 | | | 1 | | | | 1 | | 0% |
| Sales | 12 | | | | | | | 3 | 11 | 92% |
| Agency Totals | 25 | | | 4 | | | 1 | 9 | 19 | 76% |

Military Affairs

| | | | | | | | | | | |
|--------------------------|----|--|--|---|--|--|----|----|----|-----|
| Adjutant General | 6 | | | 1 | | | 5 | 6 | 2 | 33% |
| Air National Guard | 3 | | | | | | 3 | | | 0% |
| Comptroller | 1 | | | 1 | | | | 1 | | 0% |
| Facilities | 19 | | | | | | 15 | 1 | 18 | 95% |
| Legal | 1 | | | | | | 1 | 1 | | 0% |
| Military Museum | 1 | | | | | | 1 | 1 | | 0% |
| State Personnel Division | 1 | | | 1 | | | | 1 | | 0% |
| Agency Totals | 32 | | | 3 | | | 25 | 11 | 20 | 63% |

Natural Resources (DNR)

| | | | | | | | | | | |
|-----------------------------|----|--|--|--|--|---|---|----|----|------|
| Department Director's Staff | 1 | | | | | | 1 | 1 | | 0% |
| Div of Architect & Engrng | 1 | | | | | | | 1 | | 0% |
| Div of Forestry | 1 | | | | | | | 1 | | 0% |
| Div of Grant Admin | 1 | | | | | | | 1 | | 0% |
| Div of Land Reclamation | 3 | | | | | 2 | | 1 | 2 | 67% |
| Div of Law Enforcement | 5 | | | | | | | 5 | 5 | 100% |
| Div of Natural Heritage | 1 | | | | | | | 1 | | 0% |
| Div of Parks & Recreation | 16 | | | | | | | 11 | 13 | 81% |
| Div of Realty & Planning | 3 | | | | | | | 1 | 1 | 33% |
| Div Project Implementation | 9 | | | | | 5 | | | 9 | 100% |
| Div Water Resource Mgmt | 4 | | | | | 2 | | | 3 | 75% |
| Div Water Resource Plan | 4 | | | | | 3 | | | 4 | 100% |
| Division of Fisheries | 2 | | | | | | | 1 | 2 | 100% |
| Division of Wildlife | 27 | | | | | | | 4 | 26 | 96% |
| Internal Audit | 1 | | | | | | 1 | 1 | | 0% |

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MANAGEMENT POSITIONS BY AGENCY AND DIVISION
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| Agency | Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|------------|---------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| DNR | Law Enforcement Supp Serv | 2 | | | | | | | | | 1 | 50% |
| | Museum | 6 | | | | | | 6 | 6 | | | 0% |
| | Off of Arch, Eng & Grants | 2 | | | 1 | | | | 1 | | 1 | 50% |
| | Off of Community Outreach | 1 | | | 1 | | | | 1 | | | 0% |
| | Off of Strategic Services | 3 | | | | | | | 2 | | 3 | 100% |
| | Off Realty & Env Planning | 1 | | | 1 | | | | 1 | | | 0% |
| | Off Resource Conservation | 6 | | | 1 | | | | 3 | | 3 | 50% |
| | Office Mines & Minerals | 4 | | | | | | | 1 | | 1 | 25% |
| | Office of Fiscal Mngmnt | 5 | | | 1 | | | | 1 | | 4 | 80% |
| | Office of Land Management | 1 | | | | | | | | | | 0% |
| | Office of Law Enforcement | 1 | | | 1 | | | | 1 | | | 0% |
| | Office of Legal Affairs | 2 | | | 1 | | 1 | | 2 | | | 0% |
| | Office of Legislation | 2 | | | 2 | | | | 2 | | 1 | 50% |
| | Office of The Director | 8 | 1 | | 5 | | | | 1 | 8 | 1 | 13% |
| | World Shoot & Rec | 2 | | | 1 | | | | 2 | | 1 | 50% |
| | Agency Totals | 125 | 1 | | 15 | | 13 | | 9 | 60 | 81 | 65% |

Pollution Control Board

| | | | | | | | | | | | |
|-------------------------|---|--|--|---|--|--|--|---|---|--|----|
| Pollution Control Board | 4 | | | 1 | | | | 3 | 4 | | 0% |
| Agency Totals | 4 | | | 1 | | | | 3 | 4 | | 0% |

Prisoner Review Board

| | | | | | | | | | | | |
|-----------------------|---|--|--|--|--|---|--|--|---|--|----|
| Prisoner Review Board | 3 | | | | | 1 | | | 2 | | 0% |
| Agency Totals | 3 | | | | | 1 | | | 2 | | 0% |

Property Tax Appeal Board

| | | | | | | | | | | | |
|---------------------------|---|--|--|---|--|--|--|---|---|--|----|
| Property Tax Appeal Bd | 1 | | | 1 | | | | | 1 | | 0% |
| Property Tax Appeal Board | 5 | | | | | | | 5 | 5 | | 0% |
| Agency Totals | 6 | | | 1 | | | | 5 | 6 | | 0% |

Public Health (IDPH)

| | | | | | | | | | | | |
|-----------------------------|----|--|--|--|--|--|--|---|--|----|------|
| Accounting Services Div | 3 | | | | | | | | | 3 | 100% |
| Admin Rules & Procedures | 1 | | | | | | | | | 1 | 100% |
| Center For Rural Health | 3 | | | | | | | | | 3 | 100% |
| Chrn Disese Prevntn/Ctrl | 6 | | | | | | | 4 | | 4 | 67% |
| Div Epidemiologic Study | 4 | | | | | | | | | 4 | 100% |
| Div of Assisted Living | 1 | | | | | | | | | 1 | 100% |
| Div of Environmental Hlth | 21 | | | | | | | | | 21 | 100% |
| Div of Food, Drug, Dairies | 7 | | | | | | | | | 7 | 100% |
| Div of Health Ass & Screen | 3 | | | | | | | | | 3 | 100% |
| Div of Hlth Care Fac & Prog | 10 | | | | | | | 1 | | 8 | 80% |
| Div of Info & Education | 2 | | | | | | | | | 2 | 100% |

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with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|---------------|-----------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| IDPH | Div of Laboratories | 37 | | | | | | | | 1 | 35 | 95% |
| | Div of Minority Health | 1 | | | 1 | | | | | 1 | | 0% |
| | Div of Quality Assurance | 2 | | | | | | | | | 2 | 100% |
| | Div of Gov Affairs | 2 | | | 2 | | | | | 2 | 1 | 50% |
| | Div of Legal Services | 4 | | | 1 | | 3 | | | 4 | | 0% |
| | Div/Life Safety & Construct | 1 | | | | | | | | | 1 | 100% |
| | Division of Labor Relat | 1 | | | | | | | | 1 | | 0% |
| | Division of Personnel | 1 | | | | | | | | | 1 | 100% |
| | Health Fac & Svcs Review Bd | 2 | | | | | | | 2 | 2 | | 0% |
| | Health Policy | 2 | | | 1 | | | | | 1 | 1 | 50% |
| | Health Promotion Office | 3 | | | 1 | | | | | 2 | 2 | 67% |
| | Hlth Prot Div Infect Dis | 29 | | | | | 1 | | | 3 | 26 | 90% |
| | IL Center For Hlth Stats | 4 | | | | | | | | | 3 | 75% |
| | Internal Audits | 1 | | | | | | | 1 | 1 | | 0% |
| | Long Term Care Fld Opr | 29 | | | | | | | | 1 | 23 | 79% |
| | Off of Health Protection | 5 | | | 2 | | | | | 3 | 2 | 40% |
| | Off of Human Resources | 1 | | | 1 | | | | | 1 | | 0% |
| | Off of Infor Technology | 13 | | | 1 | | | | | 1 | 10 | 77% |
| | Off of Policy Plan & Stat | 3 | | | 1 | | | | | 3 | 1 | 33% |
| | Off of Regional Outreach | 3 | | | 2 | | | | | 3 | 1 | 33% |
| | Off Preparedness & Resp | 15 | | | 2 | | | | | 4 | 11 | 73% |
| | Off Regional Hlth Svcs | 6 | | | 5 | | | | | 5 | 1 | 17% |
| | Office Hlth Care Regula | 3 | | | 1 | | | | | 2 | 2 | 67% |
| | Office of The Director | 8 | 1 | | 4 | | | | 2 | 8 | 1 | 13% |
| | Office of Women's Health | 1 | | | 1 | | | | | 1 | | 0% |
| | Oral Health Division | 2 | | | | | | | | 1 | 1 | 50% |
| | Patient Safety Division | 1 | | | 1 | | | | | 1 | | 0% |
| | Physical Services | 4 | | | | | | | | | 3 | 75% |
| | Vital Records | 5 | | | | | | | | | 5 | 100% |
| | Women's Health Services | 2 | | | | | | | | 1 | 2 | 100% |
| Agency Totals | | 252 | 1 | | 27 | | 4 | | 5 | 58 | 192 | 76% |

Racing Board

| | | | | | | | | | | | |
|---------------|---|--|--|--|--|--|--|---|---|--|----|
| Racing Board | 8 | | | | | | | 7 | 7 | | 0% |
| Agency Totals | 8 | | | | | | | 7 | 7 | | 0% |

Revenue (DOR)

| | | | | | | | | | | | |
|--------------------------|----|--|--|---|--|--|--|--|---|----|-----|
| A & R Shared Services | 23 | | | 3 | | | | | 5 | 19 | 83% |
| Account Processing Admin | 2 | | | 1 | | | | | 2 | | 0% |
| Admin Law Judge Office | 1 | | | 1 | | | | | 1 | | 0% |
| Administrative Services | 4 | | | 2 | | | | | 3 | 2 | 50% |

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|------------|--------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| DOR | Audit Bureau | 48 | | | 3 | | | 9 | | 4 | 41 | 85% |
| | Board of Appeals Off | 3 | | | 1 | | | | | 3 | 2 | 67% |
| | Budget Office | 2 | | | 1 | | | | | 2 | | 0% |
| | Central Processing Bur | 20 | | | | | | | | 1 | 18 | 90% |
| | Collections Bureau | 24 | | | 4 | | | | | 4 | 20 | 83% |
| | Communications Office | 13 | | | 2 | | | | | 3 | 10 | 77% |
| | Customer Services Bureau | 8 | | | | | | | | | 7 | 88% |
| | Director's Office | 2 | | | 1 | | | | 1 | 2 | | 0% |
| | Financial Control Bureau | 5 | | | 1 | | | | | 1 | 3 | 60% |
| | Human Resource Dev Div | 1 | | | | | | | | | 1 | 100% |
| | Human Resource Mngt | 1 | | | 1 | | | | | 1 | | 0% |
| | Informal Conference Brd | 1 | | | 1 | | | | | 1 | | 0% |
| | Information Serv Admin | 14 | | | | | | | | 2 | 4 | 29% |
| | Internal Affairs Office | 3 | | | | | | | | | 3 | 100% |
| | Internal Audits | 1 | | | | | | | 1 | 1 | | 0% |
| | Invest/Crim Pros Bur | 2 | | | 1 | | | | | 1 | 1 | 50% |
| | Leg Liaison Division | 1 | | | 1 | | | | | 1 | | 0% |
| | Legal Services Office | 11 | | | 6 | | 4 | | | 11 | 1 | 9% |
| | Liquor Compliance Bureau | 3 | | | | | | | | | 3 | 100% |
| | Liquor Control Executive | 2 | | | 2 | | | | | 2 | | 0% |
| | Liquor Control Licensing | 1 | | | | | | | | | 1 | 100% |
| | Liquor Control Retailers | 2 | | | 1 | | | | | 1 | 2 | 100% |
| | Operational/Spcl Srv Dv | 4 | | | | | | | | | 3 | 75% |
| | Problems Resolution Div | 2 | | | | | | | | | 2 | 100% |
| | Property Mgt Telecom Off | 3 | | | | | | | | | 3 | 100% |
| | Research Office | 1 | | | 1 | | | | | 1 | | 0% |
| | Returns & Dep Oper Bur | 15 | | | | | | | | 2 | 7 | 47% |
| | Tax Enforcement Program | 2 | | | 1 | | | | | 1 | 2 | 100% |
| | Taxpayer Services Prog | 1 | | | 1 | | | | | 1 | | 0% |
| | Agency Totals | 226 | | | 36 | | 4 | 9 | 2 | 57 | 155 | 69% |

State Fire Marshal

| | | | | | | | | | | | |
|--------------------|----|--|--|---|--|---|--|---|----|----|-----|
| Executive | 1 | | | | | | | 1 | 1 | | 0% |
| Internal Auditor | 1 | | | | | | | 1 | 1 | | 0% |
| State Fire Marshal | 21 | | | 8 | | 1 | | | 11 | 12 | 57% |
| Agency Totals | 23 | | | 8 | | 1 | | 2 | 13 | 12 | 52% |

State Police (ISP)

| | | | | | | | | | | | |
|--------------------------|----|--|--|--|---|--|--|--|---|----|------|
| Bur of Crime Scene Serv | 2 | | | | | | | | | 2 | 100% |
| Bur of Forensic Science | 57 | | | | 1 | | | | 1 | 46 | 81% |
| Bureau of Identification | 15 | | | | | | | | | 14 | 93% |

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|------------|---------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| ISP | Bureau of Logistics | 5 | | | | 1 | | | | | 5 | 100% |
| | Communications Services | 32 | | | | | | | 2 | 30 | 94% | |
| | Communications Servs Bur | 1 | | | | | | | | 1 | 100% | |
| | Deputy Director's Office | 1 | | | | | | | | 1 | 100% | |
| | Firearms Services Bureau | 3 | | | | | | | | 3 | 100% | |
| | Fiscal Management Bureau | 6 | | | | | | | 2 | 6 | 100% | |
| | General Office | 11 | | | 3 | | 2 | | 2 | 10 | 3 | 27% |
| | Info Services Bureau | 14 | | | | | | | 1 | 8 | 57% | |
| | Internal Investigation | 2 | | | | | | | 1 | 2 | 100% | |
| | Operational Serv Command | 6 | | | | | | | | 6 | 100% | |
| | Region I | 7 | 1 | | | | | | | 1 | 5 | 71% |
| | Region II | 3 | | | | | | | | | 3 | 100% |
| | Region III | 2 | | | | | | | | | 2 | 100% |
| | Region IV | 2 | | | | | | | | | 2 | 100% |
| | Res & Development Bureau | 3 | | | | | | | 1 | 2 | 67% | |
| | State Police Academy | 5 | | | | 2 | | | | | 5 | 100% |
| | Strategic Info & Analysis | 4 | | | | | | | 2 | 3 | 75% | |
| | Support Services Group | 1 | | | | | | | | | 1 | 100% |
| | State Police Totals | 182 | 1 | | 3 | 4 | 2 | | 2 | 21 | 150 | 82% |

State Police Merit Board

| | | | | | | | | | | | |
|--------------------------|---|--|--|---|--|--|--|--|---|--|----|
| State Police Merit Board | 5 | | | 1 | | | | | 2 | | 0% |
| Agency Totals | 5 | | | 1 | | | | | 2 | | 0% |

State Retirement Systems

| | | | | | | | | | | | |
|---------------------------------|----|--|--|---|--|--|--|---|---|----|-----|
| Judges and General Assembly | 2 | | | | | | | 2 | 1 | | 0% |
| Judges & GA/Accounting | 1 | | | | | | | 1 | | | 0% |
| State Retirement Systems | 18 | | | 2 | | | | | 3 | 10 | 56% |
| State Retirement Systems Totals | 21 | | | 2 | | | | 3 | 4 | 10 | 48% |

Transportation (IDOT)

| | | | | | | | | | | | |
|----------------------|----|--|--|--|--|--|--|----|---|----|-----|
| Aeronautics | 14 | | | | | | | 14 | 6 | 8 | 57% |
| Business & Workforce | 6 | | | | | | | 6 | 3 | 3 | 50% |
| Chief Counsel | 7 | | | | | | | 7 | 6 | | 0% |
| Communications | 2 | | | | | | | 2 | 2 | | 0% |
| District 1 | 76 | | | | | | | 76 | 9 | 44 | 58% |
| District 2 | 32 | | | | | | | 32 | 4 | 24 | 75% |
| District 3 | 33 | | | | | | | 33 | 5 | 23 | 70% |
| District 4 | 32 | | | | | | | 32 | 5 | 22 | 69% |
| District 5 | 32 | | | | | | | 32 | 2 | 23 | 72% |
| District 6 | 32 | | | | | | | 32 | 3 | 24 | 75% |
| District 7 | 34 | | | | | | | 34 | 3 | 24 | 71% |

Appendix D
MANAGEMENT POSITIONS BY AGENCY AND DIVISION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Division Name | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|---------------|--------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| IDOT | District 8 | 40 | | | | | | | 40 | 11 | 27 | 68% |
| | District 9 | 28 | | | | | | | 28 | 4 | 23 | 82% |
| | Div of Highways | 15 | | | | | | | | | 15 | 100% |
| | Division of Aeronautics | 1 | | | | | | | | | 1 | 100% |
| | Fin & Admin | 34 | | | | | | | 34 | 11 | 17 | 50% |
| | Highways (Central) | 98 | | | | | | | 98 | 8 | 84 | 86% |
| | Internal Audit | 1 | | | | | | | 1 | 1 | | 0% |
| | Legislative Affairs | 1 | | | | | | | 1 | 1 | | 0% |
| | Ofc Qual Complince & Rvw | 2 | | | | | | | | 2 | 1 | 50% |
| | Off of Finance & Admin | 1 | | | | | | | | | 1 | 100% |
| | Off Plan & Prog | 19 | | | | | | | 19 | 5 | 14 | 74% |
| | Public Intermod Tran | 9 | | | | | | | 9 | 7 | 3 | 33% |
| | Quality Comp & Rev | 5 | | | | | | | 5 | 3 | 2 | 40% |
| | Secretary's Office | 7 | | | | | | | 7 | 7 | 2 | 29% |
| | Traffic Safety | 18 | | | | | | | 15 | 6 | 11 | 61% |
| Agency Totals | | 579 | | | | | | 557 | 114 | 396 | 68% | |

Veterans' Affairs

| | | | | | | | | | | | |
|-------------------------|-----|--|---|---|---|----|---|---|----|----|-----|
| Administrative | 17 | | | 4 | | | | 2 | 8 | 11 | 65% |
| Anna Veterans' Home | 8 | | 1 | | | | 1 | | 1 | 4 | 50% |
| DivResrch Plan/Dvlpmt | 2 | | | | | | | | 2 | 1 | 50% |
| Field Services | 6 | | | | | | | | 5 | 5 | 83% |
| Illinois Veterans' Home | 30 | | 1 | | 1 | 7 | | | 1 | 20 | 67% |
| Lasalle Veterans' Home | 13 | | 1 | | 1 | 4 | | | 2 | 7 | 54% |
| Manteno Division | 28 | | 1 | | 1 | 8 | | | 1 | 17 | 61% |
| Agency Totals | 104 | | 4 | 4 | 3 | 20 | | 2 | 20 | 65 | 63% |

Workers' Compensation Commission

| | | | | | | | | | | | |
|----------------------------|----|---|--|---|--|---|--|----|----|---|-----|
| Workers' Compensation Comm | 37 | 1 | | 9 | | 2 | | 13 | 28 | 9 | 24% |
| Agency Totals | 37 | 1 | | 9 | | 2 | | 13 | 28 | 9 | 24% |

Grand Totals All Agencies

| Grand Total | Total | Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|-------------|-------|--------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|-----|
| | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| | 6,423 | 18 | 48 | 606 | 45 | 315 | 15 | 811 | 1,735 | 4,613 | 72% |

APPENDIX E

Management Positions by Agency and Title

**With Totals, Personnel Code and Rutan
Exemptions, and Union Status - March 2012**

Appendix E
MANAGEMENT POSITIONS BY AGENCY AND TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Title Description | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|----------------------------------|--------------------------------------|-------------------|-------------------------|-----|-----------|-----|----------|----------|----------------|-----------------|-----------|------------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| Aging | | | | | | | | | | | | |
| | Chief Internal Auditor | 1 | | | | | | | 1 | 1 | | 0% |
| | Director | 1 | | | | | | | 1 | 1 | | 0% |
| | Executive 1 | 1 | | | | | | | | | 1 | 100% |
| | Executive 2 | 6 | | | | | | | | | 6 | 100% |
| | Human Resources Spec | 1 | | | | | | | | 1 | | 0% |
| | Public Service Adm | 24 | | | 2 | | 1 | | | 10 | 19 | 79% |
| | Senior Public Serv Admin | 8 | | | 5 | | | | | 7 | | 0% |
| | Aging Total | 42 | | | 7 | | 1 | | 2 | 20 | 26 | 62% |
| Agriculture | | | | | | | | | | | | |
| | Accountant Supervisor | 1 | | | | | | | | | 1 | 100% |
| | Ag Land & Water Res Supv | 1 | | | | | | | | | 1 | 100% |
| | Agricultural Executive | 2 | | | | | | | | 2 | 2 | 100% |
| | Chief Internal Auditor | 1 | | | | | | | 1 | 1 | | 0% |
| | Director | 1 | | | | | | | 1 | 1 | | 0% |
| | Executive 1 | 8 | | | | | | | | | 5 | 63% |
| | Executive 2 | 2 | | | | | | | | | 2 | 100% |
| | For Serv Ec Dev Exec 1 | 1 | | | | | | 1 | | 1 | | 0% |
| | Meat & Poultry Insp Supv | 11 | | | | | | | | | 11 | 100% |
| | Office Administrator 2 | 1 | | | | | | | | | 1 | 100% |
| | Office Administrator 3 | 2 | | | | | | | | | 2 | 100% |
| | Office Administrator 4 | 4 | | | | | | | | | 4 | 100% |
| | Plant & Pest Spec Supv | 1 | | | | | | | | | 1 | 100% |
| | Private Secretary 1 | 1 | 1 | | | | | | | 1 | | 0% |
| | Private Secretary 2 | 1 | 1 | | | | | | | 1 | | 0% |
| | Public Service Adm | 16 | 1 | | | | | | | 7 | 14 | 88% |
| | Senior Public Serv Admin | 20 | | | 13 | | | 1 | | 20 | | 0% |
| | Veterinary Pathologist | 2 | | | | | | | | | 2 | 100% |
| | Veterinary Supervisor 1 | 1 | | | | | | | | | 1 | 100% |
| | Warehouse Examiner Supv | 1 | | | | | | | | | 1 | 100% |
| | Agriculture Total | 78 | 3 | | 13 | | | 2 | 2 | 34 | 48 | 62% |
| Arts Council | | | | | | | | | | | | |
| | Private Secretary 2 | 1 | 1 | | | | | | | 1 | | 0% |
| | Public Service Adm | 3 | | | | | | | | 3 | 1 | 33% |
| | Senior Public Serv Admin | 3 | 1 | | 2 | | | | | 3 | | 0% |
| | Arts Council Total | 7 | 2 | | 2 | | | | | 7 | 1 | 14% |
| Capital Development Board | | | | | | | | | | | | |
| | Administrator, Capital Planning | 1 | | | | | | | 1 | 1 | 1 | 100% |
| | Administrator, Construction | 1 | | | | | | | 1 | 1 | 1 | 100% |
| | Administrator, Contracts | 1 | | | | | | | 1 | 1 | 1 | 100% |
| | Administrator, FEP | 1 | | | | | | | 1 | 1 | 1 | 100% |
| | Administrator, Fiscal | 1 | | | | | | | 1 | 1 | | 0% |
| | Administrator, Personnel | 1 | | | | | | | 1 | 1 | | 0% |
| | Administrator, Professional Services | 1 | | | | | | | 1 | 1 | 1 | 100% |
| | Administrator, Project Development | 1 | | | | | | | 1 | 1 | 1 | 100% |
| | Chief Internal Auditor | 1 | | | | | | | 1 | 1 | | 0% |
| | Chief of Staff | 1 | | | | | | | 1 | 1 | | 0% |
| | Deputy Director | 2 | | | | | | | 2 | 2 | | 0% |

Appendix E
MANAGEMENT POSITIONS BY AGENCY AND TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Title Description | Total Managers | Code Partial Exemptions | | | | | Code Exempt | Rutan Exempt | Union | |
|--------|---------------------------------|-------------------|-------------------------|-----|-----|-----|-----|----------------|-----------------|-------|-------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | | | 4D6 | Count |
| CDB | Executive Director | 1 | | | | | | 1 | 1 | | 0% |
| | General Counsel | 1 | | | | | | 1 | 1 | | 0% |
| | Information Systems Analyst III | 1 | | | | | | | | 1 | 100% |
| | Regional Manager | 3 | | | | | | 3 | 3 | 3 | 100% |
| | Capital Development Board Total | 18 | | | | | | 17 | 17 | 10 | 56% |

Central Management Services

| | | | | | | | | | | | | |
|--------------------------------------|-----|--|--|----|--|----|--|---|-----|-----|------|-----|
| Assistant Director | 2 | | | | | | | 2 | 2 | | 0% | |
| Automotive Shop Supv | 11 | | | | | | | | | 11 | 100% | |
| Executive 1 | 4 | | | | | | | | 1 | 3 | 75% | |
| Executive 2 | 3 | | | | | | | | 1 | 3 | 100% | |
| Human Resources Spec | 2 | | | | | | | | | 2 | 100% | |
| Insurance Analyst 3 | 3 | | | | | | | | | 3 | 100% | |
| Insurance Analyst 4 | 2 | | | | | | | | | 2 | 100% | |
| Non-code (Admin Support) Tech Mgr IV | 1 | | | | | | | 1 | | | 0% | |
| Non-Code Tech Mgr VI | 1 | | | | | | | 1 | | | 0% | |
| Public Service Adm | 112 | | | 1 | | 10 | | | | 35 | 92 | 82% |
| Senior IT Architect | 1 | | | | | | | 1 | 1 | | 0% | |
| Senior Public Serv Admin | 116 | | | 86 | | 3 | | | | 101 | | 0% |
| Central Management Services Total | 258 | | | 87 | | 13 | | 5 | 141 | 116 | 45% | |

Children & Family Services

| | | | | | | | | | | | | |
|------------------------------|-----|--|--|----|--|----|--|---|-----|-----|------|-----|
| Director | 1 | | | | | | | 1 | 1 | | 0% | |
| Executive 1 | 11 | | | | | | | | | 10 | 91% | |
| Executive 2 | 15 | | | 1 | | | | | 1 | 15 | 100% | |
| Human Resources Spec | 3 | | | | | | | | 3 | | 0% | |
| Inspector General | 1 | | | | | | | 1 | 1 | | 0% | |
| Office Administrator 3 | 8 | | | | | | | | 1 | 8 | 100% | |
| Office Administrator 4 | 3 | | | | | | | | | 3 | 100% | |
| Public Service Adm | 514 | | | 7 | | 43 | | | | 73 | 502 | 98% |
| Senior Public Serv Admin | 56 | | | 31 | | 5 | | | | 56 | | 0% |
| Storekeeper III | 1 | | | | | | | | | 1 | 100% | |
| Children & Family Svcs Total | 613 | | | 39 | | 48 | | 2 | 136 | 539 | 88% | |

Civil Service Commission

| | | | | | | | | | | | |
|--------------------------------|---|--|--|--|--|---|--|--|---|---|----|
| Administrative Assistant II | 1 | | | | | | | | 1 | | 0% |
| Public Service Adm | 1 | | | | | 1 | | | | 1 | 0% |
| Senior Public Serv Admin | 1 | | | | | 1 | | | | 1 | 0% |
| Civil Service Commission Total | 3 | | | | | 2 | | | | 3 | 0% |

Commerce & Economic Opportunity

| | | | | | | | | | | | | |
|-------------------------------|-----|--|--|----|--|--|---|---|----|----|------|------|
| Assistant Director | 1 | | | | | | | 1 | 1 | | 0% | |
| Chief Internal Auditor | 1 | | | | | | | 1 | 1 | | 0% | |
| Director | 1 | | | | | | | 1 | 1 | | 0% | |
| Executive 2 | 2 | | | | | | | | | 2 | 100% | |
| For Serv Ec Dev Exec 2 | 3 | | | | | | 3 | | | 3 | 0% | |
| Public Service Adm | 44 | | | | | | | | | 12 | 44 | 100% |
| Senior Public Serv Admin | 59 | | | 42 | | | | | | 57 | 3 | 5% |
| Comm & Econ Opportunity Total | 111 | | | 42 | | | 3 | 3 | 75 | 49 | 44% | |

Appendix E
MANAGEMENT POSITIONS BY AGENCY AND TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Title Description | Total | Code Partial Exemptions | | | | | | Code | Rutan | Union | |
|----------------------------------|---------------------------------------|----------|-------------------------|-----|-----|-----|-----|-----|--------|--------|-------|------|
| | | Managers | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | Exempt | Exempt | Count | % |
| Commerce Commission (ICC) | | | | | | | | | | | | |
| | Administrative Assistant II | 1 | | | | | | | 1 | | | 0% |
| | Administrative Law Judge III - ALJ | 6 | | | | | | | 6 | 6 | | 0% |
| | Administrative Law Judge IV | 1 | | | | | | | 1 | 1 | | 0% |
| | Administrative Law Judge IV - TRANS | 1 | | | | | | | 1 | 1 | | 0% |
| | Administrative Law Judge V - ALJ | 5 | | | | | | | 5 | 5 | 5 | 100% |
| | Assistant Director | 1 | | | | | | | 1 | 1 | | 0% |
| | Bureau Chief | 5 | | | | | | | 5 | 5 | | 0% |
| | Chief Internal Auditor | 1 | | | | | | | 1 | 1 | | 0% |
| | Commerce Commission Police Officer II | 1 | | | | | | | 1 | | 1 | 100% |
| | Director | 8 | | | | | | | 8 | 8 | | 0% |
| | Executive V | 1 | | | | | | | 1 | 1 | 1 | 100% |
| | General Counsel | 1 | | | | | | | 1 | 1 | | 0% |
| | General Services Administrator I | 2 | | | | | | | 2 | | 2 | 100% |
| | Homeland Security Director | 1 | | | | | | | 1 | | 1 | 100% |
| | Human Resources Manager | 1 | | | | | | | 1 | 1 | | 0% |
| | Manager | 16 | | | | | | | 16 | 1 | 16 | 100% |
| | Operations Technician | 1 | | | | | | | 1 | | 1 | 100% |
| | Public Service Administrator | 1 | | | | | | | | 1 | 1 | 100% |
| | Rail Safety Program Administrator | 1 | | | | | | | 1 | 1 | 1 | 100% |
| | Reproduc Serv Supvr 1 | 1 | | | | | | | | | 1 | 100% |
| | Senior Financial & Budget Assistant | 1 | | | | | | | 1 | | 1 | 100% |
| | Senior Public Information Officer | 1 | | | | | | | 1 | 1 | | 0% |
| | Supervisor | 3 | | | | | | | 3 | | 3 | 100% |
| | Technical Advisor II | 6 | | | | | | | 6 | 6 | 6 | 100% |
| | Technical Advisor III | 4 | | | | | | | 4 | 4 | 4 | 100% |
| | Technical Advisor IV | 4 | | | | | | | 4 | 4 | | 0% |
| | Technical Advisor V | 4 | | | | | | | 4 | 4 | | 0% |
| | Commerce Commission Total | 79 | | | | | | | 77 | 53 | 44 | 56% |
| Corrections (DOC) | | | | | | | | | | | | |
| | Accountant Supervisor | 3 | | | | | | | | | 3 | 100% |
| | Assistant Director | 1 | | | | | | | 1 | 1 | | 0% |
| | Carpenter Foreman | 1 | | | 1 | | | | | | 1 | 100% |
| | Clinical Services Supv | 21 | | | | | | | | | 21 | 100% |
| | Corr Leisure Act Spec 4 | 3 | | | | | | | | | 3 | 100% |
| | Corr Casework Supv | 12 | | | | | | | | | 12 | 100% |
| | Corr Industry Supv | 8 | | | | | | | | | 8 | 100% |
| | Corr Supply Supv III | 11 | | | | | | | | | 11 | 100% |
| | Director | 1 | | | | | | | 1 | 1 | | 0% |
| | Executive 1 | 3 | | | | | | | | | 3 | 100% |
| | Executive 2 | 33 | | | | | | | | | 33 | 100% |
| | Health Information Adm | 1 | | | | | | | | | 1 | 100% |
| | Human Resources Spec | 6 | | | | | | | | | 6 | 100% |
| | Internal Auditor Chief | 1 | | | | | | | 1 | 1 | | 0% |
| | Medical Administrator 4 | 1 | | | 1 | | | | | 1 | | 0% |
| | Meth & Proc Adv III | 1 | | | | | | | | | 1 | 100% |
| | Public Service Adm | 229 | | | 3 | | 38 | | | 20 | 213 | 93% |
| | Senior Public Serv Admin | 109 | | 22 | 73 | | 6 | | | 104 | | 0% |
| | Shift Supervisor | 144 | | | | | | | | | 144 | 100% |

Appendix E
MANAGEMENT POSITIONS BY AGENCY AND TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Title Description | Total Managers | Code Partial Exemptions | | | | | Code Exempt | Rutan Exempt | Union | |
|------------|-------------------------|-------------------|-------------------------|-----|-----|-----|-----|----------------|-----------------|-------|-------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | | | 4D6 | Count |
| DOC | Social Worker 3 | 2 | | | | | | | | 2 | 100% |
| | Stationary Eng-Asst Chf | 6 | | | | 6 | | | | 6 | 100% |
| | Stationary Eng-Chief | 24 | | | | 24 | | | | 24 | 100% |
| | Corrections Total | 621 | | 22 | 77 | 31 | 44 | | 3 | 128 | 492 |

Criminal Justice Information Authority

| | | | | | | | | | | | |
|-----------------------------|----|--|--|---|--|--|--|---|---|---|-----|
| Executive Director | 1 | | | | | | | 1 | 1 | | 0% |
| Public Service Adm | 10 | | | 1 | | | | | 4 | 8 | 80% |
| Senior Public Serv Admin | 4 | | | 3 | | | | | 3 | | 0% |
| Criminal Justice Auth Total | 15 | | | 4 | | | | 1 | 8 | 8 | 53% |

Deaf & Hard of Hearing Commission

| | | | | | | | | | | | |
|----------------------------------|---|---|--|---|--|---|--|--|---|--|----|
| Public Service Adm | 2 | | | | | 1 | | | 2 | | 0% |
| Senior Public Serv Admin | 2 | 1 | | 1 | | | | | 2 | | 0% |
| Deaf & Hard Of Hearing Com Total | 4 | 1 | | 1 | | 1 | | | 4 | | 0% |

Developmental Disabilities Council

| | | | | | | | | | | | |
|--|---|--|--|---|--|--|--|--|---|--|----|
| Public Service Adm | 1 | | | | | | | | | | 0% |
| Senior Public Serv Admin | 2 | | | 1 | | | | | 2 | | 0% |
| Developmental Disabilities Council Total | 3 | | | 1 | | | | | 2 | | 0% |

Emergency Management Agency

| | | | | | | | | | | | |
|--|----|--|--|---|--|--|--|----|----|----|------|
| Assistant Director | 1 | | | | | | | 1 | 1 | | 0% |
| Director | 1 | | | | | | | 1 | 1 | | 0% |
| Nuclear Safety Administrator I | 4 | | | | | | | 4 | 1 | 4 | 100% |
| Nuclear Safety Administrator II | 4 | | | | | | | 4 | 4 | | 0% |
| Nuclear Safety Chief Legal Counsel | 1 | | | | | | | 1 | 1 | | 0% |
| Nuclear Safety Engineer II | 5 | | | | | | | 5 | | 2 | 40% |
| Nuclear Safety Health Physicist I | 2 | | | | | | | 2 | | 2 | 100% |
| Nuclear Safety Health Physicist II | 9 | | | | | | | 9 | | 8 | 89% |
| Nuclear Safety Health Physics Tech III | 1 | | | | | | | 1 | | 1 | 100% |
| Nuclear Safety Information Systems Specialist II | 2 | | | | | | | 2 | | 2 | 100% |
| Nuclear Safety Manager I | 3 | | | | | | | 3 | | 3 | 100% |
| Nuclear Safety Scientist II | 2 | | | | | | | 2 | | 2 | 100% |
| Nuclear Safety Supervisor III | 1 | | | | | | | 1 | | 1 | 100% |
| Office Administrator 4 | 1 | | | | | | | | | 1 | 100% |
| Public Service Adm | 14 | | | | | | | | 11 | 13 | 93% |
| Senior Public Serv Admin | 5 | | | 5 | | | | | 5 | | 0% |
| Emergency Management Agency Total | 56 | | | 5 | | | | 36 | 24 | 39 | 70% |

Employment Security

| | | | | | | | | | | | |
|---------------------------|-----|--|--|----|--|---|--|---|----|-----|------|
| Data Processing Supvr 3 | 2 | | | | | | | | | 2 | 100% |
| Director | 1 | | | | | | | 1 | 1 | | 0% |
| Emp Secur Fld Office Sup | 83 | | | | | | | | | 83 | 100% |
| Executive 2 | 4 | | | | | | | | | 4 | 100% |
| Human Resources Spec | 2 | | | | | | | | | 2 | 100% |
| Internal Audit | 1 | | | | | | | 1 | 1 | | 0% |
| Office Administrator 4 | 7 | | | | | | | | | 7 | 100% |
| Public Service Adm | 158 | | | | | 6 | | | 15 | 105 | 66% |
| Senior Public Serv Admin | 55 | | | 21 | | 3 | | | 41 | | 0% |
| Stat Research Supv | 1 | | | | | | | | | 1 | 100% |
| Employment Security Total | 314 | | | 21 | | 9 | | 2 | 58 | 204 | 65% |

Appendix E
MANAGEMENT POSITIONS BY AGENCY AND TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Title Description | Total | Code Partial Exemptions | | | | | | Code | Rutan | Union | |
|--|------------------------------------|----------|-------------------------|-----|-----|-----|-----|-----|--------|--------|-------|------|
| | | Managers | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | Exempt | Exempt | Count | % |
| Environmental Protection | | | | | | | | | | | | |
| | Accountant Supervisor | 2 | | | | | | | | | 2 | 100% |
| | Chief Internal Auditor | 1 | | | | | | 1 | 1 | | | 0% |
| | Director | 1 | | | | | | 1 | 1 | | | 0% |
| | Executive 1 | 4 | | | | | | | | 3 | | 75% |
| | Executive 2 | 2 | | | | | | | | 2 | | 100% |
| | Meth & Proc Adv III | 1 | | | | | | | | 1 | | 100% |
| | Office Administrator 3 | 8 | | | | | | | | 8 | | 100% |
| | Office Administrator 4 | 2 | | | | | | | | 2 | | 100% |
| | Office Administrator 5 | 1 | | | | | | | | 1 | | 100% |
| | Public Service Adm | 65 | | | | | | | 4 | 64 | | 98% |
| | Senior Public Serv Admin | 60 | | | 12 | | 3 | | | 22 | 39 | 65% |
| | Veh Emission Compli Supv | 1 | | | | | | | | 1 | | 100% |
| | Environmental Protection Total | 148 | | | 12 | | 3 | 2 | 28 | 123 | | 83% |
| Financial & Professional Regulation | | | | | | | | | | | | |
| | Director | 3 | | | | | | 3 | 3 | | | 0% |
| | Executive 1 | 4 | | | | | | | | 4 | | 100% |
| | Executive 2 | 5 | | | | | | | 3 | 5 | | 100% |
| | Medical Adm 1 Opt D | 1 | | | 1 | | | | 1 | | | 0% |
| | Office Administrator 4 | 2 | | | | | | | | 2 | | 100% |
| | Public Service Adm | 30 | | | 1 | | 2 | | 14 | 28 | | 93% |
| | Secretary | 1 | | | | | | 1 | 1 | | | 0% |
| | Senior Public Serv Admin | 44 | 1 | | 32 | | 1 | | | 41 | | 0% |
| | Financial & Professional Reg Total | 90 | 1 | | 34 | | 3 | 4 | 63 | 39 | | 43% |
| Gaming Board | | | | | | | | | | | | |
| | Public Service Adm | 14 | | | | | 2 | | | 5 | 13 | 93% |
| | Senior Public Serv Admin | 12 | | | 3 | | 1 | | | 9 | 4 | 33% |
| | Gaming Board Total | 26 | | | 3 | | 3 | | 14 | 17 | | 65% |
| Guardianship & Advocacy | | | | | | | | | | | | |
| | Executive Director | 1 | | | | | | 1 | 1 | 1 | | 100% |
| | Private Secretary 2 | 1 | 1 | | | | | | 1 | | | 0% |
| | Public Service Adm | 12 | | | | | 2 | | 4 | 11 | | 92% |
| | Senior Public Serv Admin | 8 | 1 | | 7 | | | | 8 | | | 0% |
| | Guardianship & Advocacy Total | 22 | 2 | | 7 | | 2 | 1 | 14 | 12 | | 55% |
| Healthcare & Family Services (HFS) | | | | | | | | | | | | |
| | Accountant Supervisor | 7 | | | | | | | | 7 | | 100% |
| | Assistant Director | 1 | | | | | | 1 | 1 | | | 0% |
| | Chief Internal Auditor | 1 | | | | | | 1 | 1 | | | 0% |
| | Data Processing Supvr 2 | 1 | | | | | | | | 1 | | 100% |
| | Data Processing Supvr 3 | 3 | | | | | | | | 3 | | 100% |
| | Director | 1 | | | | | | 1 | 1 | | | 0% |
| | Executive 1 | 11 | | | | | | | | 10 | | 91% |
| | Executive 2 | 59 | | | | | | | 4 | 59 | | 100% |
| | Human Resources Spec | 1 | | | | | | | | 1 | | 100% |
| | Kidcare Supervisor | 17 | | | | | | | | 17 | | 100% |
| | Medical Adm 1 Opt C | 1 | | | | | 1 | | 1 | | | 0% |
| | Office Administrator 3 | 4 | | | | | | | | 4 | | 100% |

Appendix E
MANAGEMENT POSITIONS BY AGENCY AND TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Title Description | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|--------|------------------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| HFS | Office Administrator 4 | 23 | | | | | | | | | 23 | 100% |
| | Office Administrator 5 | 4 | | | | | | | | | 4 | 100% |
| | P A Quality Control Supv | 3 | | | | | | | | | 3 | 100% |
| | Public Service Adm | 169 | | | | | 11 | | 29 | 167 | 99% | |
| | Senior Public Serv Admin | 122 | 1 | | 22 | | 11 | | 84 | | 0% | |
| | Healthcare & Family Services Total | 428 | 1 | | 22 | | 23 | | 3 | 121 | 299 | 70% |

Historic Preservation

| | | | | | | | | | | | |
|--------------------------------|----|--|--|---|--|--|--|---|----|------|------|
| Director | 1 | | | | | | | 1 | 1 | | 0% |
| Director of Library and Museum | 1 | | | | | | | 1 | 1 | | 0% |
| Executive 2 | 1 | | | | | | | | | 1 | 100% |
| Public Service Adm | 8 | | | | | | | 3 | 8 | 100% | |
| Senior Public Serv Admin | 4 | | | 4 | | | | 4 | | 0% | |
| Site Superintendent 1 | 2 | | | | | | | 1 | 2 | 100% | |
| Site Superintendent 2 | 5 | | | | | | | 5 | 5 | 100% | |
| Site Superintendent 3 | 8 | | | | | | | 7 | 8 | 100% | |
| Vol Services Coord II | 1 | | | | | | | | | 1 | 100% |
| Historic Preservation Total | 31 | | | 4 | | | | 2 | 22 | 25 | 81% |

Human Rights Commission

| | | | | | | | | | | | |
|-------------------------------|---|---|--|---|--|--|--|---|---|--|----|
| Chief Admin Law Judge | 1 | | | | | | | 1 | 1 | | 0% |
| Director | 1 | | | | | | | 1 | 1 | | 0% |
| Public Service Admin | 1 | 1 | | | | | | | 1 | | 0% |
| Senior Public Serv Admin | 1 | | | 1 | | | | | 1 | | 0% |
| Human Rights Commission Total | 4 | 1 | | 1 | | | | 2 | 4 | | 0% |

Human Rights Department

| | | | | | | | | | | | |
|-------------------------------|----|--|--|---|--|---|--|--|----|----|------|
| Data Processing Supvr 1 | 1 | | | | | | | | | 1 | 100% |
| Public Service Adm | 15 | | | | | | | | 1 | 15 | 100% |
| Senior Public Serv Admin | 10 | | | 8 | | 1 | | | 10 | | 0% |
| Human Rights Department Total | 26 | | | 8 | | 1 | | | 11 | 16 | 62% |

Human Services (DHS)

| | | | | | | | | | | | |
|-------------------------|-----|--|--|--|--|---|--|---|----|-----|------|
| Accountant Supervisor | 10 | | | | | | | | | 10 | 100% |
| Activity Therapist Supv | 4 | | | | | | | | | 4 | 100% |
| Assistant Secretary | 2 | | | | | | | 2 | 2 | | 0% |
| Business Manager | 11 | | | | | | | | | 11 | 100% |
| Dietary Manager I | 7 | | | | | | | | | 7 | 100% |
| Dietary Manager II | 7 | | | | | | | | | 7 | 100% |
| Executive 1 | 49 | | | | | | | | | 49 | 100% |
| Executive 2 | 56 | | | | | | | | | 56 | 100% |
| Executive Secretary 2 | 1 | | | | | | | | | 1 | 100% |
| Grounds Supv | 1 | | | | | | | | | 1 | 100% |
| Health Information Adm | 5 | | | | | | | | | 5 | 100% |
| Human Resources Spec | 13 | | | | | | | | | 7 | 54% |
| Human Serv Casework Mgr | 215 | | | | | | | | 15 | 200 | 93% |
| Medical Adm 1 Opt D | 3 | | | | | 3 | | | | | 0% |
| Medical Adm 2 Opt C | 1 | | | | | 1 | | | | | 0% |
| Medical Adm 2 Opt D | 5 | | | | | 5 | | | | | 0% |
| Medical Administrator 3 | 1 | | | | | 1 | | | | | 0% |
| Mental Health Adm I | 19 | | | | | | | | | 19 | 100% |
| Mental Health Adm II | 7 | | | | | | | | | 7 | 100% |

Appendix E
MANAGEMENT POSITIONS BY AGENCY AND TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Title Description | Total Managers | Code Partial Exemptions | | | | | Code Exempt | Rutan Exempt | Union | |
|----------------------|--------------------------|-------------------|-------------------------|-----|-----|-----|-----|----------------|-----------------|-------|-------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | | | 4D6 | Count |
| DHS | Mental Health Prog Admin | 1 | | | 1 | | | | 1 | | 0% |
| | Mental Health Tech III | 2 | | | | | | | | 2 | 100% |
| | Mental Health Tech IV | 73 | | | | | | | | 73 | 100% |
| | Meth & Proc Adv III | 1 | | | | | | | | 1 | 100% |
| | Occup Therapist Supv | 2 | | | | | | | | 2 | 100% |
| | Occupnl Ther Prog Coord | 1 | | | | | | | | 1 | 100% |
| | Office Administrator 1 | 1 | | | | | | | | 1 | 100% |
| | Office Administrator 2 | 8 | | | | | | | | 8 | 100% |
| | Office Administrator 3 | 29 | | | | | | | | 29 | 100% |
| | Office Administrator 4 | 19 | | | | | | | | 19 | 100% |
| | Office Administrator 5 | 4 | | | | | | | | 4 | 100% |
| | P A Quality Control Supv | 3 | | | | | | | | 3 | 100% |
| | Private Secretary 2 | 2 | 2 | | | | | | 2 | | 0% |
| | Public Service Adm | 616 | | | | | 82 | | 93 | 535 | 87% |
| | Rehab Wksh Supv III | 2 | | | | | | | | 2 | 100% |
| | Reproduc Serv Supvr 1 | 3 | | | | | | | | 3 | 100% |
| | Residential Serv Supv | 100 | | | | | | | | 100 | 100% |
| | Sec Therapy Aide III | 1 | | | | | | | | 1 | 100% |
| | Sec Therapy Aide IV | 7 | | | | | | | | 7 | 100% |
| | Secretary | 1 | | | | | | 1 | 1 | | 0% |
| | Secur Officer Lieutenant | 2 | | | | | | | | 2 | 100% |
| | Security Officer Chief | 8 | | | | | | | | 8 | 100% |
| | Senior Public Serv Admin | 221 | | 15 | 63 | | 19 | 1 | 129 | 14 | 6% |
| Stat Research Supv | 2 | | | | | | | | 2 | 100% | |
| Storekeeper III | 1 | | | | | | | | 1 | 100% | |
| Human Services Total | 1527 | 2 | 15 | 64 | | 111 | 1 | 3 | 243 | 1202 | 79% |

Illinois Sentencing Policy Advisory Council

| | | | | | | | | | | |
|---|---|--|--|---|--|--|--|---|--|----|
| Senior Public Serv Admin | 2 | | | 2 | | | | 2 | | 0% |
| IL Sentencing Policy Advisory Council Total | 2 | | | 2 | | | | 2 | | 0% |

Illinois Torture Inquiry Relief Commission

| | | | | | | | | | | |
|--------------------------------------|---|--|--|---|--|--|--|---|--|----|
| Senior Public Serv Admin | 1 | | | 1 | | | | 1 | | 0% |
| IL Torture Inquiry Relief Comm Total | 1 | | | 1 | | | | 1 | | 0% |

Insurance

| | | | | | | | | | | | |
|-----------------------------|----|--|--|----|--|---|---|----|----|------|-----|
| Actuary 3 | 2 | | | | | | | 2 | 2 | 100% | |
| Administrative Assistant II | 1 | | | 1 | | | | 1 | | 0% | |
| Director | 1 | | | | | | 1 | 1 | | 0% | |
| Executive 2 | 1 | | | | | | | | 1 | 100% | |
| Office Administrator 4 | 1 | | | | | | | | 1 | 100% | |
| Office Specialist | 1 | | | | | | | | 1 | 100% | |
| Public Service Adm | 34 | | | | | | | 8 | 31 | 91% | |
| Senior Public Serv Admin | 16 | | | 9 | | 1 | | 15 | | 0% | |
| Insurance Total | 57 | | | 10 | | 1 | | 1 | 27 | 36 | 63% |

Investment Board

| | | | | | | | | | | | |
|---|---|--|--|---|--|--|--|---|---|--|----|
| Chief Financial Officer/Investment Portfolio Office | 1 | | | | | | | 1 | 1 | | 0% |
| Deputy Executive Director | 1 | | | | | | | 1 | 1 | | 0% |
| Executive Director | 1 | | | | | | | 1 | 1 | | 0% |
| Senior Public Serv Admin | 1 | | | 1 | | | | | 1 | | 0% |
| Investment Board Total | 4 | | | 1 | | | | 3 | 4 | | 0% |

Appendix E
MANAGEMENT POSITIONS BY AGENCY AND TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Title Description | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|-------------------------|---------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| Juvenile Justice | | | | | | | | | | | | |
| | Accountant | 1 | | | | | | | | | 1 | 100% |
| | Accountant Advanced | 1 | | | | | | | | | 1 | 100% |
| | Accountant Supervisor | 1 | | | | | | | | | 1 | 100% |
| | Business Manager | 1 | | | | | | | | | 1 | 100% |
| | Clinical Services Supv | 4 | | | | | | | | | 4 | 100% |
| | Corr Leisure Act Spec 4 | 1 | | | | | | | | | 1 | 100% |
| | Corr Supply Supv III | 2 | | | | | | | | | 2 | 100% |
| | Corrcrtns Food Serv Sup 3 | 5 | | | | | | | | | 5 | 100% |
| | Director | 1 | | | | | | 1 | 1 | | | 0% |
| | Executive Secretary 3 | 8 | | | | | | | 8 | 5 | | 63% |
| | J J Chief Of Security | 6 | | | | | | | | 6 | | 100% |
| | J J Youth & Fam Spec Sup | 10 | | | | | | | | 10 | | 100% |
| | Juv Justice Supervisor | 72 | | | | | | | | 72 | | 100% |
| | Office Administrator 3 | 7 | | | | | | | | 7 | | 100% |
| | Public Service Adm | 28 | | | | | 2 | | | 27 | | 96% |
| | Senior Public Serv Admin | 19 | 1 | 7 | 11 | | | | | 19 | | 0% |
| | Stationary Eng-Asst Chf | 4 | | | | 4 | | | | 4 | | 100% |
| | Stationary Eng-Chief | 3 | | | | 3 | | | | 3 | | 100% |
| | Juvenile Justice Total | 174 | 1 | 7 | 11 | 7 | 2 | | 1 | 28 | 150 | 86% |

Labor

| | | | | | | | | | | | | |
|--|--------------------------|----|--|--|---|--|---|---|---|----|---|------|
| | Executive 2 | 1 | | | | | | | | | 1 | 100% |
| | Public Service Adm | 8 | | | 1 | | 1 | | | 7 | 7 | 88% |
| | Senior Public Serv Admin | 6 | | | 6 | | | | | 6 | | 0% |
| | Director | 1 | | | | | | 1 | 1 | | | 0% |
| | Chief Factory Inspector | 1 | | | | | | 1 | 1 | | | 0% |
| | Superintendent | 1 | | | | | | 1 | 1 | | | 0% |
| | Labor Total | 18 | | | 7 | | 1 | | 3 | 16 | 8 | 44% |

Labor Relations Board, Educational

| | | | | | | | | | | | | |
|--|---------------------------------------|---|--|--|---|--|--|--|--|---|--|----|
| | Public Service Adm | 2 | | | | | | | | 2 | | 0% |
| | Senior Public Serv Admin | 2 | | | 2 | | | | | 2 | | 0% |
| | Labor Relations Bd, Educational Total | 4 | | | 2 | | | | | 4 | | 0% |

Labor Relations Board, Illinois

| | | | | | | | | | | | | |
|--|---------------------------------|---|--|--|---|--|--|--|--|---|--|----|
| | Senior Public Serv Admin | 2 | | | 2 | | | | | 2 | | 0% |
| | Labor Relations Board, IL Total | 2 | | | 2 | | | | | 2 | | 0% |

Law Enforcement Training & Standards Board

| | | | | | | | | | | | | |
|--|--------------------------------------|---|--|--|---|--|--|--|--|---|---|-----|
| | Public Service Adm | 3 | | | | | | | | 3 | 1 | 33% |
| | Senior Public Serv Admin | 2 | | | 2 | | | | | 2 | | 0% |
| | Law Enf Training & Standard Bd Total | 5 | | | 2 | | | | | 5 | 1 | 20% |

Lottery

| | | | | | | | | | | | | |
|--|------------------------|---|--|--|---|--|--|---|---|---|---|------|
| | Accountant Supervisor | 1 | | | | | | | | | 1 | 100% |
| | Executive 2 | 3 | | | | | | | | | 3 | 100% |
| | Lottery Regional Coord | 8 | | | | | | | | | 8 | 100% |
| | Office Administrator 4 | 3 | | | | | | | | | 2 | 67% |
| | Public Service Adm | 5 | | | 1 | | | | | 4 | 5 | 100% |
| | Superintendent | 1 | | | | | | 1 | 1 | | | 0% |

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MANAGEMENT POSITIONS BY AGENCY AND TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Title Description | Total Managers | Code Partial Exemptions | | | | | Code Exempt | Rutan Exempt | Union | |
|---------|--------------------------|-------------------|-------------------------|-----|-----|-----|-----|----------------|-----------------|-------|-------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | | | 4D6 | Count |
| Lottery | Senior Public Serv Admin | 4 | | | 3 | | | | 4 | | 0% |
| | Lottery Total | 25 | | | 4 | | | 1 | 9 | 19 | 76% |

Military Affairs

| | | | | | | | | | | | |
|---------------------------------------|----|--|--|---|--|--|--|----|----|----|------|
| Adjutant General | 1 | | | | | | | 1 | 1 | | 0% |
| Asst Adj General-Army | 1 | | | | | | | 1 | 1 | | 0% |
| Asst Adjutant Gen Air Mili Aff | 1 | | | | | | | 1 | 1 | | 0% |
| Building/Grounds Supv | 3 | | | | | | | | | 3 | 100% |
| Military Crash Fire Rescue III | 3 | | | | | | | 3 | | | 0% |
| Military Environmental Specialist III | 1 | | | | | | | 1 | | 1 | 100% |
| Military Executive | 1 | | | | | | | 1 | 1 | | 0% |
| Military Facilities Engineer | 1 | | | | | | | 1 | | 1 | 100% |
| Military Facilities Officer I | 3 | | | | | | | 3 | | 3 | 100% |
| Military Facilities Officer II | 1 | | | | | | | 1 | | | 0% |
| Military Judge Advocate | 1 | | | | | | | 1 | 1 | | 0% |
| Military Maintenance Engineer | 9 | | | | | | | 9 | | 9 | 100% |
| Military Museum Director | 1 | | | | | | | 1 | 1 | | 0% |
| Military Program Supervisor | 1 | | | | | | | 1 | 1 | 1 | 100% |
| Public Service Adm | 2 | | | 1 | | | | | 2 | 2 | 100% |
| Senior Public Serv Admin | 2 | | | 2 | | | | | 2 | | 0% |
| Military Affairs Total | 32 | | | 3 | | | | 25 | 11 | 20 | 63% |

Natural Resources

| | | | | | | | | | | | |
|-------------------------------|-----|---|--|----|--|----|--|---|----|----|------|
| Account Technician I | 2 | | | | | | | | | 2 | 100% |
| Accountant | 1 | | | | | | | | | 1 | 100% |
| Accountant Supervisor | 1 | | | | | | | | | 1 | 100% |
| Assistant Director | 1 | | | | | | | 1 | 1 | | 0% |
| Associate Museum Director | 1 | | | | | | | 1 | 1 | | 0% |
| Chief Internal Auditor | 1 | | | | | | | 1 | 1 | | 0% |
| Civil Engineer 3 | 4 | | | | | 4 | | | | 4 | 100% |
| Director | 1 | | | | | | | 1 | 1 | | 0% |
| Executive 2 | 1 | | | | | | | | | 1 | 100% |
| Human Resources Spec | 1 | | | | | | | | | | 0% |
| Museum Director | 1 | | | | | | | 1 | 1 | | 0% |
| Museum Section Head III | 2 | | | | | | | 2 | 2 | | 0% |
| Museum Section Title Head II | 1 | | | | | | | 1 | 1 | | 0% |
| Museum Section Title Head III | 1 | | | | | | | 1 | 1 | | 0% |
| Nat Res Grant Coord | 1 | | | | | | | | | 1 | 100% |
| Nat Res Manager 2 | 9 | | | | | | | | 4 | 9 | 100% |
| Natural Resources Spec | 20 | | | | | | | | | 20 | 100% |
| Public Service Adm | 17 | | | 1 | | 1 | | | 5 | 16 | 94% |
| Senior Public Serv Admin | 43 | 1 | | 14 | | 8 | | | 34 | 12 | 28% |
| Senior Ranger | 1 | | | | | | | | | 1 | 100% |
| Site Superintendent 2 | 2 | | | | | | | | 1 | 2 | 100% |
| Site Superintendent 3 | 7 | | | | | | | | 7 | 7 | 100% |
| State Mine Insp-At-Large | 2 | | | | | | | | | | 0% |
| Waterways Const Supv I | 2 | | | | | | | | | 2 | 100% |
| Waterways Const Supv II | 2 | | | | | | | | | 2 | 100% |
| Natural Resources Total | 125 | 1 | | 15 | | 13 | | 9 | 60 | 81 | 65% |

Appendix E
MANAGEMENT POSITIONS BY AGENCY AND TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Title Description | Total | Code Partial Exemptions | | | | | | Code | Rutan | Union | |
|--------------------------------|---------------------------------|----------|-------------------------|-----|-----|-----|-----|-----|--------|--------|-------|------|
| | | Managers | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | Exempt | Exempt | Count | % |
| Pollution Control Board | | | | | | | | | | | | |
| | Environmental Scientist I | 1 | | | | | | | 1 | 1 | | 0% |
| | Environmental Scientist II | 1 | | | | | | | 1 | 1 | | 0% |
| | Executive Director | 1 | | | | | | | 1 | 1 | | 0% |
| | Senior Public Serv Admin | 1 | | | 1 | | | | | 1 | | 0% |
| | Pollution Control Board Total | 4 | | | 1 | | | | 3 | 4 | | 0% |
| Prisoner Review Board | | | | | | | | | | | | |
| | Administrative Assistant II | 1 | | | | | | | | 1 | | 0% |
| | Executive 1 | 1 | | | | | | | | | | 0% |
| | Public Service Adm | 1 | | | | | 1 | | | 1 | | 0% |
| | Prisoner Review Board Total | 3 | | | | | 1 | | | 2 | | 0% |
| Property Tax Appeal Bd | | | | | | | | | | | | |
| | Board Chairperson | 1 | | | | | | | 1 | 1 | | 0% |
| | Board Member | 4 | | | | | | | 4 | 4 | | 0% |
| | Senior Public Serv Admin | 1 | | | 1 | | | | | 1 | | 0% |
| | Property Tax Appeal Board Total | 6 | | | 1 | | | | 5 | 6 | | 0% |
| Public Health | | | | | | | | | | | | |
| | Administrator | 1 | | | | | | | 1 | 1 | | 0% |
| | Assistant Director | 1 | | | | | | | 1 | 1 | | 0% |
| | Business Manager | 1 | | | | | | | | | 1 | 100% |
| | Chief Internal Auditor | 1 | | | | | | | 1 | 1 | | 0% |
| | Director | 1 | | | | | | | 1 | 1 | | 0% |
| | Environmental Eng 4 | 1 | | | | | | | | | 1 | 100% |
| | Executive 2 | 3 | | | | | | | | | 3 | 100% |
| | Executive Secretary 2 | 1 | | | | | | | | | 1 | 100% |
| | General Counsel | 1 | | | | | | 1 | 1 | | | 0% |
| | Medical Administrator 3 | 1 | | | | 1 | | | | 1 | | 0% |
| | Meth & Proc Adv III | 1 | | | | | | | | | 1 | 100% |
| | Office Administrator 3 | 10 | | | | | | | | | 10 | 100% |
| | Office Administrator 4 | 1 | | | | | | | | | 1 | 100% |
| | P H Program Spec 3 | 7 | | | | | | | | | 7 | 100% |
| | Private Secretary 2 | 1 | 1 | | | | | | | 1 | | 0% |
| | Public Service Adm | 153 | | | 2 | | | | | 11 | 150 | 98% |
| | Senior Public Serv Admin | 67 | | | 25 | 3 | | | | 40 | 17 | 25% |
| | Public Health Total | 252 | 1 | | 27 | 4 | | | 5 | 58 | 192 | 76% |
| Racing Board | | | | | | | | | | | | |
| | Director of Licensing | 1 | | | | | | | 1 | 1 | | 0% |
| | Executive Director | 1 | | | | | | | 1 | 1 | | 0% |
| | Field Operations Manager | 1 | | | | | | | 1 | 1 | | 0% |
| | General Counsel | 1 | | | | | | | 1 | 1 | | 0% |
| | Project Director | 1 | | | | | | | 1 | 1 | | 0% |
| | Public Service Adm | 1 | | | | | | | | 1 | | 0% |
| | Security Administrator | 1 | | | | | | | 1 | 1 | | 0% |
| | State Director of Mutuels | 1 | | | | | | | 1 | | | 0% |
| | Racing Board Total | 8 | | | | | | | 7 | 7 | | 0% |

Appendix E
MANAGEMENT POSITIONS BY AGENCY AND TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Title Description | Total | Code Partial Exemptions | | | | | | Code | Rutan | Union | |
|---------------------------------|--------------------------------|----------|-------------------------|-----|-----|-----|-----|-----|--------|--------|-------|------|
| | | Managers | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | Exempt | Exempt | Count | % |
| Revenue | | | | | | | | | | | | |
| | Accountant Supervisor | 3 | | | | | | | | | 3 | 100% |
| | Chief Internal Auditor | 1 | | | | | | 1 | 1 | | | 0% |
| | Data Processing Supvr 3 | 4 | | | | | | | | | 3 | 75% |
| | Director | 1 | | | | | | 1 | 1 | | | 0% |
| | Executive 1 | 3 | | | | | | | | | 2 | 67% |
| | Executive 2 | 4 | | | | | | | | | 4 | 100% |
| | Guard Supervisor | 3 | | | | | | | | | 3 | 100% |
| | Office Administrator 3 | 1 | | | | | | | | | 1 | 100% |
| | Office Administrator 4 | 6 | | | | | | | | | 5 | 83% |
| | Office Administrator 5 | 2 | | | | | | | | | | 0% |
| | Public Service Adm | 97 | | | 1 | | 1 | | | 10 | 94 | 97% |
| | Revenue Audit Supervisor | 38 | | | | | | 8 | | | 38 | 100% |
| | Senior Public Serv Admin | 63 | | | 35 | | 3 | 1 | | 45 | 2 | 3% |
| | Revenue Total | 226 | | | 36 | | 4 | 9 | 2 | 57 | 155 | 69% |
| State Fire Marshal | | | | | | | | | | | | |
| | Fire Marshal | 1 | | | | | | 1 | 1 | | | 0% |
| | Chief Internal Auditor | 1 | | | | | | 1 | 1 | | | 0% |
| | Executive 1 | 1 | | | | | | | | | 1 | 100% |
| | Public Service Adm | 12 | | | | | 1 | | | 3 | 11 | 92% |
| | Senior Public Serv Admin | 8 | | | 8 | | | | | 8 | | 0% |
| | State Fire Marshal Total | 23 | | | 8 | | 1 | | 2 | 13 | 12 | 52% |
| State Police | | | | | | | | | | | | |
| | Accountant Supervisor | 2 | | | | | | | | | 2 | 100% |
| | Building/Grounds Supv | 1 | | | | | | | | | 1 | 100% |
| | Chief Internal Auditor | 1 | | | | | | 1 | 1 | | | 0% |
| | Director | 1 | | | | | | 1 | 1 | | | 0% |
| | Executive 1 | 15 | | | | | | | | | 14 | 93% |
| | Executive 2 | 14 | | | | | | | 1 | | 14 | 100% |
| | Forensic Science Admin 1 | 14 | | | | | | | | | 14 | 100% |
| | Forensic Science Admin 2 | 21 | | | | | | | | | 21 | 100% |
| | Office Administrator 3 | 1 | | | | | | | | | 1 | 100% |
| | Office Administrator 4 | 4 | | | | | | | | | 4 | 100% |
| | Office Administrator 5 | 2 | | | | | | | | | 2 | 100% |
| | Police Lieutenant | 1 | | | | | | | | | 1 | 100% |
| | Public Service Adm | 50 | | | | | 2 | | | 10 | 46 | 92% |
| | Senior Public Serv Admin | 33 | 1 | | 3 | | | | | 8 | 8 | 24% |
| | Stationary Eng-Asst Chf | 2 | | | | 2 | | | | | 2 | 100% |
| | Stationary Eng-Chief | 2 | | | | 2 | | | | | 2 | 100% |
| | Telecommunication Supv | 18 | | | | | | | | | 18 | 100% |
| | State Police Total | 182 | 1 | | 3 | 4 | 2 | | 2 | 21 | 150 | 82% |
| State Police Merit Board | | | | | | | | | | | | |
| | Human Resources Spec | 2 | | | | | | | | | | 0% |
| | Information Systems Analyst I | 1 | | | | | | | | | | 0% |
| | Public Service Adm | 1 | | | | | | | 1 | | | 0% |
| | Senior Public Serv Admin | 1 | | | 1 | | | | | 1 | | 0% |
| | State Police Merit Board Total | 5 | | | 1 | | | | | 2 | | 0% |

Appendix E
MANAGEMENT POSITIONS BY AGENCY AND TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Title Description | Total | Code Partial Exemptions | | | | | | Code | Rutan | Union | |
|---------------------------------|--|----------|-------------------------|-----|-----|-----|-----|-----|--------|--------|-------|------|
| | | Managers | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | Exempt | Exempt | Count | % |
| State Retirement Systems | | | | | | | | | | | | |
| | Assistant Manager | 1 | | | | | | | 1 | | | 0% |
| | Asst. to Division Manager - Accounting | 1 | | | | | | | 1 | | | 0% |
| | Manager | 1 | | | | | | | 1 | 1 | | 0% |
| | Public Service Adm | 12 | | | | | | | | 1 | 10 | 83% |
| | Senior Public Serv Admin | 6 | | | 2 | | | | | 2 | | 0% |
| | State Retirement Systems Total | 21 | | | 2 | | | | 3 | 4 | 10 | 48% |
| Transportation | | | | | | | | | | | | |
| | Accountant Supervisor | 1 | | | | | | | | | 1 | 100% |
| | Aircraft Technician II | 2 | | | | | | | 2 | | 2 | 100% |
| | Chemist V | 3 | | | | | | | 3 | | 3 | 100% |
| | Civil Engineer V | 206 | | | | | | | 206 | 4 | 206 | 100% |
| | Civil Engineer VI | 72 | | | | | | | 72 | 6 | 69 | 96% |
| | Civil Engineer VII | 30 | | | | | | | 30 | 17 | 13 | 43% |
| | Civil Engineer VIII | 4 | | | | | | | 4 | 4 | | 0% |
| | Civil Engineer IX | 4 | | | | | | | 4 | 4 | | 0% |
| | Engineering Tech V | 63 | | | | | | | 63 | | | 0% |
| | Highway Construction Supv 1 | 8 | | | | | | | | | 8 | 100% |
| | Highway Construction Supv 2 | 2 | | | | | | | | | 2 | 100% |
| | Land Surveyor V | 1 | | | | | | | 1 | | | 0% |
| | Office Administrator 2 | 1 | | | | | | | | | 1 | 100% |
| | Office Administrator 4 | 4 | | | | | | | | | 4 | 100% |
| | Office Administrator 5 | 1 | | | | | | | | | 1 | 100% |
| | Public Service Adm | 4 | | | | | | | | 1 | 4 | 100% |
| | Realty Specialist V | 4 | | | | | | | 4 | 2 | 4 | 100% |
| | Senior Public Serv Admin | 1 | | | | | | | | 1 | | 0% |
| | Technical Manager V | 69 | | | | | | | 69 | 5 | 55 | 80% |
| | Technical Manager VI | 51 | | | | | | | 51 | 24 | 23 | 45% |
| | Technical Manager VII | 14 | | | | | | | 14 | 12 | | 0% |
| | Technical Manager VIII | 17 | | | | | | | 17 | 17 | | 0% |
| | Technical Manager IX | 11 | | | | | | | 11 | 11 | | 0% |
| | Technical Manager X | 6 | | | | | | | 6 | 6 | | 0% |
| | Transportation Total | 579 | | | | | | | 557 | 114 | 396 | 68% |
| Veterans' Affairs (DVA) | | | | | | | | | | | | |
| | Account Technician II | 1 | | | | | | | | | 1 | 100% |
| | Accountant Advanced | 1 | | | | | | | | | 1 | 100% |
| | Accountant Supervisor | 4 | | | | | | | | | 4 | 100% |
| | Assistant Director | 1 | | | | | | | 1 | 1 | | 0% |
| | Business Manager | 3 | | | | | | | | | 3 | 100% |
| | Dietary Manager I | 1 | | | | | | | | | 1 | 100% |
| | Dietary Manager II | 3 | | | | | | | | | 3 | 100% |
| | Director | 1 | | | | | | | 1 | 1 | | 0% |
| | Executive 2 | 5 | | | | | | | | | 5 | 100% |
| | Health Information Adm | 3 | | | | | | | | | 3 | 100% |
| | Human Resources Spec | 6 | | | | | | | | | 2 | 33% |
| | Laundry Manager I | 1 | | | | | | | | | 1 | 100% |
| | Medical Adm 1 Opt D | 2 | | | | | 2 | | | | | 0% |
| | Office Administrator 3 | 1 | | | | | | | | | 1 | 100% |

Appendix E
MANAGEMENT POSITIONS BY AGENCY AND TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Agency | Title Description | Total Managers | Code Partial Exemptions | | | | | Code Exempt | Rutan Exempt | Union | |
|--------|--------------------------|-------------------|-------------------------|-----|-----|-----|-----|----------------|-----------------|-------|-------|
| | | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | | | 4D6 | Count |
| DVA | Office Administrator 4 | 1 | | | | | | | | 1 | 100% |
| | Pharmacy Services Coord | 2 | | | | | | | | 2 | 100% |
| | Public Service Adm | 34 | | | | | 15 | | 8 | 16 | 47% |
| | Reproduc Serv Supvr 1 | 1 | | | | | | | | 1 | 100% |
| | Security Officer Chief | 2 | | | | | | | | 2 | 100% |
| | Security Officer Sgt | 3 | | | | | | | | 3 | 100% |
| | Senior Public Serv Admin | 13 | | 4 | 4 | | 3 | | 10 | | 0% |
| | Social Worker 3 | 1 | | | | | | | | 1 | 100% |
| | Stationary Eng-Asst Chf | 1 | | | | 1 | | | | 1 | 100% |
| | Stationary Eng-Chief | 2 | | | | 2 | | | | 2 | 100% |
| | Storekeeper III | 2 | | | | | | | | 2 | 100% |
| | Support Service Coord 1 | 5 | | | | | | | | 5 | 100% |
| | Support Service Lead | 4 | | | | | | | | 4 | 100% |
| | Veterans' Affairs Total | 104 | | 4 | 4 | 3 | 20 | | 2 | 20 | 65 |

Workers' Compensation Commission

| | | | | | | | | | | | |
|----------------------------------|----|---|--|---|--|---|--|----|----|---|-----|
| Chairman | 1 | | | | | | | 1 | 1 | | 0% |
| Chief Internal Auditor | 1 | | | | | | | 1 | 1 | | 0% |
| Commissioner | 9 | | | | | | | 9 | 9 | | 0% |
| Director | 1 | | | | | | | 1 | 1 | | 0% |
| Executive 1 | 2 | | | | | | | | | | 0% |
| Public Service Adm | 10 | | | | | 1 | | | 5 | 9 | 90% |
| Secretary | 1 | | | | | | | 1 | | | 0% |
| Senior Public Serv Admin | 12 | 1 | | 9 | | 1 | | | 11 | | 0% |
| Workers' Compensation Comm Total | 37 | 1 | | 9 | | 2 | | 13 | 28 | 9 | 24% |

Grand Totals All Agencies

| Grand Total | Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | | |
|-------------|--------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|-------|-----|
| | Total | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | | | 4D6 | Count | % |
| Grand Total | 6,423 | 18 | 48 | 606 | 45 | 315 | 15 | 811 | 1,735 | 4,613 | 72% |

APPENDIX F

Management Positions by Title Ranked by Managers in Title With Totals, Personnel Code and Rutan Exemptions, and Union Status - March 2012

Appendix F
MANAGEMENT POSITIONS BY TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Title Description | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|-------------------------------------|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| Public Service Administrator | 2,533 | 2 | | 22 | | 224 | | | 431 | 2,282 | 90% |
| Senior Public Service Administrator | 1,228 | 9 | 48 | 579 | | 73 | 3 | | 928 | 99 | 8% |
| Executive 2 | 220 | | | 1 | | | | | 10 | 220 | 100% |
| Human Serv Casework Mgr | 215 | | | | | | | | 15 | 200 | 93% |
| Civil Engineer V | 206 | | | | | | | 206 | 4 | 206 | 100% |
| Shift Supervisor | 144 | | | | | | | | | 144 | 100% |
| Executive 1 | 117 | | | | | | | | 1 | 105 | 90% |
| Residential Serv Supv | 100 | | | | | | | | | 100 | 100% |
| Emp Secur Fld Office Sup | 82 | | | | | | | | | 82 | 100% |
| Office Administrator 4 | 81 | | | | | | | | | 79 | 98% |
| Mental Health Tech IV | 73 | | | | | | | | | 73 | 100% |
| Civil Engineer VI | 72 | | | | | | | 72 | 6 | 69 | 96% |
| Juv Justice Supervisor | 72 | | | | | | | | | 72 | 100% |
| Office Administrator 3 | 71 | | | | | | | | 1 | 71 | 100% |
| Technical Manager V | 69 | | | | | | | 69 | 5 | 55 | 80% |
| Engineering Tech V | 63 | | | | | | | 63 | | | 0% |
| Technical Manager VI | 51 | | | | | | | 51 | 24 | 23 | 45% |
| Revenue Audit Supervisor | 38 | | | | | | 8 | | | 38 | 100% |
| Human Resources Spec | 37 | | | | | | | | 4 | 20 | 54% |
| Accountant Supervisor | 36 | | | | | | | | | 36 | 100% |
| Director | 31 | | | | | | | 31 | 31 | | 0% |
| Stationary Eng-Chief | 31 | | | | 31 | | | | | 31 | 100% |
| Civil Engineer VII | 30 | | | | | | | 30 | 17 | 13 | 43% |
| Clinical Services Supv | 25 | | | | | | | | | 25 | 100% |
| Forensic Science Admin 2 | 21 | | | | | | | | | 21 | 100% |
| Natural Resources Spec | 20 | | | | | | | | | 20 | 100% |
| Mental Health Adm I | 19 | | | | | | | | | 19 | 100% |
| Telecommunication Supv | 18 | | | | | | | | | 18 | 100% |
| Kidcare Supervisor | 17 | | | | | | | | | 17 | 100% |
| Manager | 17 | | | | | | | 17 | 2 | 16 | 94% |
| Technical Manager VIII | 17 | | | | | | | 17 | 17 | | 0% |
| Business Manager | 16 | | | | | | | | | 16 | 100% |
| Site Superintendent 3 | 15 | | | | | | | | 14 | 15 | 100% |
| Forensic Science Admin 1 | 14 | | | | | | | | | 14 | 100% |
| Office Administrator 5 | 14 | | | | | | | | | 12 | 86% |
| Technical Manager VII | 14 | | | | | | | 14 | 12 | | 0% |
| Chief Internal Auditor | 13 | | | | | | | 13 | 13 | | 0% |
| Corr Supply Supv III | 13 | | | | | | | | | 13 | 100% |
| Stationary Eng-Asst Chf | 13 | | | | 13 | | | | | 13 | 100% |
| Corr Casework Supv | 12 | | | | | | | | | 12 | 100% |
| Automotive Shop Supv | 11 | | | | | | | | | 11 | 100% |
| Meat & Poultry Insp Supv | 11 | | | | | | | | | 11 | 100% |
| Technical Manager IX | 11 | | | | | | | 11 | 11 | | 0% |

Appendix F
MANAGEMENT POSITIONS BY TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Title Description | Total | Code Partial Exemptions | | | | | | Code | Rutan | Union | |
|------------------------------------|----------|-------------------------|-----|-----|-----|-----|-----|--------|--------|-------|------|
| | Managers | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | Exempt | Exempt | Count | % |
| Assistant Director | 10 | | | | | | | 10 | 10 | | 0% |
| Dietary Manager II | 10 | | | | | | | | | 10 | 100% |
| J J Youth & Fam Spec Sup | 10 | | | | | | | | | 10 | 100% |
| Office Administrator 2 | 10 | | | | | | | | | 10 | 100% |
| Security Officer Chief | 10 | | | | | | | | | 10 | 100% |
| Commissioner | 9 | | | | | | | 9 | 9 | | 0% |
| Data Processing Supvr 3 | 9 | | | | | | | | | 8 | 89% |
| Health Information Adm | 9 | | | | | | | | | 9 | 100% |
| Military Maintenance Engineer | 9 | | | | | | | 9 | | 9 | 100% |
| Nat Res Manager 2 | 9 | | | | | | | | 4 | 9 | 100% |
| Nuclear Safety Health Physicist II | 9 | | | | | | | 9 | | 8 | 89% |
| Corr Industry Supv | 8 | | | | | | | | | 8 | 100% |
| Dietary Manager I | 8 | | | | | | | | | 8 | 100% |
| Executive Secretary 3 | 8 | | | | | | | | 8 | 5 | 63% |
| Hwy Construction Supv I | 8 | | | | | | | | | 8 | 100% |
| Lottery Regional Coord | 8 | | | | | | | | | 8 | 100% |
| Mental Health Adm II | 7 | | | | | | | | | 7 | 100% |
| P H Program Spec 3 | 7 | | | | | | | | | 7 | 100% |
| Sec Therapy Aide IV | 7 | | | | | | | | | 7 | 100% |
| Site Superintendent 2 | 7 | | | | | | | | 6 | 7 | 100% |
| Administrative Law Judge III - ALJ | 6 | | | | | | | 6 | 6 | | 0% |
| Executive Director | 6 | | | | | | | 6 | 6 | 1 | 17% |
| J J Chief Of Security | 6 | | | | | | | | | 6 | 100% |
| Medical Adm 1 Opt D | 6 | | | 1 | | 5 | | | 1 | | 0% |
| P A Quality Control Supv | 6 | | | | | | | | | 6 | 100% |
| Private Secretary 2 | 6 | 6 | | | | | | | 6 | | 0% |
| Technical Advisor II | 6 | | | | | | | 6 | 6 | 6 | 100% |
| Technical Manager X | 6 | | | | | | | 6 | 6 | | 0% |
| Administrative Law Judge V - ALJ | 5 | | | | | | | 5 | 5 | 5 | 100% |
| Bureau Chief | 5 | | | | | | | 5 | 5 | | 0% |
| Corrctns Food Serv Sup 3 | 5 | | | | | | | | | 5 | 100% |
| Medical Adm 2 Opt D | 5 | | | | | 5 | | | | | 0% |
| Nuclear Safety Engineer II | 5 | | | | | | | 5 | | 2 | 40% |
| Reproduc Serv Supvr 1 | 5 | | | | | | | | | 5 | 100% |
| Support Service Coord 1 | 5 | | | | | | | | | 5 | 100% |
| Activity Therapist Supv | 4 | | | | | | | | | 4 | 100% |
| Administrative Assistant II | 4 | | | 1 | | | | 1 | 3 | | 0% |
| Board Member | 4 | | | | | | | 4 | 4 | | 0% |
| Building/Grounds Supv | 4 | | | | | | | | | 4 | 100% |
| Civil Engineer III | 4 | | | | | 4 | | | | 4 | 100% |
| Civil Engineer IX | 4 | | | | | | | 4 | 4 | | 0% |
| Civil Engineer VIII | 4 | | | | | | | 4 | 4 | | 0% |
| Corr Leisure Act Spec IV | 4 | | | | | | | | | 4 | 100% |

Appendix F
MANAGEMENT POSITIONS BY TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Title Description | Total | Code Partial Exemptions | | | | | | Code | Rutan | Union | |
|--|----------|-------------------------|-----|-----|-----|-----|-----|--------|--------|-------|------|
| | Managers | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | Exempt | Exempt | Count | % |
| General Counsel | 4 | | | | | | | 4 | 4 | | 0% |
| Meth & Proc Adv III | 4 | | | | | | | | | 4 | 100% |
| Nuclear Safety Administrator I | 4 | | | | | | | 4 | 1 | 4 | 100% |
| Nuclear Safety Administrator II | 4 | | | | | | | 4 | 4 | | 0% |
| Realty Specialist V | 4 | | | | | | | 4 | 2 | 4 | 100% |
| Storekeeper III | 4 | | | | | | | | | 4 | 100% |
| Support Service Lead | 4 | | | | | | | | | 4 | 100% |
| Technical Advisor III | 4 | | | | | | | 4 | 4 | 4 | 100% |
| Technical Advisor IV | 4 | | | | | | | 4 | 4 | | 0% |
| Technical Advisor V | 4 | | | | | | | 4 | 4 | | 0% |
| Chemist V | 3 | | | | | | | 3 | | 3 | 100% |
| For Serv Ec Dev Exec 2 | 3 | | | | | | 3 | | 3 | | 0% |
| Guard Supervisor | 3 | | | | | | | | | 3 | 100% |
| Insurance Analyst 3 | 3 | | | | | | | | | 3 | 100% |
| Military Crash Fire Rescue III | 3 | | | | | | | 3 | | | 0% |
| Military Facilities Officer I | 3 | | | | | | | 3 | | 3 | 100% |
| Nuclear Safety Manager I | 3 | | | | | | | 3 | | 3 | 100% |
| Regional Manager | 3 | | | | | | | 3 | 3 | 3 | 100% |
| Secretary | 3 | | | | | | | 3 | 2 | | 0% |
| Security Officer Sgt | 3 | | | | | | | | | 3 | 100% |
| Social Worker 3 | 3 | | | | | | | | | 3 | 100% |
| Stat Research Supv | 3 | | | | | | | | | 3 | 100% |
| Supervisor | 3 | | | | | | | 3 | | 3 | 100% |
| Account Technician I | 2 | | | | | | | | | 2 | 100% |
| Accountant | 2 | | | | | | | | | 2 | 100% |
| Accountant Advanced | 2 | | | | | | | | | 2 | 100% |
| Actuary 3 | 2 | | | | | | | | 2 | 2 | 100% |
| Agricultural Executive | 2 | | | | | | | | 2 | 2 | 100% |
| Aircraft Technician II | 2 | | | | | | | 2 | | 2 | 100% |
| Assistant Adjutant General | 2 | | | | | | | 2 | 2 | | 0% |
| Assistant Secretary | 2 | | | | | | | 2 | 2 | | 0% |
| Deputy Director | 2 | | | | | | | 2 | 2 | | 0% |
| Executive Secretary 2 | 2 | | | | | | | | | 2 | 100% |
| General Services Administrator I | 2 | | | | | | | 2 | | 2 | 100% |
| Highway Const Supv 2 | 2 | | | | | | | | | 2 | 100% |
| Insurance Analyst 4 | 2 | | | | | | | | | 2 | 100% |
| Medical Administrator 3 | 2 | | | | | 2 | | | 1 | | 0% |
| Mental Health Tech III | 2 | | | | | | | | | 2 | 100% |
| Museum Section Head III | 2 | | | | | | | 2 | 2 | | 0% |
| Nuclear Safety Health Physicist I | 2 | | | | | | | 2 | | 2 | 100% |
| Nuclear Safety Information Systems Specialist II | 2 | | | | | | | 2 | | 2 | 100% |
| Nuclear Safety Scientist II | 2 | | | | | | | 2 | | 2 | 100% |
| Occup Therapist Supv | 2 | | | | | | | | | 2 | 100% |

Appendix F
MANAGEMENT POSITIONS BY TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Title Description | Total | Code Partial Exemptions | | | | | | Code | Rutan | Union | |
|---|----------|-------------------------|-----|-----|-----|-----|-----|--------|--------|-------|------|
| | Managers | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | Exempt | Exempt | Count | % |
| Pharmacy Services Coord | 2 | | | | | | | | | 2 | 100% |
| Rehab Wksh Supv III | 2 | | | | | | | | | 2 | 100% |
| Secur Officer Lieutenant | 2 | | | | | | | | | 2 | 100% |
| Site Superintendent 1 | 2 | | | | | | | | 1 | 2 | 100% |
| State Mine Insp-At-Large | 2 | | | | | | | | | | 0% |
| Superintendent | 2 | | | | | | | 2 | 2 | | 0% |
| Veterinary Pathologist | 2 | | | | | | | | | 2 | 100% |
| Waterways Const Supv I | 2 | | | | | | | | | 2 | 100% |
| Waterways Const Supv II | 2 | | | | | | | | | 2 | 100% |
| Account Technician II | 1 | | | | | | | | | 1 | 100% |
| Adjutant General | 1 | | | | | | | 1 | 1 | | 0% |
| Administrative Law Judge IV | 1 | | | | | | | 1 | 1 | | 0% |
| Administrative Law Judge IV - Trans | 1 | | | | | | | 1 | 1 | | 0% |
| Administrator | 1 | | | | | | | 1 | 1 | | 0% |
| Administrator, Capital Planning | 1 | | | | | | | 1 | 1 | 1 | 100% |
| Administrator, Construction | 1 | | | | | | | 1 | 1 | 1 | 100% |
| Administrator, Contracts | 1 | | | | | | | 1 | 1 | 1 | 100% |
| Administrator, FEP | 1 | | | | | | | 1 | 1 | 1 | 100% |
| Administrator, Fiscal | 1 | | | | | | | 1 | 1 | | 0% |
| Administrator, Personnel | 1 | | | | | | | 1 | 1 | | 0% |
| Administrator, Professional Services | 1 | | | | | | | 1 | 1 | 1 | 100% |
| Administrator, Project Development | 1 | | | | | | | 1 | 1 | 1 | 100% |
| Ag Land & Water Res Supv | 1 | | | | | | | | | 1 | 100% |
| Assistant Manager | 1 | | | | | | | 1 | | | 0% |
| Associate Museum Director | 1 | | | | | | | 1 | 1 | | 0% |
| Asst. to Division Manager - Accounting | 1 | | | | | | | 1 | | | 0% |
| Board Chairperson | 1 | | | | | | | 1 | 1 | | 0% |
| Carpenter Foreman | 1 | | | | 1 | | | | | 1 | 100% |
| Chairman | 1 | | | | | | | 1 | 1 | | 0% |
| Chief Admin Law Judge | 1 | | | | | | | 1 | 1 | | 0% |
| Chief Factory Inspector | 1 | | | | | | | 1 | 1 | | 0% |
| Chief Financial Officer/Investment Portfolio Office | 1 | | | | | | | 1 | 1 | | 0% |
| Chief of Staff | 1 | | | | | | | 1 | 1 | | 0% |
| Commerce Commission Police Officer II | 1 | | | | | | | 1 | | 1 | 100% |
| Data Processing Supvr 1 | 1 | | | | | | | | | 1 | 100% |
| Data Processing Supvr 2 | 1 | | | | | | | | | 1 | 100% |
| Deputy Executive Director | 1 | | | | | | | 1 | 1 | | 0% |
| Director of Library and Museum | 1 | | | | | | | 1 | 1 | | 0% |
| Director of Licensing | 1 | | | | | | | 1 | 1 | | 0% |
| Emp Secur Fld Office Sup | 1 | | | | | | | | | 1 | 100% |
| Environmental Eng 4 | 1 | | | | | | | | | 1 | 100% |
| Environmental Scientist I | 1 | | | | | | | 1 | 1 | | 0% |
| Environmental Scientist II | 1 | | | | | | | 1 | 1 | | 0% |

Appendix F
MANAGEMENT POSITIONS BY TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Title Description | Total Managers | Code Partial Exemptions | | | | | | Code Exempt | Rutan Exempt | Union | |
|--|-------------------|-------------------------|-----|-----|-----|-----|-----|----------------|-----------------|-------|------|
| | | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | | | Count | % |
| Executive V | 1 | | | | | | | 1 | 1 | 1 | 100% |
| Field Operations Manager | 1 | | | | | | | 1 | 1 | | 0% |
| Fire Marshal | 1 | | | | | | | 1 | 1 | | 0% |
| For Serv Ec Dev Exec 1 | 1 | | | | | | 1 | | 1 | | 0% |
| Grounds Supv | 1 | | | | | | | | | 1 | 100% |
| Homeland Security Director | 1 | | | | | | | 1 | | 1 | 100% |
| Human Resources Manager | 1 | | | | | | | 1 | 1 | | 0% |
| Information Systems Analyst I | 1 | | | | | | | | | | 0% |
| Information Systems Analyst III | 1 | | | | | | | | | 1 | 100% |
| Inspector General | 1 | | | | | | | 1 | 1 | | 0% |
| Internal Audit | 1 | | | | | | | 1 | 1 | | 0% |
| Internal Auditor Chief | 1 | | | | | | | 1 | 1 | | 0% |
| Land Surveyor V | 1 | | | | | | | 1 | | | 0% |
| Laundry Manager I | 1 | | | | | | | | | 1 | 100% |
| Medical Adm 1 Opt C | 1 | | | | | 1 | | | 1 | | 0% |
| Medical Adm 2 Opt C | 1 | | | | | 1 | | | | | 0% |
| Medical Administrator 4 | 1 | | | 1 | | | | | 1 | | 0% |
| Mental Health Prog Admin | 1 | | | 1 | | | | | 1 | | 0% |
| Military Environmental Specialist III | 1 | | | | | | | 1 | | 1 | 100% |
| Military Executive | 1 | | | | | | | 1 | 1 | | 0% |
| Military Facilities Engineer | 1 | | | | | | | 1 | | 1 | 100% |
| Military Facilities Officer II | 1 | | | | | | | 1 | | | 0% |
| Military Judge Advocate | 1 | | | | | | | 1 | 1 | | 0% |
| Military Museum Director | 1 | | | | | | | 1 | 1 | | 0% |
| Military Program Supervisor | 1 | | | | | | | 1 | 1 | 1 | 100% |
| Museum Director | 1 | | | | | | | 1 | 1 | | 0% |
| Museum Section Title Head II | 1 | | | | | | | 1 | 1 | | 0% |
| Museum Section Title Head III | 1 | | | | | | | 1 | 1 | | 0% |
| Nat Res Grant Coord | 1 | | | | | | | | | 1 | 100% |
| Non-Code Tech Mgr IV | 1 | | | | | | | 1 | | | 0% |
| Non-Code Tech Mgr VI | 1 | | | | | | | 1 | | | 0% |
| Nuclear Safety Chief Legal Counsel | 1 | | | | | | | 1 | 1 | | 0% |
| Nuclear Safety Health Physics Tech III | 1 | | | | | | | 1 | | 1 | 100% |
| Nuclear Safety Supervisor III | 1 | | | | | | | 1 | | 1 | 100% |
| Occupnl Ther Prog Coord | 1 | | | | | | | | | 1 | 100% |
| Office Administrator 1 | 1 | | | | | | | | | 1 | 100% |
| Office Specialist | 1 | | | | | | | | | 1 | 100% |
| Operations Technician | 1 | | | | | | | 1 | | 1 | 100% |
| Plant & Pest Spec Supv | 1 | | | | | | | | | 1 | 100% |
| Police Lieutenant | 1 | | | | | | | | | 1 | 100% |
| Private Secretary 1 | 1 | 1 | | | | | | | 1 | | 0% |
| Project Director | 1 | | | | | | | 1 | 1 | | 0% |
| Rail Safety Program Administrator | 1 | | | | | | | 1 | 1 | 1 | 100% |

Appendix F
MANAGEMENT POSITIONS BY TITLE DESCRIPTION
with Totals, Personnel Code Exemptions, Rutan Exemptions, and Union Status

| Title Description | Total | Code Partial Exemptions | | | | | | Code | Rutan | Union | |
|-------------------------------------|----------|-------------------------|-----|-----|-----|-----|-----|--------|--------|-------|------|
| | Managers | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | Exempt | Exempt | Count | % |
| Sec Therapy Aide III | 1 | | | | | | | | | 1 | 100% |
| Security Administrator | 1 | | | | | | | 1 | 1 | | 0% |
| Senior Financial & Budget Assistant | 1 | | | | | | | 1 | | 1 | 100% |
| Senior IT Architect | 1 | | | | | | | 1 | 1 | | 0% |
| Senior Public Information Officer | 1 | | | | | | | 1 | 1 | | 0% |
| Senior Ranger | 1 | | | | | | | | | 1 | 100% |
| State Director of Mutuels | 1 | | | | | | | 1 | | | 0% |
| Veh Emission Compli Supv | 1 | | | | | | | | | 1 | 100% |
| Veterinary Supervisor 1 | 1 | | | | | | | | | 1 | 100% |
| Vol Services Coord II | 1 | | | | | | | | | 1 | 100% |
| Warehouse Examiner Supv | 1 | | | | | | | | | 1 | 100% |

Grand Totals

| | Total | Partial Exemptions | | | | | | Code | Rutan | Union | |
|--------|--------------|--------------------|-----------|------------|-----------|------------|-----------|------------|--------------|--------------|------------|
| | Managers | 4D1 | 4D2 | 4D3 | 4D4 | 4D5 | 4D6 | Exempt | Exempt | Count | % |
| Totals | <u>6.423</u> | <u>18</u> | <u>48</u> | <u>606</u> | <u>45</u> | <u>315</u> | <u>15</u> | <u>811</u> | <u>1.735</u> | <u>4.613</u> | <u>72%</u> |

APPENDIX G
Agency Responses



ILLINOIS

Pat Quinn, Governor

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Malcolm Weems, Director

March 13, 2013

Mr. Ed Wittrock
Performance Audit Manager
Office of the Auditor General
740 East Ash Street
Springfield, Illinois 62703-3154

RE: Management Audit

Dear Mr. Wittrock:

The Department of Central Management Services has reviewed the recommendations provided in the draft OAG Management Audit Report pursuant to Legislative Audit Commission Resolution Number 141. Attached are our comments based upon the recommendations in the March 6, 2013, draft audit report.

We appreciate all of the hard work and the insightful analysis provided by you and your staff. Please advise if anything further is needed from us to complete this Management Audit. Again, thank you for your efforts.

A hard copy will follow in the mail.

Sincerely,

Malcolm Weems
Director

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Attachment

cc: Israel Salazar, Deputy Director

CMS Response to OAG Draft Management Audit
Pursuant to Legislative Audit Commission Resolution Number 141
March 13, 2013

Generally, the draft audit report provides many analytical components and overall conclusions that will assist us in our efforts to enhance our personnel processes for the betterment of state government. As discussed throughout the audit process, we have some issues with the survey tool and the methodology utilized that was inherent in an undertaking of this magnitude.

Auditor Comment 1:

The auditors provided the draft survey instrument to CMS and asked for their input. CMS suggested several changes to the instrument, some of which the auditors made. In addition, on March 28, 2012, to help promote consistent responses, the auditors participated in a CMS Statewide Personnel Managers meeting, which included representatives from at least 27 State agencies, to explain the survey and answer questions.

- Our Classification Plan encompasses 960+ classes, each containing Distinguishing Features of Work which may include very broad definitions of duties typically associated with “managerial” or “supervisory” duties and responsibilities. Applying the Illinois Labor Relations Board’s definition of “manager” and “supervisor” is often inconsistent with the definitions used within the Class Specifications.

Auditor Comment 2:

Auditors met on April 26, 2012 with CMS legal staff to discuss the definitions of manager and supervisor used in the draft survey instrument. As a result of that meeting, the draft survey instrument’s instructions were clarified to address concerns raised by CMS. For example, the instructions specifically noted that if an employee has management or supervisory duties, they should be reported as management, even if they are in a union.

- In many cases, it appears agencies may have self-categorized an employee’s work performance rather than relying solely on the type of duties and level of responsibilities delineated on the official position description (CMS-104). The CMS-104 is the official legal description of the duties to be performed. This document is attested to by the Agency Director (his/her designee) that these are the officially assigned duties and responsibilities that an incumbent is expected to perform. This document is the basis from which all classifications and Rutan determinations are derived. Any information provided by the agencies that conflicted with the duties in the CMS-104 would compromise the results and ultimately the conclusions.

Auditor Comment 3:

The audit resolution required that auditors accumulate management position data “based on information provided by the various agencies.” The auditors disagree with CMS’ perspective that relying on information provided by agencies as to how employees were actually functioning in their position was a shortcoming of the audit which compromised the results and ultimately the conclusions. It is the auditors’ position that the strength of the audit was to determine how employees

Auditor Comment 3 (continued)

were actually functioning in their position, rather than simply relying on a CMS position description which may or may not accurately depict the employees' actual duties. Following CMS' argument leads to one of two conclusions: 1) employees' actual responsibilities are not consistent with those delineated in CMS' position description; and/or 2) agency management does not know what their employees are actually doing. Both of these scenarios should be of concern to CMS and further demonstrate the need for CMS to address matters raised in the audit, as was recommended by the auditors.

- The survey tool did not address the Rutan exemption criteria for confidentiality and/or spokesperson responsibilities; rather, it focused on a particular definition associated with policy-making and therefore may have lead to an incorrect conclusion as to the totality of the functions a Rutan exempt position may perform.

Auditor Comment 4:

The survey instrument did not focus on a "particular definition associated with policy-making" for Rutan employees, as purported by CMS. The survey instrument simply provided the employees' Rutan status (obtained from CMS) and asked the agencies to review the accuracy of that information. The report draft notes that one reason for being classified as Rutan-exempt is if the employee carries out policy, which may be a function of a manager. Based on comments received from CMS, two other reasons for Rutan status were added to the draft report: confidential assistants and spokespersons, which may or may not be managers. Based on a review of position descriptions and information provided by the agencies, auditors believe that a significant number of the non-managers with Rutan exemptions did not fall into these latter two categories.

We recognize that, absent a review of every position description and an audit into the performance of those duties, some general parameters had to be developed to complete this difficult task. However, based on the above assumptions and the subsequent conclusions derived, it is difficult to address the findings without providing a context within the framework in which CMS operates given the current Personnel Code, Personnel Rules, collective bargaining agreements and other applicable rules and processes. We have provided our comments to the specific recommendations in greater detail below.

Recommendation #1:

The Department of Central Management Services and the Civil Service Commission should assure 4d3 exemptions are approved appropriately in compliance with the Personnel Code (20 ILCS 415/4d(3)). State agencies should assure that these exemptions should be used for management employees.

The Personnel Code (20 ILCS 415/4d(3)) states that "The Civil Service Commission, upon written recommendation of the Director of Central Management Services, shall exempt from jurisdiction B other positions which, in the judgment of the Commission, involve either principal administrative responsibility for the determination of policy or principal administrative

responsibility for the way in which policies are carried out, except positions in agencies which receive federal funds if such exemption is inconsistent with federal requirements, and except positions in agencies supported in whole by federal funds.”

As the authority for granting 4d(3) exemptions lies with the Civil Service Commission (CSC), the Department of Central Management Services defers to the CSC for comment on ensuring compliance with this provision of the Personnel Code. Our response will discuss CMS’ role in the submission of 4d(3) requests and the processing of subsequent approvals or denials.

The proper classification of a position must be determined prior to requesting 4d(3) exemption from the CSC. As such, an agency must submit a position establishment or clarification (on a CMS-104) to CMS for review by a CMS Classification Analyst. The agency must also submit a letter from its Agency Director to CMS outlining the reasons for the exemption request and all associated organizational charts. The CMS Classification Analyst ensures the position is properly classified and performs a preliminary analysis to determine if the position meets the 4d(3) criteria. If the position is determined to be properly classified and the preliminary analysis indicates the position is consistent with similar 4d(3) exempt positions, CMS prepares a request packet for submission to the Civil Service Commission.

Once the packet is submitted to the CSC, it is placed on the monthly agenda for consideration. CMS, in conjunction with the requesting agency, answers any preliminary questions the CSC may have in preparation for the meeting as well as attends the CSC meeting to address questions from the Commission. Once the Commission has ruled on the appropriateness of 4d(3) exemption for a position, CMS officially recognizes the position as 4d(3) exempt and notifies the agency of such status. Conversely, if the exemption is denied, CMS notifies the agency, as well.

Note: Our response to Recommendation #3 discusses in detail the potential issues resulting from the methodologies the agencies may have applied in completing the surveys; the issues arising from usage of the Illinois Public Labor Relations Act’s definitions of “manager” and “supervisor;” and our continuing efforts to remove 4d(1) and 4d(3) exempt positions from union inclusion pursuant to Senate Bill 1556, which is also covered in Recommendation #5.

Recommendation #2:

The Department of Central Management Services should assure that Rutan exemptions are only used for positions responsible for implementing policies.

Response:

The Department believes that there are sufficient internal controls in place to ensure that the Rutan decision is implemented in accordance with all provisions of the law. The audit cites that these exemptions *should* only be used for certain high-level employees who will loyally implement the State’s policy. Utilizing established principles of management and accountability, the Rutan determination criteria was developed in 1990 by the external accounting firm of Ernst & Young and the law firm of Jenner and Block and were based on the then-recently released Rutan decision, the Elrod and Branti decisions. By law, the Rutan determinations are based on the type of duties and level of responsibilities in three critical areas: policy-making, spokesperson and confidentiality. While the spokesperson and/or confidentiality components were added into the draft audit report per our request, we are still of the opinion that the overall

conclusion does not accurately take these two criteria into account. The threshold for all three criteria encompasses many more types and levels of duties and responsibilities than solely “implementing policies” and meeting the Illinois Public Labor Relations Act’s definition of “managing” and/or “supervising.”

The report further cites that “Rutan exempt employees who carry out policies should be considered managers.” Policy-implementation is indeed one criterion used in determining the Rutan exempt status of a position though the level with which a position is charged with “carrying out” policy was likely interpreted in many ways by the agencies completing the surveys. Please note that positions, not employees, are determined to be Rutan Exempt; the determination is not based on the employee or work the employee is claimed to perform without regard to the officially assigned duties and responsibilities of the employee’s position reflected in the official position description (CMS-104). Rutan determinations are based on the duties and responsibilities assigned and attested to by the Director of the agency via the CMS-104. As we discuss in greater detail in our response to Recommendation #3, we are uncertain of the extent to which the agencies utilized the official position description when completing the survey. Further, it does not appear that agencies were given the opportunity to address possible spokesperson and/or confidentiality aspects of the job in the survey but rather were limited to only addressing policy issues. Therefore, their conclusion would only address one aspect of potential Rutan exemption consideration, that being solely policy-making as defined by the “manager” and “supervisor” definitions in the Illinois Public Labor Relations Act.

Auditor Comment 5:

The purpose of the audit was to collect information from agencies on managers. One element auditors were required to collect was whether the employee was Rutan exempt. It was not an audit of purposes for Rutan exemptions. However, when audit results showed such a large number of Rutan exempt employees with management or supervisory responsibilities in their formal CMS position descriptions were being reported as non-managers by agencies, auditors simply recommended that CMS look into this matter.

There were 702 Rutan exempt positions identified by the agencies as non-managers, and a statement at the bottom of page 35 concludes that “It appears that either agencies may have misidentified some employees as non-managers or employees may have been exempted from requirements of the Rutan decision inappropriately.” A review by CMS of a sampling of the 702 Rutan exempt positions provided as the source data revealed that, while some of the positions were excluded based on policy-making, those same positions were also generally exempted based on the level of spokesperson and/or confidentiality responsibilities as well. Further, a majority of the positions reviewed were Rutan exempt based only on their confidential and/or spokesperson responsibilities and did not rise to the level of Rutan exemption with respect to policy-making.

Auditor Comment 6:

Although auditors shared their survey results regarding the 702 Rutan exempt positions with CMS, CMS did not provide auditors with the results of their review. However, it appears that the CMS review consisted of reviewing the employees’ duties delineated in the CMS-104 for the position– what the employees should be doing – rather than determining what the employees were actually doing at the

Auditor Comment 6 (continued)

agency. It is the auditors' position that the strength of the audit was to determine how employees were actually functioning in their position, rather than simply relying on a CMS position description which may or may not accurately depict the employees' actual duties.

As there have been several position number changes and employee movements since the data was provided and our record-keeping with respect to position history is only partially automated, verification for several of the 702 Rutan exempt positions requires a lengthy and manual process before a thorough analysis can be performed. Again, however, once completed, the results would only yield the exemption(s) based on the CMS-104, not necessarily the information used by the agencies to complete the survey. We believe the underlying reason is because of the definitional problems and that the agencies self-reported assessment of an employee's duties may or may not be accurately or thoroughly reflected in the CMS-104. There are several factors that may have been considered by the agencies including, but not limited to, agencies may not be considering some policy-exempted positions to be policy-implementers and/or fit the definition of "manager" used in the survey; agencies may not be working the employee to the level described on the position description with respect to policy-making; the person completing the survey may not have consulted the CMS-104 but rather based the comments on the duties known to be performed by the incumbent; and/or the incumbent is currently temporarily assigned to other duties or otherwise assigned duties not reflected in the job description which may have resulted in the survey being completed reflecting those duties. These factors are discussed in greater detail in Recommendation #3. CMS will remind agencies that the official record of a position's duties is the CMS-104, and the document must be updated to reflect any changes in duties and/or authorities.

We would also like to provide a comment regarding the excerpt from the Rutan decision which appears on page 35 and states "A government's interest in securing employees who will loyally implement its policies can be adequately served by choosing or dismissing certain high-level employees on the basis of their political views." This statement is, in the abstract, correct. However, when taken into context with the additional rights afforded employees under the Personnel Code, Personnel Rules, applicable union contract language, and any other source of rights an employee may enjoy, most employees may only be dismissed for work-related and/or performance reasons with due process. As we stated in our request to consider removal of this language, this statement is misleading.

Auditor Comment 7:

The purpose of the quote from the Rutan decision was to provide the reader with perspective as to why it may be in the government's interest to have Rutan exempt employees. The audit has no discussion of dismissals of Rutan exempt employees. Rather, CMS, in its comments, raises dismissals as an issue.

Recommendation #3:

The Department of Central Management Services should review and revise the State's classification plan to address the issues identified in this management audit.

Specifically cited:

- Inconsistency of manager and supervisor positions that have partial exemptions to Section 4d of the Personnel Code;
- Inconsistency of manager and supervisor positions that have a Rutan exemption;
- Unclear responsibility for the supervision of employees, including responsibility for important functions like evaluations, discipline, and grievances;
- Issues with functional titles with significant authority within agencies that are classified as non-managers.

The Department believes the “inconsistency of manager and supervisor positions that have partial exemptions to Section 4d of the Personnel Code” and “inconsistency of manager and supervisor positions that have a Rutan exemption” recommendations have been addressed in our responses to Recommendations #1 and #2.

CMS will review the Classification Plan to remedy the issues as outlined below. The Department would like to comment on the recommendations to amend the Classification Plan to address “unclear responsibility for the supervision of employees, including responsibility for important functions like evaluations, discipline, and grievances” and “issues with functional titles with significant authority within agencies that are classified as non-managers.” As CMS cannot accurately discern the thought process behind individual agencies’ completion of the survey, our response focuses on the process CMS has in place and remedies that are underway or may be necessary to address the issues identified in the Management Audit. Our comments are broken down into several distinctly different issues: those related to the survey as completed by the agencies, the usage of working/functional titles, the official classification aspect and history of the broad-banded titles, the changes needed to the PSA and SPSA classifications, and the role of “managerial” for union-covered positions.

Agency Survey

As discussed in the draft audit report, the survey tool was self-reported by the agencies. Many individuals completed the surveys which may have resulted in a more subjective analysis rather than a consistent application of definitions. The responses may or may not accurately reflect the scope and level of duties and responsibilities officially assigned to the incumbent’s position as designated on the Position Description (CMS-104), the official legal document of record outlining the responsibilities and authorities to be carried out by an incumbent.

Position Descriptions (CMS-104) serve as the cornerstone of the Classification Plan in assigning jobs to specific titles. CMS relies on the attestation by the Director of a given Department (signature line, bottom, far right, CMS-104) that those functions/authorities outlined in the document are, in fact, those to be carried out by the position’s incumbent. Delineating and separating the work that an incumbent may be performing from that for which is officially assigned to the position is essential, as an agency may not be using the incumbent assigned to a position to carry out the functions and authorities of said position. CMS must rely on the CMS-104 in its decision-making processes to maintain a consistent Classification Plan.

Again, we are uncertain the extent to which the position description was utilized in the review process, if at all. If the agencies completed the surveys based on the duties the incumbent was currently performing or as they perceive the incumbent to be performing rather than those

officially assigned to the position of said incumbent, an inaccurate reporting could well result. Further, with the large number of retirements, layoffs and other severe budgetary constraints placed on agencies, incumbents could be temporarily assigned or otherwise assuming duties not reflected in their official position description.

Auditor Comment 8:

CMS asserts that if agencies based their responses on what the employee was actually doing, rather than what was delineated in the position description, “inaccurate reporting could well result.” To the contrary, the auditors believe that agencies reporting survey results on what employees are actually doing results in accurate reporting.

CMS has controls in place to ensure job descriptions are kept up-to-date. For example, the annual performance evaluation due each Merit Compensation employee requires a box to be checked indicating that the duties being performed are accurately reflected on the CMS-104. We are presently pursuing the incorporation of the documentation of the same review process in the non-Merit Compensation performance evaluation form. Further, Personnel Rules, Section 301.20 requires that each agency head report to the Director of Central Management Services “any significant changes in the duties of every position within the agency.” As a result, BOP Technical Services requires the position descriptions be updated whenever there is a change in duties, authorities and/or reporting structure. However, there are no penalties or consequences associated with noncompliance; therefore, enforcement is met with varying degrees of success, especially as budgetary constraints force agencies to prioritize the work that must be done. But again, whether the agency was reflecting the officially assigned duties of the incumbent’s position or duties the incumbent may be performing at any given time is unknown. BOP does not perform a random audit of duties being performed by an incumbent versus the duties officially recorded to and attested on the CMS-104. To do so would challenge the honesty and integrity of the Director of the Agency attesting to officially assigned duties and responsibilities. Further, from a fiscal standpoint, we do not have the staffing or resources to complete such task, even if desired or recommended.

Functional Titles (aka Working Title)

The survey requested functional titles. It is important to note that working titles are not recognized by CMS as official titles, nor are they considered when determining a position’s assigned duties and responsibilities. They may be arbitrarily assigned within the agencies with no consistent application across agencies or even within them.

Auditor Comment 9:

Because the audit resolution specifically asked auditors to report on managers’ functions, auditors included “functional title” or function as an element in the survey instrument.

The recommendation cited some examples of functional titles being inappropriately characterized as non-managers. Absent the source data, it is generally impossible to discern which classification and/or position is being referenced. Even after identifying the position, the methodology the agency used to complete the survey would still be unknown.

The one exception is in the Superintendent classification where an established classification of Site Superintendents is referenced. The agency indicated these incumbents are not managers

(as defined in the survey's instruction) due to the "routine nature" of their responsibilities. As mentioned, the distinction that these positions are Rutan Exempt is due solely to their spokesperson responsibilities and not their policy-making authority or lack thereof. It is presumed the agency considered the lack of policy-making when indicating the Site Superintendents were not managers, though the agency would need to be consulted.

Classification Plan and History of the PSA and SPSA Classifications

The Classification Plan addresses the duties and responsibilities associated with 960+ classifications and approximately 39,000 positions. A class specification defines a class encompassing the broad scope of duties and responsibilities of all positions assigned to it. A class specification is divided into 3 parts: Distinguishing Features of Work, the Illustrative Examples of Work and the Requirements section. The Distinguishing Features of Work define the work roles required to be allocated to the class. The Illustrative Examples of Work are simply that, a sample of work roles that may be included in the class. Illustrative Examples are not all-inclusive. Requirements define the minimal knowledge, skills and abilities necessary to successfully achieve the objectives of the position work roles assigned to the class. Examples of class specifications are available at work.illinois.gov.

The Classification Plan is a constantly changing work in progress. A class may be updated at the agency's request, due to technological advances or changes, as a result of collective bargaining, by the changing requirements within a particular field such as licensure and/or other educational/experience requirements, or by CMS' initiation. A Classification Study is a review of existent positions to determine and define groupings of jobs which have similar work roles, authorities and requirements, and the subsequent development of a class specification defining such grouping. The process is quite lengthy, and one study requirement is that agencies ensure all CMS-104s are up-to-date. Positions within a particular class study are then analyzed; draft specifications developed and subsequent discussions held with the user agencies and the union regarding study findings and proposals. When the study is complete, Civil Service Commission approval must be obtained as outlined in the Personnel Code. Subsequently, all potential positions affected by the study must be reviewed and allocated to the appropriate classification. Agencies and employees are then notified, and the Personnel Code and collective bargaining agreement's right to appeal provisions then go into effect. Again, note throughout the class study process and the allocating of individuals, sole reliance is given to the CMS-104. To do otherwise would not result in a consistent application of class study principles, would not necessarily describe the officially assigned duties and responsibilities of the position but rather the duties an incumbent is performing at a given period, the result of which would not provide the maximum legal defense.

Inasmuch as the Management Audit primarily focuses on the Public Service Administrator and Senior Public Service Administrator classifications, our response does as well. A brief background into the establishment of the PSA and SPSA classifications is provided to explain the complexity of the broad-banding process that occurred in the early 1990s. Based on recommendations from the Governor's Human Resources Advisory Council to provide more flexibility in the Classification Plan, the PSA and SPSA classifications were established. The PSA classification broad-banded almost all classifications previously in the MC 8 – MC 11 pay ranges: 219 classifications. The SPSA classification broad-banded almost all classifications previously in the MC 12 and above pay ranges: 221 classifications. As such, based solely on pay grades, a wide variety of professional classifications were merged into these two classes including titles related to general administration, personnel and labor relations, fiscal,

accounting, auditing, communication and computer services, health and human services, environmental, conservation and agriculture, corrections and law enforcement, and positions requiring specific licensures which may be associated within any of the areas noted above, etc. Examples of the classifications broad-banded into PSA are: Accountant IV, Administrative Assistant III, Assistant Real Estate Commissioner, Child Welfare Administrator I, II, III, Corrections Industry Superintendent, Corrections Parole Supervisor, Disability Claims Analyst Supervisor, Disability Claims Supervisor I, II, Executive III, Information Systems Executive I, II, III, IV V, Personnel Officer II, III, Rehabilitation Services Supervisor I, II, Sanitarian IV, V and Veterinarian Supervisor I, II.

Examples of the classifications broad-banded into SPSA are: Administrative Assistant IV, Architect V, Assistant Mental Health Program Executive, Chief Hearings Referee, Child Welfare Administrator IV, V, Conservation Police Captain, Corrections Superintendent I, II, III, Developmental Disabilities Council Program Supervisor, Environmental Engineer V, Fiscal Officer I, II, Forensic Science Administrator, II-V, Internal Auditor IV, V, Mental Health Program Executive, Nursing Services Administrator II, Public Information Executive, Rehabilitation Children's Facility Assistant Administrator, Substance Abuse Program Executive I, II, III, Substance Abuse Specialist IV, Superintendent of Boiler Safety, Technical Advisor IV, V, and Veterinary Pathologist.

As you will note above from the wide range of classifications that were broad-banded, the definition of who and what is being managed and the level to which "management" plays a significant role assigned to a given position varies just as greatly. Examples of work role options within the PSA and SPSA classifications were established to delineate the work roles and types of education and/or experience required. An all-encompassing and exhaustive list of the roles associated with broad-banded classifications is virtually impossible given the multitude of positions that were broad-banded. As previously noted, the appropriate consideration is of the Distinguishing Features of Work which are required to be met for a position to be allocated to the class.

While encompassing various occupational-specific titles and a vast number of disciplines, the PSA and SPSA classifications became generally characterized as "middle management" and "senior state management" positions, respectively. As we discussed throughout the preliminary phases of this audit and as is recognized throughout the draft Audit, the "management" component contained in both classifications is general terminology and not designed to be coextensive with the definition utilized by the Illinois Public Labor Relations Act and this Management Audit. Generally, the "management" of established programs and/or policies is not recognized in the Illinois Public Labor Relations Act definition which states "engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of management policies and practices." However, the SPSA class also recognizes those positions which supervise day-to-day operations of a program unit or serve in an assistant capacity to a Director or Deputy Director.

We do recognize that there are positions within the classes that are not vested with managerial and/or administrative responsibilities and, instead, provide specialized support for administrators/managers to make decisions. As we discuss below, we are currently working on removing such roles from the classes. Based upon the Audit recommendation, we will also study the feasibility of amending the class specifications to remove the management and/or administrative support roles or amending the class specifications to better address the broad and varied legacy classes that the broad-banded classes encompass. Further, we continue to perform the same analysis on the other classifications as needed changes are identified.

Changes Needed to the PSA and SPSA Classifications

Initially, one of the appealing factors behind the broad-banded classifications was broadening of the pool of candidates from which hiring selections could be made. On April 24, 1997, veterans' preference became absolute via the Illinois Supreme Court's decision in Denton v. Civil Service Commission of the State of Illinois, 176 Ill.2d 144 (1997). This decision meant that absolutely no non-veterans could be hired from an open competitive eligible list when veterans (as defined in the Personnel Code and Rules) within the same grade category are eligible. With absolute veterans' preference, the need became evident to return to more occupational-specific titles to narrow the eligible lists to just those applicants possessing a requisite and more refined skill set. An example of the problems created by broad-banding and subsequent passage of absolute veterans' preference: A Fiscal Accountant and an Auditor are two distinctly different professions, requiring entirely different, though seemingly similar, skill sets. Yet, the candidate pools for both would utilize the same PSA, Option 2 eligible list. As a matter of fact, the PSA, Option 2 class encompasses many more fiscal and audit-related legacy classifications. A veteran candidate may receive an "A" grade on the broader, more general class specification requirements of PSA, Option 2 though not possess the desired position requirements of a particular vacancy. Absolute veterans' preference means that the agency may not bypass the veteran candidate in favor of the candidate possessing the requisite skill set. Establishing separate classifications to address the different occupations would yield eligible lists that contained veterans and non-veterans with the desired skill sets.

However, because of the extensive research and resources previously dedicated to establishing the broad-banding classifications, the need to return to more occupational-specific classifications has been slow to gain acceptance. It has only been in the past few years that efforts to split various disciplines and occupational-specific groups back out into their legacy classifications have been undertaken. Due to the increased unionization of these titles and the broad-banded salary ranges, these efforts are lengthy and quite involved, requiring extensive Classification Studies and complex union negotiations. The most notable and successful disbandment to date is that of the PSA, Option 5 (Conservation/Agriculture) classification which was split into 18 occupational-specific titles. CMS continues in this lengthy endeavor and recognizes changes to the Class Specifications for the PSA and SPSA will be necessary to properly characterize the type of work that will remain within these classifications.

CMS recognizes the PSA and SPSA class specifications specifically exclude positions subject to collective bargaining contracts. The class specifications have not been updated since October 1, 2002, and the increased unionization efforts began in the mid-2000s. These efforts include the petitioning of a large number of PSAs and SPSAs, many of which were ultimately certified into the union by the Illinois Labor Relations Board. When determining the union inclusion of particular positions, the Illinois Labor Relations Board relies significantly on testimony provided by the incumbent(s) and supervisor which can differ greatly from the official position description. (Note: See our more complete discussion of this issue in our response to Recommendation #5.) This has led to some inconsistencies in union inclusions/exclusions for seemingly identical or comparable positions as reflected on the official position descriptions.

A policy decision needs to be made as to whether to proceed with the lengthy process of performing a Class Study to assign a different classification(s) to the current union positions. Discussions remain on-going, and a decision is pending the outcome of the initiative to remove numerous positions from the union pursuant to passage of the Management Bill (SB 1556).

“Managerial” Role in Union-Covered Positions

As noted in the Audit, the Illinois Public Labor Relations Act definition of “Supervisor” is “an employee whose principal work is substantially different from that of his or her subordinate, and who has authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, to adjust their grievances or to effectively recommend any of those actions, if the exercise of that authority is not merely routine or clerical nature, but requires the consistent use of independent judgment.”

Including many of these titles in the union has precluded the performance of a few of the key functions listed in the definition of “supervisor” that was used, specifically imposing discipline and hearing grievances. From the survey conclusions, it appears that agencies, and even units within the various agencies, applied the definition of “supervisor” differently, considering whether the incumbent functioned as a line supervisor or a working supervisor without the ability to impose discipline and hear grievances. Still others may have disregarded the discipline and grievance provisions when considering whether an incumbent is a supervisor. Additionally, whether union or non-union, most personnel actions such as to hire, transfer, suspend, layoff, recall, promote, etc., are performed within a centralized personnel entity and not within the role of the supervisor of the position, though they may consult in the process. Again, CMS is uncertain whether the official position description was referenced during completion of this survey.

We agree with the Management Audit’s findings related to the need for a consistent definition of functions that a union supervisor may perform. CMS’ Labor Relations continues to work with the applicable bargaining units regarding the definition for the role of a union-covered supervisor, and we are hopeful that there will be some consistent language and application of such in the near future.

Another issue is that, due to budgetary constraints, many vacancies have not been filled. Application of the definition needs to include consideration of the number of current filled incumbents the position had reporting to it at the time as this can significantly impact the “principal work being substantially different.” Additionally, the length of tenure and experience levels of the subordinates as well as complexity of duties can affect the amount of supervision that is required. Again, the information used to complete this survey may not necessarily correspond with the information provided on the official position description with respect to duties or number of subordinates.

Recommendation Number 4:

Central Management Services should conduct research and planning regarding the total manpower needs of all offices as required by the Personnel Code (20 ILCS 415/9 (11)) or should obtain legislative relief from this mandate.

Response:

The Department accepts the recommendation of obtaining legislative relief from the mandate. Noncompliance with this provision of the Personnel Code was cited as an Immaterial Finding (IM09-12) in CMS’ 2009 Compliance Audit and subsequently as an Immaterial Finding (IM11-06) in the Compliance Audit ending June 30, 2011.

The Personnel Code (20 ILCS 415/9(11)) states it is the duty of the Director of the Department of Central Management Services, "To conduct research and planning regarding the total manpower needs of all offices, including the Lieutenant Governor, Secretary of State, State Treasurer, State Comptroller, State Superintendent of Education, and Attorney General, and all departments, agencies, boards, and commissions of the executive branch, except state-supported colleges and universities, and for that purpose to prescribe forms for the reporting of such personnel information as the department may request both for positions covered by this Act and for those exempt in whole or in part."

The Personnel Code does not define "manpower needs," and this is the only mention of it. In previous audit inquiries and discussions, it has been difficult to discern exactly what duties were required to be performed, especially with regards to the other constitutional offices for which CMS maintains no official oversight responsibility.

CMS' Bureau of Personnel is primarily charged with administering the Personnel Code for those positions under the jurisdiction of the Governor. In staff recollection going back as far as the mid-1970's, this mandate has never been performed for positions outside the jurisdiction of the Personnel Code, nor has there been staff or resources dedicated to accomplishing this mandate even for those positions under the Code. Although we recognize that we do not "determine" manpower needs, we do provide agencies under the jurisdiction of the Governor with data in the form of various reports that break down current manpower availability based on their staffing counts, structure and diversity.

For positions under the jurisdiction of the Personnel Code, CMS surveys the manpower population annually pursuant to various statutory requirements. Cited in the Management Audit are the Annual Flex Time Report (Public Act 87-0552), the State Hispanic Employment Plan (Public Act 94-0597), the State Asian-American Employment Plan (Public Act 97-0856) and the African American Employment Plan (Public Act 096-1341). (Note: The constitutional offices are also required to report on the various employment plans though this information is not mandated to be reported through CMS.) Also filed annually per Statute are the Bilingual Needs/Bilingual Pay Survey (Personnel Code 20 ILCS 415/9(6)), the Bilingual Pay Study per the State Services Assurance Act (Public Act 95-707), the Report on Merit Appointments to Positions (Personnel Code 20 ILCS 415/9(12)) and the Annual Report of the Supported Employment Program (5 ILCS 390/9(b)). Additionally, Executive Order 10-02 (April 2010) was issued which provided for a New Americans Immigrant Policy and created the Governor's Office of New Americans. The Governor's Office of New Americans is charged with identifying strategic partnerships with State agencies in an effort to implement best practices, policies and procedures and make recommendations for statewide policy and administrative changes.

In all of these reporting mechanisms, the information is self-reported by the agencies. Regarding determining manpower needs, such needs of the agency are defined by the agency as they are the best entities to assess their staffing needs consistent with their operational mandates and business requirements. CMS relies on the agencies' compliance with their governing statutes and rules; CMS does not interpret their rules nor tell an agency how it must organize to achieve compliance. As described below in greater detail, CMS ensures that the needs they have defined are performed by the appropriate classifications. Additionally, CMS does not have the staff and/or resources to audit the information reported by the agencies nor to create staffing plans and/or monitor such staffing plans to ensure they are being followed.

While we continue to perform the roles discussed below, we agree that this provision in the Code should be eliminated. CMS has made two attempts to delete this requirement from the Personnel Code:

- In Spring 2011, SB 2188 was introduced. The legislation passed the Senate and was assigned to the House. Prior to being heard in the House, the bill was amended and our language was removed. The necessary language never passed.
- In Spring 2012, Senate Bill 3222 was introduced. The legislative session adjourned Sine Die with no action taken.

CMS is in the process of trying to identify an appropriate legislative vehicle to include the requisite language in for consideration in the Spring 2013 session. CMS also continues to discuss the importance of removing this statutory requirement with members of the General Assembly and their staffs.

CMS Classification staff is primarily charged with approving the classification of staff based on the level and types of duties and/or responsibilities being performed as reflected on the CMS-104 and, in conjunction with this function, approves the organizational/staffing structure. CMS also works with the various agencies under the jurisdiction of the Governor on an on-going basis regarding their staffing and manpower needs as it relates to the number of positions that must be established and/or clarified to perform certain functions as dictated by the agencies and any applicable governing statutes and/or mandates. CMS does not dictate how many workers may be needed to achieve an agency objective; however, we do ensure they have the appropriate classifications of workers for the duties they have defined based upon a position's work roles which is the primary management tool utilized within CMS' Bureau of Personnel. We do not look at staff ratios unless specifically required by the class specification for Coded positions. We do look at span of control based on impact factors as defined in the Personnel Code including the Classification Plan, Partial Exemptions to the Code, Term Appointment Requirements, etc. Additionally, CMS does review positions for overlaps of authority in various day-to-day submissions of the Code agencies such as in layering of supervision, duplication of authority, etc. We would also identify overlaps in proposed restructurings and layoff plans. We would report our findings back to the agencies of submission and require that they clarify the work role to eliminate any overlap or duplication of managerial work roles. We do not perform 'desk audits' to ensure employees are doing what is on the CMS-104 and/or try to assess whether it is a necessary function for the agency.

The Personnel Code (20 ILCS 415/9(11)) is the only reference that directs CMS to somehow control or monitor employee staffing plans of other elected officials. CMS has no knowledge, nor vested control, of other constitutional officers' or entities' personnel codes, rules, collective bargaining agreements, policies or procedures. Without such knowledge and control, CMS would not be adequately capable of developing staffing plans or providing meaningful input into the management to staffing ratios or the manpower needs of these entities should an attempt to gather such information be made.

Auditor Comment 10:

In the OAG 2009 Compliance Audit of Central Management Services, the Department concurred and responded to the manpower planning immaterial finding (IM09-12):

“The Department will request the required information from the constitutional officers to ensure compliance with the Personnel Code. CMS will then study the findings to determine the practicality, feasibility and

Auditor Comment 10 (continued)

resources necessary to implement a statewide, comprehensive plan on an on-going basis which includes these previously excluded entities.”

When the finding was repeated in the OAG 2011 Compliance Audit of Central Management Services, the Department had changed its position and was attempting to pursue the removal of the requirement through legislation.

Recommendation #5:

The identified State agencies should assure all confidential assistants are not included in a collective bargaining unit or their confidential responsibilities as defined by the Public Labor Relations Act (5 ILCS 315/3) are transferred to non-union employees.

Response:

The Department of Central Management Services accepts the recommendation to “assure all confidential assistants are not included in a collective bargaining unit.” It would not be in the incumbent’s best interest to transfer the confidential responsibilities to non-union employees as it would require removing the very duties that necessitated the creation of the position, likely resulting in a layoff for the incumbent. Further, such action would do nothing to correct the Illinois Labor Relations Board’s approval of extending bargaining unit inclusion to employees responsible for such confidential duties, which CMS disputed.

CMS’ Labor Relations, in conjunction with the Governor’s Office and members of the Legislature, have worked through the legislative process for the past two years to address the increased unionization in upper management positions, including 4d(1) and 4d(3) positions. As a result, Senate Bill 1556 passed the House of Representatives on May 31, 2012, and the Senate on January 8, 2013. The bill was sent to the Governor on February 6, 2013, and awaits his signature. It is anticipated that Governor Quinn will sign this legislation into law.

The unionization in the State’s workforce has increased from 79.27% in 2003 to 95.59% currently, while workforce numbers have drastically declined due to retirements and budgetary constraints. These opposing trends have significantly hindered the State’s ability to govern and fill key roles with the most qualified individual for the position rather than the most senior according to union contract provisions.

Senate Bill 1556 further provides that the Governor may designate up to 1,900 positions under the jurisdiction of the Governor that have been certified in a bargaining unit on or after December 2, 2008, to be excluded from collective bargaining provisions. In preparation for the expected passage of this legislation, CMS’ Labor Relations has begun surveying the agencies to identify the priority order in which the agencies would like these positions excluded. The first priority are the Legislative Liaisons and 4d(1) and 4d(3) positions followed by higher-level personnel, budget, legal and other key managerial, supervisory, and/or programmatic positions as defined in the legislation. It is expected that the 4d(1) positions cited in the Management Audit will be excluded from collective bargaining through this exercise.

Central Management Services has been arguing the problem of increased unionization of managerial, supervisory and other key higher level positions in front of the Illinois Labor Relations Board (“ILRB”) for the past several years. The ILRB previously applied a very narrow interpretation of the Public Labor Relations Act exemptions for positions with confidential, supervisory and managerial responsibilities without any consideration of how their interpretation conflicted with the Personnel Code and Rules and the classification system created pursuant to them. Additionally, when considering petitions for union inclusion of particular positions, the ILRB relies significantly on testimony of the incumbents and their supervisors as to the duties that may satisfy the confidential, supervisory or managerial exemptions. Perhaps not surprisingly, this testimony can differ greatly from the duties set forth in the official position description. This approach conflicts with the standard in use by federal courts for considering the legal effect of a position’s duties. For example, in *Riley v. Blagojevich*, 425 F.3d 357 (7th Cir. 2005), the Court ruled in the State’s favor prior to discovery based on the duties and responsibilities set forth for the positions at issue in their official position descriptions. In addressing the harms that could result from a contrary approach, the Court stated, “Nor would it be sensible to give employees who are assigned policy duties an incentive to try to protect their jobs simply by not performing those duties.” *Id.*, at 361. These problematic rulings have caused several of our key management positions, including the 4d(1)s and 4d(3)s, to become covered by collective bargaining agreements. CMS continues to maintain that the threshold for these two exemptions established by the Personnel Code and monitored and enforced by the Civil Service Commission should preclude union inclusion from *ever* being found appropriate. In recent months, the ILRB and State Appellate Court have issued more favorable decisions regarding exclusion of key positions.

We were encouraged to see support for our position in this Management Audit with respect to the need to prevent 4d(1) positions from further union inclusion and remove the union inclusion provisions for those already included. We are hopeful that this Recommendation will assist in our on-going efforts to address these concerns with the Illinois Labor Relations Board.



Daniel Stralka
EXECUTIVE DIRECTOR

State of Illinois
CIVIL SERVICE COMMISSION
400 W. Monroe Street, Suite 306
Springfield, IL 62704-1801
PHONE (217) 782-7373
FAX (217) 524-3706
TTY (888) 261-2819
www.icsc.il.gov

(vacant)
CHAIRMAN

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Susan Moylan Krey

March 12, 2013

Mr. Ed Wittrock
Performance Audit Manager
Office of the Auditor General
740 East Ash
Springfield, Illinois 62703-3154

In Re: LAC141 Audit

Dear Mr. Wittrock:

The Civil Service Commission is in receipt of your transmittal dated February 16, 2013 which contained a "portion of your confidential draft report" of the above audit. As previously communicated to you, the Commission will not be requesting a formal exit conference. The following shall serve as the Commission's written response to the audit.

This audit was undertaken to review "management" positions. As provided to the Civil Service Commission, the audit proceeds to define what a "manager" is:

"Manager" is an individual who is engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of management policies and practices.

The audit further notes that this definition was from the Illinois Public Labor Relations Act.

The audit then references positions partially exempt from the Personnel Code pursuant to Section 4d(3). These are positions that "involve either principal administrative responsibility for the determination of policy or principal administrative responsibility for the way in which policies are carried out." Such positions can only be exempted by judgment of the Civil Service Commission upon recommendation by the Director of Central Management Services. The audit goes on to note that such partially exempt positions "should be managers or supervisors" based on the statutory description and because of "the involvement in policy as noted in our definition."

The Civil Service Commission is mostly in agreement with this sentiment. However, the Commission believes that there can be positions exempt pursuant to Section 4d(3) of the

Personnel Code that do not fall within the audit's definition of "manager." That is because the audit's definition of "manager" is limited to directing the "effectuation" of management policies. Referring to Section 4d(3), that is tantamount to positions that involve "principal administrative responsibility for the way in which policies are carried out." Section 4d(3) has additional exemption criteria, "determination of policy." The Commission has approved exemption requests for titles solely dedicated to this function, i.e. Senior Policy Advisor, Media Administrator, Strategic Planning Advisor, etc. Such positions may not have any management responsibilities as set forth in the audit definition since they participate in the *development* of policy but do not participate in the *effectuation* of policy.

This may also help explain why the audit identified 43 positions that the agencies indicated were not managers yet were exempt pursuant to Section 4d(3) of the Personnel Code. To ensure compliance with the provisions of the Personnel Code, the Civil Service Commission has obtained a list of these positions and will follow up with the agencies to verify that they still qualify for a principal policy exemption.

Finally, Recommendation Number 1 of the audit states as follows:

The Department of Central Management Services and the Civil Service Commission should assure 4D3 exemptions are approved appropriately in compliance with the Personnel Code (20 ILCS 415/4d(3)).

The Civil Service is in agreement that Section 4d(3) exemptions are to be approved appropriately in compliance with the Personnel Code. In fact, your June 2010 Management Audit of Exemptions Granted by the Civil Service Commission (HR140) found that for all 50 positions in your sample, the granting of the exemption was consistent with State law.

The Commission would like to thank you and your auditing team for preparing this report. Please advise if any additional assistance or information is needed.

Sincerely,



Daniel Stralka
Executive Director



Pat Quinn, Governor
Robert F. Flider, Director

Office of the Director

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/782-2172 • TDD 217/524-6858 • FAX 217/785-4505

March 14, 2013

Mr. Ed Wittrock, Performance Audit Manager
Office of the Auditor General
740 East Ash Street
Springfield, IL 62703

Re: Management Position Audit

Dear Mr. Wittrock:

Please be advised that the Agency concurs with your audit assessment. Any positions that are involved in confidential matters for the Director should be exempt from the bargaining unit.

Please let me know if you need any additional information.

Sincerely,

ILLINOIS DEPARTMENT OF AGRICULTURE

A handwritten signature in blue ink, appearing to read "Brent Eggleston".

Brent Eggleston
Bureau Chief of the Bureau of Human Resources

Encl.

March 14, 2013

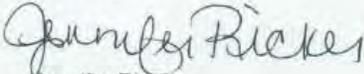
Ed Wittrock
Performance Audit Manager
Office of the Auditor General
740 East Ash
Springfield, IL 62703

RE: Management Audit

Dear Mr. Wittrock:

Your draft audit report in response to House Resolution 141 contained a recommendation that IEMA assure all confidential assistants are not included in a collective bargaining unit or that their confidential responsibilities are transferred to non-union employees. The position in question serves as the Director's confidential assistant. IEMA agrees and disputed the inclusion of this position into the union. Unfortunately, the Labor Board did not find in our favor and certified the position. Additionally, due to more than 90% of the agency's positions being included in the bargaining unit, as well as our difficult fiscal situation, there is no other position to transfer these confidential duties to that would not also be in the union. Please feel free to contact me at 217.524.4723 with any further questions or concerns.

Sincerely,


Jennifer Ricker
Chief of Staff





Illinois Department of Financial and Professional Regulation
Office of the Secretary

PAT QUINN
Governor

MANUEL FLORES
Acting Secretary

March 14, 2013

Ed Wittrock
Performance Manager
Office of the Auditor General
ILES Park Plaza
740 East Ash
Springfield, IL 62703

Mr. Wittrock:

Please allow this letter to serve as our written response to your management audit of our agency. As we discussed in our exit conference with you and your team on February 27, 2013, we concur with your finding related to one employee who was classified as a confidential employee and also in a union. It is our hope that this position will be removed from the union as a result of the management bill. Please let me know if you have any questions.

Sincerely,

Manuel Flores
Acting Secretary

