

## **Report on EAC meeting held on 1/10/2019 and 1/11/2019 held at The State Universities Civil Service System Office, Urbana, IL**

Following the call to order by Committee Chair, Jill Odom, and Roll Call by Committee Secretary, Mary Serio, installation of new and re-elected members was conducted. New members are: Shauna Bishop representing SIU School of Medicine and Jacqueline Pointer representing Chicago State University. Re-elected members were: Rick Marr representing Illinois State University and Peter Skrypkun representing Western Illinois University.

The minutes of the October 2018 EAC meeting were reviewed and approved with minor edits.

### **Report of the EAC Chair**

Chair Odom gave a report on the 11/29/18 Merit Board meeting. The next Merit Board meeting is scheduled for February 21, 2019 at 1:00 p.m. Chair Odom encouraged EAC members to attend.

### **Role of State Universities Civil Service Advisory Committee**

Chair Odom reminded EAC members that we serve as an advisory committee to the Merit Board. As EAC members, we should be reaching out to our Human Resource Director Advisory Committee representative and our Merit Board member in order to build and foster relationships.

### **Report of the Executive Committee**

The EAC Executive Committee conducted a first reading of proposed/recommended changes to the SUCSAC Constitution and Bylaws and discussion by the members followed. Proposed changes were approved by the EAC committee. Changes to the constitution and bylaws mainly include:

- removed "at" from all University of Illinois campuses;
- applied consistent font, spacing, and formatting (bold, italics, etc.) in headings;
- removed prior table of contents and blank pages and combined them into one table of contents;
- Added language allowing electronic elections (which had been a pilot, test program to date);
- Placed definitions in alphabetical order; and
- Added an addendum to the document that will track all changes made from here forward (allowing a historical trail of changes).

### **Report of the Legislative Committee**

Changes were made to the Illinois Wage Payment and Collection Act (820 ILCS 115/9.5) stating "all necessary expenditures or losses incurred by the employee within the employee's scope of employment and directly related to services performed for the employer" must be reimbursed to the employee by the employer. "Necessary expenditures" means all reasonable expenditures or losses required of the employee in the discharge of employment duties and that inure to the primary benefit of the employer.

### **Report of the Elections Committee**

The committee met via conference call on 12/12/18 and again prior to the EAC meeting. They are still seeking someone to serve as the EAC representative of the University of Illinois Chicago-Division of Specialized Care for Children (formerly held by Kim Kirchner who had to resign for personal reasons). No one expressed interest during the first election but a second election was planned for 1/11/19.

## **Representative Terms**

Research into terms of current EAC representatives was conducted to seek clarification/verification of terms to ensure accuracy as well as to ensure staggered terms of seated representatives.

Representatives whose terms are up for election at the end of 2019 are: Dan Urbanski (UIC), Jill Odom (UIUC), Chris Allen (UIUC) and John Hulseberg (NIU). If someone is elected at UIC-DSCC during its 2<sup>nd</sup> election, they will complete Kim Kirchner's term, serving only one year.

## **Officers and Committee Elections**

The EAC meeting was turned over to the system office to oversee elections for officers and committees for 2019:

Nominations and voting were held to determine who would serve as EAC Officers. Results are:

Jill Odom was re-elected as Chair  
Michael Pulley was re-elected as Vice Chair  
Mary Serio was re-elected as Secretary

Nominations and voting were held to determine who would serve as committee members:

### *Executive Committee:*

Michael Pulley – SIUE (automatically will serve as committee chair per bylaws)  
Chris Allen – UIUC (elected to serve as committee secretary)  
Bill Burnside – EIU  
John Hulseberg – NIU  
Sheryl Jones-Harper – Governor's State  
Rick Marr – ISU  
Peter Skrypkun – WIU

### *Legislative Committee:*

Peter Skrypkun – WIU (elected to serve as committee chair per bylaws)  
Dan Urbanski – UIC (elected to serve as committee secretary)  
Shari Garnett – SIUC  
Shauna Bishop – SIU SOM  
Chris Allen – UIUC

### *Elections Committee:*

Peter Skrypkun – WIU (elected to serve as chair)  
Chris Allen – UIUC (elected to serve as secretary)  
Jill Odom – UIUC (member as required by bylaws)  
Michael Pulley – SIUE (member as required by bylaws)  
Mary Serio – NEIU (member as required by bylaws)

### *EAC Parliamentarian:*

Peter Skrypkun – WIU

## **Report of the SUCSS Executive Director**

Mr. Brownfield announced that the Merit Board Chair Cole resigned from the Merit Board due to his being a state employee. According to the Merit Board bylaws you cannot serve on a Board of Trustees for a university if you work for the state. Cole works for DCFS. Chair Cole resigned following an investigation that determined he was ineligible to serve. Jill Smart, who was the Vice Chair, is now serving as Chair.

The Merit Board meeting scheduled in February 2019 will likely be postponed due to a lack of Merit Board members since there are so many vacant seats due to newly-elected Pritzker's non-reappointment of BOT members whose terms were expiring or non-approval of BOT members appointed under Governor Rauner's term but were never confirmed.

Mr. Brownfield announced that the Illinois Attorney General is forcing WIU's board of trustees to release minutes from its closed meetings due to violation of the open meetings act. There were audio recordings of this closed meeting that involved how many people they will need to lay off that are now public.

Mr. Brownfield expressed concern over a "white paper" that had gone out downgrading civil service employees for their lack of skills, diversity, etc – the white paper was trying to be used as a tool to justify not converting PAA positions to civil service. WIU is looking at layoffs. Fifty two of WIU's employees retired, 47 of which were civil service. A system office employee is putting together a report that documents PAA conversions beginning from 10/1/2018.

Mr. Brownfield stated that an amendment to the revised Civil Service Exemptions Procedures Manual that went into effective on 10/1/2018 was being recommended to the Merit Board. The revised manual/PAA procedures allow a University/agency to appeal to the Merit Board a decision made by the System Office if the employer believes that a position designated to be converted from PAA to civil service should remain PAA. It does not, however, provide specifics on what documentation/ elements the Merit Board should receive as part of the appeal. The changes would provide this clarification and is up to the Merit Board to determine what they want to see as part of the appeals process.

The system office is hoping to see a 10% increase to their FY20 budget. They are in the process of looking for legal counsel, an H.R. Associate and an H.R. Assistant.

Procedures on the hiring of grant-funded employees was discussed. At some University's, rather than hiring an employee who will be funded through a grant, they are hired off of the street (without taking exams) with the understanding they are only being employed for a set amount of time. Mr. Brownfield's concern is that they are seeing individuals being hired as extra help to work on grants. If the grant is ongoing, or is renewed, and the employee is just rehired as extra help over and over, thus denying this employee of their rights under the civil service system, as well as denying their rights to pay into SURS and obtain benefits. A pilot program is in place at UIC and these new procedures would put this pilot program into place permanently. The system office is proposing any civil service employee hired under a grant must be converted to a status employee after working for 24 months, in essence putting in a 24 month probationary period. EAC discussion took place about the pros and cons of such a procedure. Further discussion to occur at the April 2019 meeting.

Mr. Brownfield provided legal updates (with Attorney Dave DeThorne via conference call). A case where a University officer drew a weapon has gone to appellate court. The circuit court determined that the Merit Board's decision was correct and upheld the charges. The officer has been discharged. The case involving the last-chance agreement is outside of the system office and Merit Board. It now resides with the course system. The employee has now filed suit against the Merit Board and their University. They completed a hearing in Rockford and have two hearings scheduled.

The system office is in the process of merging all the clerk classification series with the office support classification series. All employees will maintain their respective seniority within their new classifications.

## **Guest Speaker**

Larry Curtis from the SURS Office spoke to the committee. Mr. Curtis provided a history of SURS indicating it is a corporation created by the State of Illinois to control pensions. The state, then, does not control pensions, SURS does. The state does, however, pass statutes that SURS must follow. The State of Illinois has been fully-funding SURS for the past 4-5 years. The State is behind on pension payments by roughly \$1 billion.

The actuarial tables under the Tier I Money Purchase Formula are changing as of July 1, 2019. This means a reduction in annuity for anyone retiring under this formula. SURS estimates it takes, on average, about 6-7 months for Tier I members to recover that loss.

Mr. Curtis discussed the two voluntary buyouts that had been passed by the Illinois legislature and will go into effect July 1, 2019. Both of these buyouts were designed and passed as part of the FY2019 budget in the hope to ease the state's pension liability. Mr. Curtis suggested these buyouts may not be in the best interest of its members. These buyouts\* are:

1. Vested Inactive Buyout – For SURS members deemed to be eligible (certain criteria must be met), the member can elect to receive a total lump-sum buyout instead of any pension benefit otherwise payable from SURS. The buyout will be calculated based on the members' earliest eligible retirement date and will be equal to 60% of the present value of the total pension benefit. If the buyout is taken, the SURS member is giving up their right to future SURS benefits, including lifetime monthly retirement benefits, death benefits and survivor benefits.
2. Tier I Automatic Annual Increase (AAI) Buyout – For SURS members deemed to be eligible (certain criteria must be met), the member may elect at the time of their retirement (if retiring between 7/1/2019 – 6/30/2024) an optional lump-sum buyout payment in exchange for a permanently reduced and delayed AAI. The election is irrevocable. If taken, the lump-sum payment is equal to 70% of the difference between the present value of a 3% compounded AAI and the present value of a 1.5 percent non-compounded and delayed AAI. The reduced and delayed AAI will also apply to survivor benefits that may be payable upon the member's death.

Mr. Curtis indicated SURS was hoping to start an optional supplemental plan as of 1/1/2020. It would be a SURS-sponsored plan; a 403b where members could pay additional money (above the current contribution rate of 8%) into the SURS system.

\*Note: The above buy-out summary is provided for informational purposes only and is based on my understanding of the comments made. For actual/accurate details, please go to the SURS website at: <https://surs.org/optional-buyout-programs> or contact SURS by calling 217-378-8800.

## **Additional Report of the SUCSS Executive Director**

Mr. Brownfield explained the important of the Civil Service statute. Without it, University's would fall under CMS and their hiring practices, which are far worse.

Further discussion took place about grant-funded positions. If the EAC decides to pursue, there would need to be a legislative sponsor who would be willing to support it. If it passes the legislature, it would need to go to the Joint Committee on Administrative Rules (JCAR) process.

The Governance Risk & Compliance Audit process is being temporarily suspended due to system office staff needing to focus on civil service classifications due to the new PAA procedures.

## **EAC 2019 Meeting Schedule**

April 17 & 18 meeting is scheduled for ISU. This is typically a joint meeting with the EAC and the H.R. Directors Advisory Committee. Since the 2018 joint meeting was strained and there was a lack of interest by the HRDAC members to have a joint meeting for 2019, the April 2018 EAC meeting will be a standard meeting, not a joint meeting.

July 18 & 19 – NIU

October 16 & 17 – UIC

October 18 (Council of Councils)

Respectfully submitted,

*Shari Garnett*