

# STATE UNIVERSITIES CIVIL SERVICE SYSTEM

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**Lewis T. (Tom) Morelock**  
*Executive Director*

June 16, 2010

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President/Chief Executive Officer  
Illinois Community College Board

Ms. Ellen Andres  
Interim Director of Human Services  
Designated Employer Representative  
Illinois Community College Board

Mrs. Joanne E. Maitland  
Merit Board Chair  
State Universities Civil Service System

The State Universities Civil Service System respectfully submits the Final Audit Report of the Biennial Institutional Compliance Audit conducted at the Illinois Community College Board Office. The audit period tested was July 1, 2007 through July 31, 2009. This report is intended to communicate the final material findings, recommendations and corresponding institutional responses formulated through a comprehensive human resource compliance and operational audit.

On behalf of the audit staff, we thank the Illinois Community College Board Office and their human resource staff for a very productive audit experience. If there are any questions or a personal briefing on any item is desired, please call Lucinda M. Neitzel (217) 278-3150 ext. 239.

Lewis T. (Tom) Morelock  
Executive Director

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# Illinois Community College Board Final Audit Report

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## State Universities Civil Service System Compliance Audit

June 16, 2010

Audit Period

July 1, 2007 to July 31, 2009

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Prepared by:

A handwritten signature in blue ink that reads "Lucinda M. Neitzel".

Lucinda M. Neitzel  
Audit and Advisory Services Manager

**Illinois Community College Board**  
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**Introduction**

**PURPOSE**

The State Universities Civil Service System was created as a separate entity of the State of Illinois and is under the control of the University Civil Service Merit Board as set forth in Section 36b(3) of the State Universities Civil Service Act (Act) ([110 ILCS 70/36b\(3\)](#)). The purpose of the State Universities Civil Service System is to establish a sound program of personnel administration for its constituent employers (110 ILCS 70/36b(2)). To achieve this purpose, the Merit Board has been given a broad range of statutory powers and duties, which include the power to make rules to carry out the purpose of the State Universities Civil Service System and to appoint an Executive Director to administer the Act (110 ILCS 70/36d(11) and (12)).

As part of its statutory power, the Merit Board has promulgated rules that delegate to the Executive Director the authority and responsibility for conducting “ongoing audit programs of all Civil Service operations at all places of employment for the purpose of assuring compliance with the [Act (110 ILCS 70/36b et seq.)] and [Part 250 of the Illinois Administrative Code (Code) ([80 Ill. Adm. Code 250](#))] and for improving the programs of personnel administration of its constituent employers” ([80 Ill. Adm. Code §250.140\(c\)](#)).

This report communicates the final outcome of a comprehensive human resource operational audit, which included an on-site evaluation that was conducted November 17, 2009. An Exit conference was conducted on April 28, 2010 and provided an opportunity for the Employer to discuss both the Material and Non-material findings contained in the initial Draft Audit Report. Upon completion of the exit conference and submission of the Institutional Corrective Action Plan, a Final Audit Report (Material Findings only) is sent to the Employer, and a Supplemental Report (Non-material Findings) is sent to the campus/agency Human Resource Office for internal use.

**OVERVIEW**

The following Human Resource activities were reviewed and utilized in identifying the Material (Final Audit Report) and Non-material Findings (Supplemental Report):

- **Assignment of Positions to Classes**

The Auditor completes a review of selected job descriptions for timely updates, proper administration, and correct assignment of position classifications. Additional desk audits of selected positions are conducted onsite for appropriateness of position classifications. There is also an evaluation of the Employer’s position audit process and corresponding determinations.



- **Compensation Programs**

The Auditor completes an analysis of the Employer's use of pay rates and pay ranges, as approved by the Merit Board. An overall evaluation is then conducted of the Employer's compensation program and initiatives to meet requirements of pay equity within the Employer's market area.

- **Examination Program**

The Auditor conducts a review of pre-employment testing operations. This includes test administration, admission procedures of applicants to examinations, license and certification verifications, scheduling, security, and register management.

- **Administration of Employment and Separation Procedures**

The Auditor reviews the Employer's business processes and procedures related to the employment cycle, including pre-employment activities, probationary and status employment, and employment separation programs. There is also an assessment of the Employer's utilization and monitoring of non-status appointments.

- **Administration and Employment Protocols of Principal Administrative Appointments (PAA)**

The Auditor completes a review of the employment protocols and assigned responsibilities for Principal Administrative Appointments. This review is conducted to assure compliance with recognized exemption authorization procedures. The Employer's exemption forms and related position descriptions are reviewed and selected incumbent interviews are conducted for validation of approved exemptions. The audit process also includes a review of the Employer's administrative procedures related to these appointments and their approved exemption status.

- **General Review of the Employer's Human Resource Program**

The Auditor completes a general review of the Employer's human resource programs with respect to effectiveness, efficiency and levels of communication to constituencies. There is also an assessment of the recognition and interaction of human resource programs within the Employer's faculty, administrative and support staff employee groups. The impact of new technology on the recordkeeping and processing of information is also an element for review.

- **Other Follow-up Items from Previous Audit**

Other follow-up items from previous audits, as well as other matters deemed necessary and appropriate, may have been reviewed and submitted as additional audit topics.

The following staff members from the System Office, Audit and Advisory Services Division, were directly responsible for conducting various aspects of the audit:

[Lucinda Neitzel, Audit and Advisory Services Manager](#)

[Jeff Brownfield, Assistant Director](#)

[Paula Mitchell, Human Resource Assistant](#)

**Illinois Community College Board**  
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**Executive Summary**  
**YEAR ENDED--FY2010**

The compliance testing performed during this examination was conducted in accordance with State Universities Civil Service Act ([110 ILCS 70/36b et seq.](#)), Part 250 of the Illinois Administrative Code (Code) ([80 Ill. Adm. Code 250](#)), [State Universities Civil Service Procedures Manuals](#), applicable University/agency policies/procedures, and auditing standards.

**SUMMARY OF MATERIAL FINDINGS**

<b><u>Number of</u></b>	<b><u>This Report</u></b>
Findings	2
Repeated findings from previous audit®	2®

**SCHEDULE OF MATERIAL FINDINGS**

<b><u>Item Number</u></b>	<b><u>Page</u></b>	<b><u>Description</u></b>
ICCB FY10-01	4	FINDINGS (STATE UNIVERSITIES CIVIL SERVICE ACT) Failure to Comply with FY2008 Audit Requirements Regarding Exemption Authorization Applied to Positions That Match Civil Service Classification Specifications
ICCB FY10-02	8	Exemption Authorization Applied to Positions That Match Civil Service Classification Specifications



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**Material Findings, Recommendations, Institutional Corrective Action Plans**  
**and Additional Auditor Comments**

**ICCB FY10-01** Failure to Comply with FY2008 Audit Requirements Regarding Exemption Authorization Applied to Positions That Match Civil Service Classification Specifications

**Criteria/Standards (i.e., what should exist):**

- 1) [State Universities Civil Service Act \(Act\), Section 36\(e\)](#)
- 2) [Illinois Administrative Code \(Code\), Section 250.30\(a\) Coverage](#)
- 3) [Exemption Procedures Manual, Section 1.1 Overview](#)
- 4) [Exemption Procedures Manual, Section 6.3 System Office Review](#)
- 5) [Exemption Procedures Manual, Section 8.2 Changing an Exempt Position to a Civil Service Position](#)

These guidelines provide that all positions are Civil Service, except as categorically outlined. Exemptions are allowed in accordance with procedures, requiring either documented exemption approval from the System Office or verification of exemption authorization through the position descriptions when general titles are used. Accordingly, a periodic review and update of position descriptions are required to confirm that these exemption authorizations remain valid.

Periodic job description review and update procedures may indicate that a position originally identified as a Principal Administrative Appointment (PAA) may have incorrectly been classified or may have changed to the point whereby a department now must convert this position, and any employee currently occupying these positions, to an identified and appropriate Civil Service classification.

In this respect, biennial compliance audits of University System employers will include, but not be limited to:

- Comprehensive review of position descriptions
- Compliance with statutory and procedural criteria for exemptions
- Adequacy and thoroughness of related employment procedures
- Adequacy of internal review and approval processes
- Thoroughness and accuracy of quarterly reporting requirements
- Any other associated special interest items

When it has been determined and established that the job responsibilities and duties of a position do not meet the criteria for a PAA exemption under section 36e(3), the Employer may be required to change the position from an exempt appointment to an appropriate Civil Service appointment in a recognized classification.

**Conditions/Facts (i.e., what actually exists):**

Through a review of approximately thirty-five (35) position descriptions, including on-site interviews with various exempted employees, it was determined that five (5) exempted positions, listed below were performing duties matching the specifications for various Civil Service classifications. These positions were cited in the FY2008 compliance audit, were vacated since that audit, and new employees hired into these positions with virtually no change to the position description to validate appropriate exemption from civil service. These positions are listed below, with the corresponding civil service classification match.

Position Title	Current Incumbent	Hire Date	Recommended Civil Service Classification(s)	FY2008 Previous Incumbent(s) Cited
Associate Director for Adult Education and Family Literacy - Program Support	Nakashima, Anna	7/1/2007	Administrative Assistant Series, Program Administrative Assistant, or Business/Administrative Associate	Alongi, Kelly Brooks, Jay
Associate Director for Adult Education and Family Literacy - Program Support	Miller, Jennifer	4/1/2008	Administrative Assistant Series, Program Administrative Assistant, or Business/Administrative Associate	Alongi, Kelly Brooks, Jay
Executive Assistant to the President/CEO	Ray, Allison	5/15/2008	Administrative Assistant Series, Executive Secretary/Assistant, or Administrative Aide	Chandler, Ann
Assistant Director for Career and Technical Education	Chandler, Ann	12/1/2008	Administrative Assistant Series or Administrative Aide	Morelock, Kristy
Associate Director for Adult Education and Family Literacy - Program Support	Greer, Ben	12/16/2008	Administrative Assistant Series, Program Administrative Assistant, or Business/Administrative Associate	Alongi, Kelly Brooks, Jay

**Cause (i.e., why deficient condition occurred):**

The Employer failed to evaluate these positions upon vacancy to determine proper classification and exemption from civil service. These position descriptions were virtually identical to those reviewed during the FY2008 audit in terms of job duties and scope; with only minor differences noted in terms of position location and reporting line. Based on the FY2008 audit recommendations from the System Office, it was expected that the Employer, at a minimum, would transition these positions to civil service when they became vacant and prior to the employment of any other applicant.

The Employer's response to the FY2008 audit regarding this topic was that they have used the Standard Titles since they were implemented and that prior to that time, the Employer requested exemption approval for the specific positions cited. In addition, the Employer's response included an understanding that classification specifications must take precedence over the use of exemptions; however, the Standard Titles were created years ago based on Civil Service rules on position exemptions.



The justification used by the Employer in response to the FY2008 compliance audit finding related to this topic does not provide a foundation for exemption from Civil Service, and is simply not within recognized standards and formal guidelines. This repeat violation appears to indicate an ongoing misunderstanding of the appropriate application of exemption standards that were outlined in the previous audit.

**Effect (i.e., impact of the problem):**

A failure to establish appropriate classification plan management protocols that properly update, analyze and evaluate position descriptions leads to unauthorized exemption authorizations, utilization of inappropriate employment protocols, and non-compliance with the Act, Code and Procedures. Consequently, positions are improperly identified and appropriate Civil Service protocols circumvented, significantly increasing the possibility of employment issues and ultimately resulting in repeat findings regarding this topic.

**Finding from Previous Audit:**

The Auditor identified various 36e(3) positions that appeared to be performing duties and responsibilities comparable to those found in Civil Service classification(s) in both the FY2008 and FY2006 compliance audits. [*Finding Code ICCB08-02, pages 5-6 and FY2006, pages 7-9*].

**Recommendation:**

The Exemption Procedures Manual provides Employers with the tools necessary to properly distinguish positions and further outlines the criterion required for exemption from Civil Service guidelines. These procedures were developed and implemented in collaboration with constituency groups system-wide, and approved by the Merit Board to ensure compliance with the Act and Code.

In accordance with the statutory intent and basic premise contained in [Section 36\(e\)](#) of the Act and these procedures, the assignment of positions to Civil Service classifications when the position description matches appropriate classification specifications must take precedence over the use of exemptions through utilizing standard titles.

The Employer is reminded that when authority was delegated to each Employer to designate positions as exempt, (which included the introduction of the Standard Titles) formal approval from the System Office by virtue of submitting the PAPE was eliminated. A triennial position description review was instituted for all principal administrative appointment exemptions, including a review of the position upon vacancy. If at any point the position duties were found to meet the criteria of a civil service classification, the position was to be converted to such designation. Therefore, indicating 'previous exemption approval' from the System Office, which may be decades old, is a very inaccurate interpretation and not a business practice that is condoned or recognized. This justification does not provide a foundation for exemption.

We recommend that the Employer complete an in-depth review of the position descriptions for the positions listed above to further determine if they meet the specifications of the recommended Civil Service classifications. If it is determined that these positions match the specifications of the recommended Civil Service classifications, they should be transitioned to a Civil Service appointment immediately, or at the next employment contract renewal date if

applicable. We refer the Employer to the [Exemption Procedures Manual, Section 8.2, Changing an Exempt Position to a Civil Service Position](#) for guidance in transitioning these positions to appropriate civil service appointments.

The Employer may also utilize the Pilot Program classification designations and transition the positions to be reviewed to one of these classifications if appropriate. These [Pilot Program](#) classifications utilize more flexible employment protocols and would offer a more transparent transition.

**Institutional Corrective Action Plan—provided by Ellen M. Andres, Interim Director of Human Services**

The ICCB agrees with evidence supporting the finding and/or findings and agrees with the recommendation.

In our meeting with SUCSS on June 9, SUCSS agreed to assist the ICCB with position classifications. At this time, we do not have enough staff available to take on this change without the guidance from SUCSS. In order to make the necessary classification changes to existing exempt titles, the ICCB will have to make substantial changes to our Employee Guidebook specifically defining and creating FLSA exempt and non-exempt rules. All changes to the Employee Guidebook must be approved by the Illinois Community College Board and submitted to the ICCB Employees Union, Local 6348 IFT/AFT, AFL-CIO Collective Bargaining Unit.

The ICCB is requesting the assistance of SUCSS to review and classify all exempt and non-exempt position titles, not just the titles cited in the audit. We feel that all titles must be reviewed for a uniform classification system agency-wide. Without the professional guidance of SUCSS, we do not believe that we will be able to effectively implement the recommendations of the material findings.

**Additional Auditor Comments:**

The System Office confirms its commitment to provide assistance to the Illinois Community College Board in its efforts to ensure that the positions noted in this finding are properly classified and compliance is achieved with respect to the State Universities Civil Service Act and Illinois Administrative Code. The Audit and Advisory Division staff will coordinate activities with the agency to comprehensively review their positions, establish a time frame for possible transition, and develop a plan for communicating this to agency employees, as suggested in the ICCB response.



**Illinois Community College Board**  
**Final Audit Report**

**Material Findings, Recommendations, Institutional Corrective Action Plans**  
**and Additional Auditor Comments**

**ICCB FY10-02** Exemption Authorization Applied to Positions That Match Civil Service Classification Specifications

**Criteria/Standards (i.e., what should exist):**

- 1) [State Universities Civil Service Act \(Act\), Section 36\(e\)](#)
- 2) [Illinois Administrative Code \(Code\), Section 250.30\(a\) Coverage](#)
- 3) [Exemption Procedures Manual, Section 1.1 Overview](#)
- 4) [Exemption Procedures Manual, Section 6.3 System Office Review](#)
- 5) [Exemption Procedures Manual, Section 8.2 Changing an Exempt Position to a Civil Service Position](#)

These guidelines provide that all positions are Civil Service, except as categorically outlined. Exemptions are allowed in accordance with procedures, requiring either documented exemption approval from the System Office or verification of exemption authorization through the position descriptions when general titles are used. Accordingly, a periodic review and update of position descriptions are required to confirm that these exemption authorizations remain valid.

Periodic job description review and update procedures may indicate that a position originally identified as a Principal Administrative Appointment (PAA) may have incorrectly been classified or may have changed to the point whereby a department now must convert this position, and any employee currently occupying these positions, to an identified and appropriate Civil Service classification.

In this respect, biennial compliance audits of University System employers will include, but not be limited to:

- Comprehensive review of position descriptions
- Compliance with statutory and procedural criteria for exemptions
- Adequacy and thoroughness of related employment procedures
- Adequacy of internal review and approval processes
- Thoroughness and accuracy of quarterly reporting requirements
- Any other associated special interest items

When it has been determined and established that the job responsibilities and duties of a position do not meet the criteria for a PAA exemption under section 36e(3), the Employer may be required to change the position from an exempt appointment to an appropriate Civil Service appointment in a recognized classification.



**Conditions/Facts (i.e., what actually exists):**

Through a review of approximately thirty-five (35) position descriptions, including on-site interviews with various exempted employees, it was determined that five (5) exempted positions, listed below were performing duties matching the specifications for various Civil Service classifications. These positions are listed below, with the corresponding civil service classification match.

<b>Employee</b>	<b>PAA Title</b>	<b>Civil Service Classification Match</b>
Becker, Liz	Assistant Director for Finance and Operations	Budget Analyst Series, Accountant Series, Business/Administrative Associate, or Accounting Technician Series
Harmon, Amanda	Associate Director for Financial Compliance and Program Accountability	Budget Analyst Series, Program Administrative Assistant, Administrative Assistant Series, Business/Administrative Associate, or Administrative Aide
Aguiar, Nelson	Associate Director for Adult Education and Family Literacy ESL and Immigrant Issues	Administrative Assistant Series, Program Administrative Assistant, Program Services Specialist, or Community Affairs Specialist Series (May Request Specialty Factor)
Baker, David	Associate Director for Adult Education Staff Development Training and Marketing	Training and Development Specialist Series, Program Coordinator Series, or Program Administrative Assistant
Smith, Tisha	Associate Director for Program Compliance	Program Administrative Assistant or Program Coordinator Series

**Cause (i.e., why deficient condition occurred):**

According to the Employer, 'standard' titles approved for use by the System Office were applied to the majority of the exempted positions.

**Effect (i.e., impact of the problem):**

A failure to establish appropriate classification plan management protocols that properly update, analyze and evaluate position descriptions leads to unauthorized exemption authorizations, utilization of inappropriate employment protocols, and non-compliance with the Act, Code and Procedures. Consequently, positions are improperly identified and appropriate Civil Service protocols circumvented, significantly increasing the possibility of employment issues.

**Finding from Previous Audit:**

The Auditor identified various 36e(3) positions that appeared to be performing duties and responsibilities comparable to those found in Civil Service classification(s) in both the FY2008 and FY2006 compliance audits. [*Finding Code ICCB08-02, pages 5-6 and FY2006, pages 7-9*].

**Recommendation:**

In accordance with the statutory intent and basic premise contained in [Section 36\(e\)](#) of the Act and other related procedures, the assignment of positions to Civil Service classifications when the position description matches appropriate classification specifications must take precedence over the use of exemptions through utilizing general titles.

We recommend that the Employer complete an in-depth review of the position descriptions for the positions listed above to further determine if they meet the specifications of the recommended Civil Service classifications. If it is determined that these positions match the specifications of the recommended Civil Service classifications, they should be transitioned to a Civil Service appointment as soon as possible, but no later than at such time that these positions become vacant. It is strongly recommended that these positions be moved immediately, or at the next employment contract renewal date if applicable. We refer the Employer to the [Exemption Procedures Manual, Section 8.2. Changing an Exempt Position to a Civil Service Position](#) for guidance in transitioning these positions to appropriate civil service appointments.

The Employer may also utilize the Pilot Program classification designations and transition the positions to be reviewed to one of these classifications if appropriate. These [Pilot Program](#) classifications utilize more flexible employment protocols and would offer a more transparent transition.

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SUCSS, we do not believe that we will be able to effectively implement the recommendations of the material findings.

**Additional Auditor Comments:**

The System Office confirms its commitment to provide assistance to the Illinois Community College Board in its efforts to ensure that the positions noted in this finding are properly classified and compliance is achieved with respect to the State Universities Civil Service Act and Illinois Administrative Code. The Audit and Advisory Division staff will coordinate activities with the agency to comprehensively review their positions, establish a time frame for possible transition, and develop a plan for communicating this to agency employees, as suggested in the ICCB response.