



State of Illinois
Department of Central Management Services

CMS PERSONNEL COMPLIANCE SEMI-ANNUAL REPORT

August 1, 2022 - January 31, 2023



Compliance Office
Bureau of Personnel
Central Management Services

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Executive Summary

“We reverse the district court’s denial of the motion to vacate and in its expansion of the special master’s duties and REMAND with instructions to VACATE the 1972 consent decree as it applies to the Governor of Illinois.” From these words on Aug 5, 2022 the start of the post-Shakman era began. The Chief Compliance Officer for Central Management Services (CMS) and team will ensure that compliance is the underpinning of Personnel as we take part in hiring reform initiatives to ensure efficient and effective hiring. We endeavor to keep State agencies abreast of the compliance aspects of the Governor’s Comprehensive Employment Plan (CEP) and other governing documents for personnel actions. Agencies continue to learn and compliantly execute hiring sequences.

For the six months preceding this semi-annual report, the CMS Compliance Office completed 3,424 compliance reviews for queries from 43 separate State agencies, boards, and commissions. For this report, Compliance Queries increased by 10% from the previous report. The Compliance Office conducted six live training sessions for several hundred state employees on CEP topics; it is worth noting the topics were selected by analyzing data for observations and trends. The Compliance Office also conducted three in-person visits to state agencies to develop positive customer relations as well as to further understanding of the CEP, other governing documents, and the hiring process. The CMS Training Coordinator created an updated version of Interviewer Certification training that commenced in January 2023. The Training Coordinator also created a new training certification for state-wide Human Resource staff on Relationship Disclosures and Conflict of Interest, helping to reduce redundant actions while ensuring compliance with the CEP.

The Compliance Office in conjunction with the CMS Bureau of Personnel’s Statewide Program and Process Development Advisor developed a SharePoint site for all customers to use as the primary means of submitting queries. Testing began with 3 agencies (DHS, DoC, and DoT) in December 2022 and was completed in January 2023. Customer feedback throughout the testing period was key in ensuring the new process was successful and by the end of this reporting period, the site was ready for use by all agencies, boards, and commissions.

Enterprise Strategy Activities - Compliance

- **Deliver Continuous Professional Development for CMS Employees**
 - Maintain daily open communication with employees, discuss unique compliance queries as teaching points. Conduct periodic trainings on compliance topics and trends.
- **Assess, Develop and Deliver Compliance Training for Outside Agencies**
 - Completed 6 CEP refresher training sessions with statewide HR personnel. Used data and trends to select topics.
 - The Chief Compliance Officer (CCO) personally communicated with HR Directors and other senior HR staff, nearly daily, to provide coaching on Compliance issues.
- **Improve CMS Workplace Culture towards Continuous Improvement and Respect**
 - Maintain a “Speak Up” culture in Compliance that is respectful of opinions and adds to compliance process improvements. An example of this is, during bypass request discussions, assigning a team member to “champion” the candidate’s position.
- **Utilize Modern Data Practices to Improve Program Evaluation**
 - Completed creation and testing of a SharePoint site to use of the primary intake method for Compliance Queries.
- **Improve Customer Value and Reduce Waste in All Key CMS Processes**
 - Eliminated compliance approval situations due to data showing a lack of a trend or the existence of redundant checks with other sections of the Bureau of Personnel (BoP).
 - Conducted 3 in-person customer service visits to agencies (IDOT, DCFS, Agriculture) to get to know our customers and provide additional training.

Compliance Office – Training

The Compliance Office completed the responsibility for establishing, implementing, and updating the State’s training program to educate State employees with the principles in the CEP and to equip them with the necessary tools for consistent and transparent operation of the State’s personnel functions, by completing the following events.

CEP Refresher Training Completed

- August 31, 2022 – Interview Scoring Tool Observations
- September 28 , 2022 – Best Practices
- November 2, 2022 – Conflicts of Interest
- November 30 , 2022 – Deviation Requests
- December 7, 2022 – Compliance Review Process
- January 23, 2023 – Compliance SharePoint Site Overview

Agency In-Person Training

- August 10, 2022 – Dept. of Transportation
- October 27, 2022 – Dept. of Children & Family Services
- January 18, 2023 – Dept. of Agriculture

Compliance Training Projects Complete

- Conducted Annual Training Reviews on currently published training
- Created and published 2023 Interviewer Certification Training and Report
- Created and published 2023 HR Staff RDCOI Certification Training and Report
- Created training evaluation process for on-demand and instructor led training
- Published Monthly CEP Follow-Up Training
- Coordinated with HRT, Classifications, and Transactions to draft the Hiring Process Training Manual Version 2

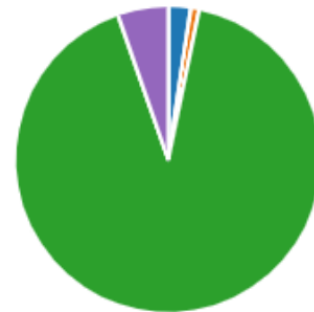
Compliance Office – Training

The Training Coordinator (now the CMS BoP Chief Learning Officer), created surveys and placed them at the end of training events to gather feedback. To date we have received 307 responses. Below are examples of the charts.

Select the training title completed below.

[More Details](#)

	CEP Follow-Up: Live Session	8
	CEP Follow-Up: On-Demand	3
	CMS Interviewer Certification Tr...	309
	Conviction Record Protection	0
	Relationship Disclosure & Confli...	18



Do you prefer to have live or on-demand training?

[More Details](#)

	Live	38
	On-Demand	144



From this feedback, the Compliance Office has begun recording training events prior to a live presentation. The focus will be on in-person targeted training to lessen or eliminate negative trends across the services provided by the CMS Bureau of Personnel.

Compliance Reports

Quarterly PSC Report – a listing of all PSCs for all agencies, whether under the jurisdiction of the Governor or not, in the quarter. 3rd and 4th QTRs CY22 completed.

Quarterly PSC Audit – results of the audit made on a sample of PSCs selected from the quarterly report. 3QTR CY 22 completed, 4QTR CY22 in progress.

Quarterly Temporary Assignments (TA) Report – a listing of all TAs that exceed 60 days. 3QTR CY 22 completed, 4QTR CY22 in progress.

Quarterly Temporary Assignments Audit Report - results of the audit of a sample of TAs, focusing on those that have lasted more than 120 days, to ensure that a valid justification supports the TA. 3QTR CY 22 completed.

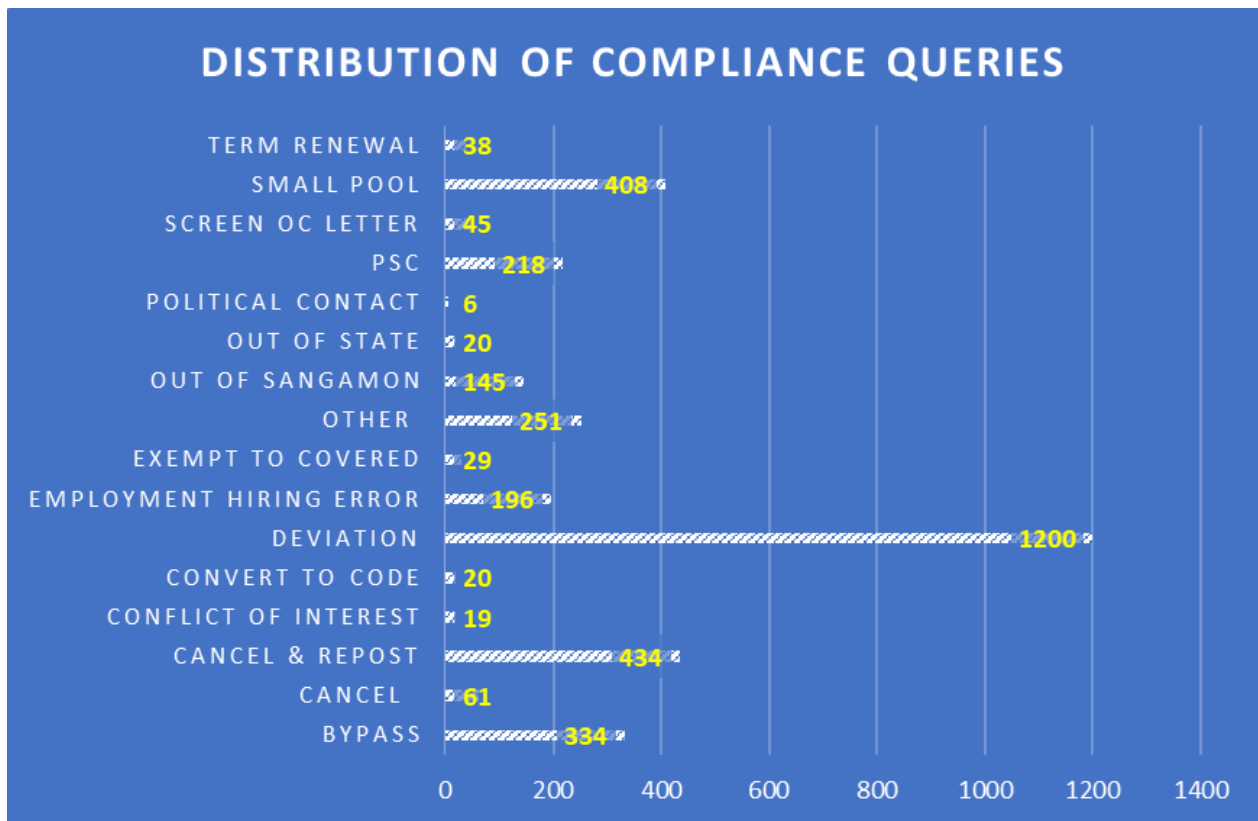
Quarterly Interim Assignments (IA) Report – a listing of all IAs that exceed 60 days. 3QTR CY 22 completed, 4QTR CY22 in progress.

Quarterly Interim Assignments Audit Report - results of the audit of a sample of IAs, focusing on those that have lasted more than 120 days – to ensure that a valid justification supports the IA. 3QTR CY 22 completed.

Quarterly Report to OEIG HEM – a listing of all deviations from pre- established hiring plans, potential conflicts of interest forwarded to the Compliance Office from Agency Personnel Officers, and all reviews of hiring sequences for non-Exempt positions where the selected candidate was employed in an Exempt Position immediately prior to being selected. 3rd and 4th QTRs CY22 completed.

Semi-Annual Compliance Report – a publicly posted report that details the activities of the Personnel Compliance office.

Compliance Review Audit Activity

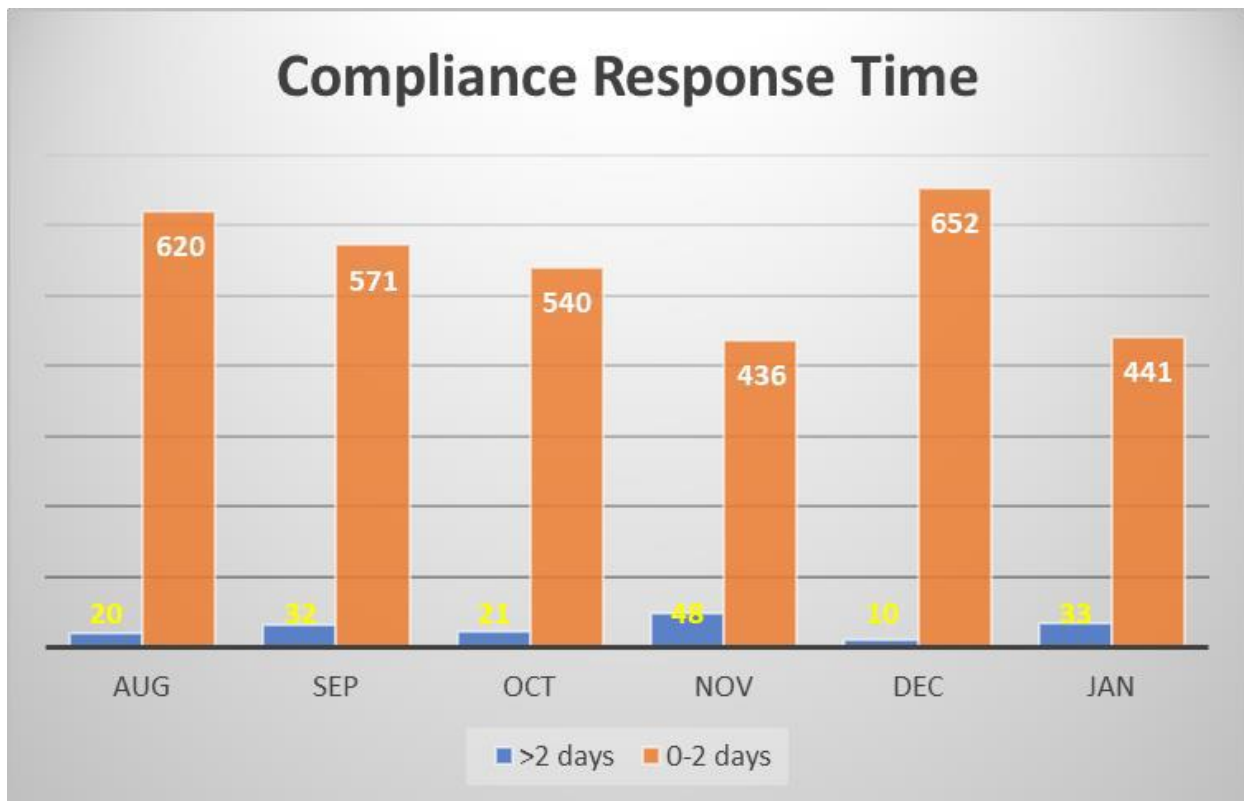


Deviations from the original hiring plan account for over 35% (1200) of total compliance queries. Changes to the hiring process as well as staff turnover are likely causes. Cancel & repost requests had a large increase (12.68% of total), mostly due to cancellations of legacy sequences in order to repost using SuccessFactors. Small pool requests are still numerous, accounting for nearly 12% of the total (403) but are trending downward due to the greater numbers of applicants with SuccessFactors hiring sequences. Personal Service Contracts (PSCs) that are either new, extension, or renewal requests increased from the same time period last year (118 to 218). Additional analysis of PSCs is on pgs. 13-14. Bypass requests stayed about the same from the previous period with DHS submitting over 43% of the total (144 of 334). Of the 144, 52% (75) were bypass requests for Mental Health Technician Trainee positions. The number of queries in the “Other” category (7.33% of total requests) increased from 200 to 251. This upward trend shows agency willingness to communicate with the Compliance Team on a variety of topics.

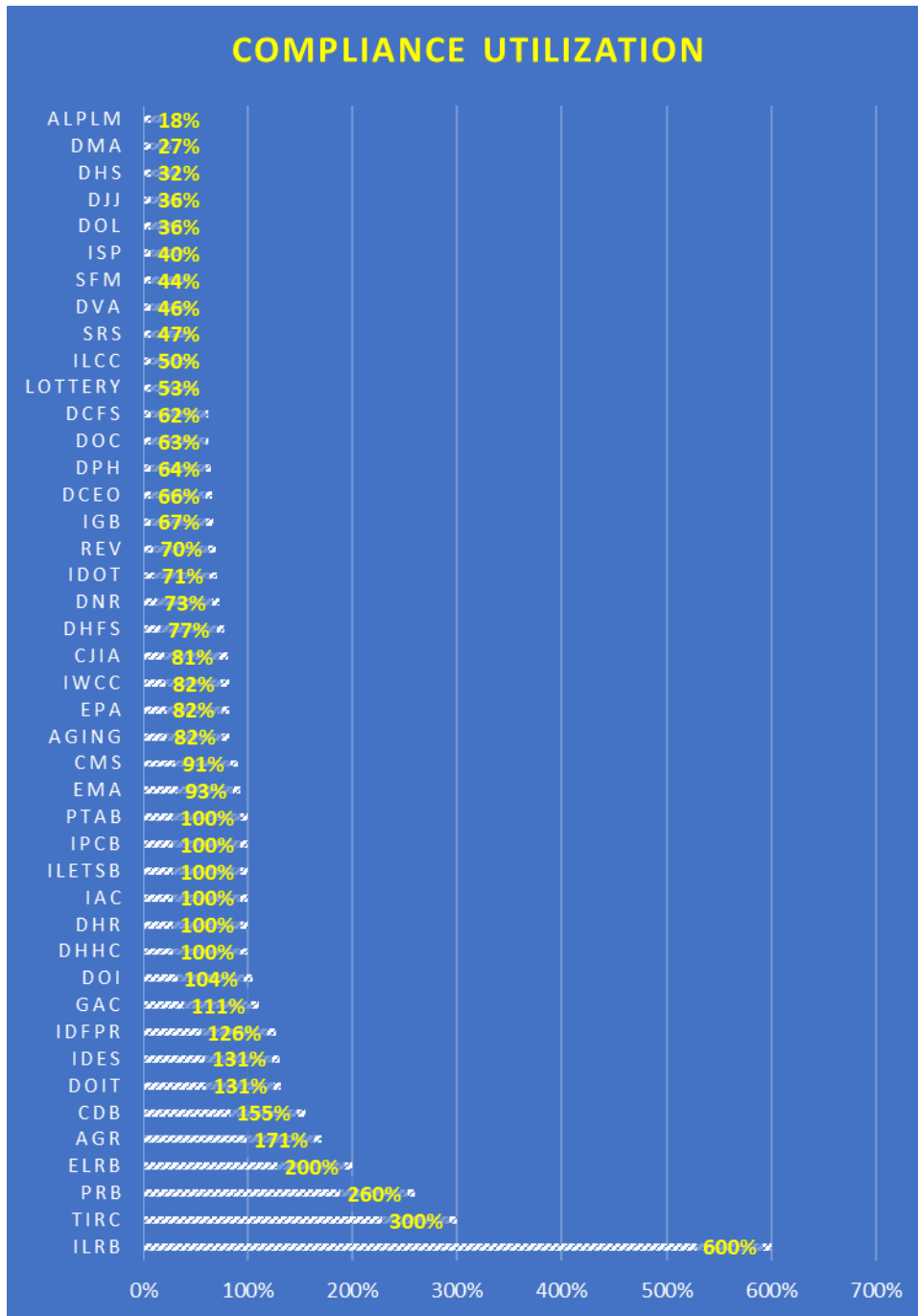
Compliance Review Audit Activity

Timely Responses/Customer Service

Outstanding customer service has always been a goal for the Compliance Team and has become a part of our reputation. The Compliance Office works efficiently and effectively to deliver timely, accurate, and actionable replies to organizations. The goal is to provide a same day response, or at the latest, the next day. What occasionally slows a response are referrals outside of Compliance, gathering more data from agencies, or taking time to properly analyze a difficult situation. For this reporting period compliance replied the same day or the next day more than 95% of the time, while overall queries increased, and the team decreased by 1 x Compliance Officer. The Compliance Office continues to receive messages from agencies thanking us for the quick turnaround on their queries. Our latest customer service initiative is implementation of the Compliance SharePoint site, discussed on pgs. 18-22.

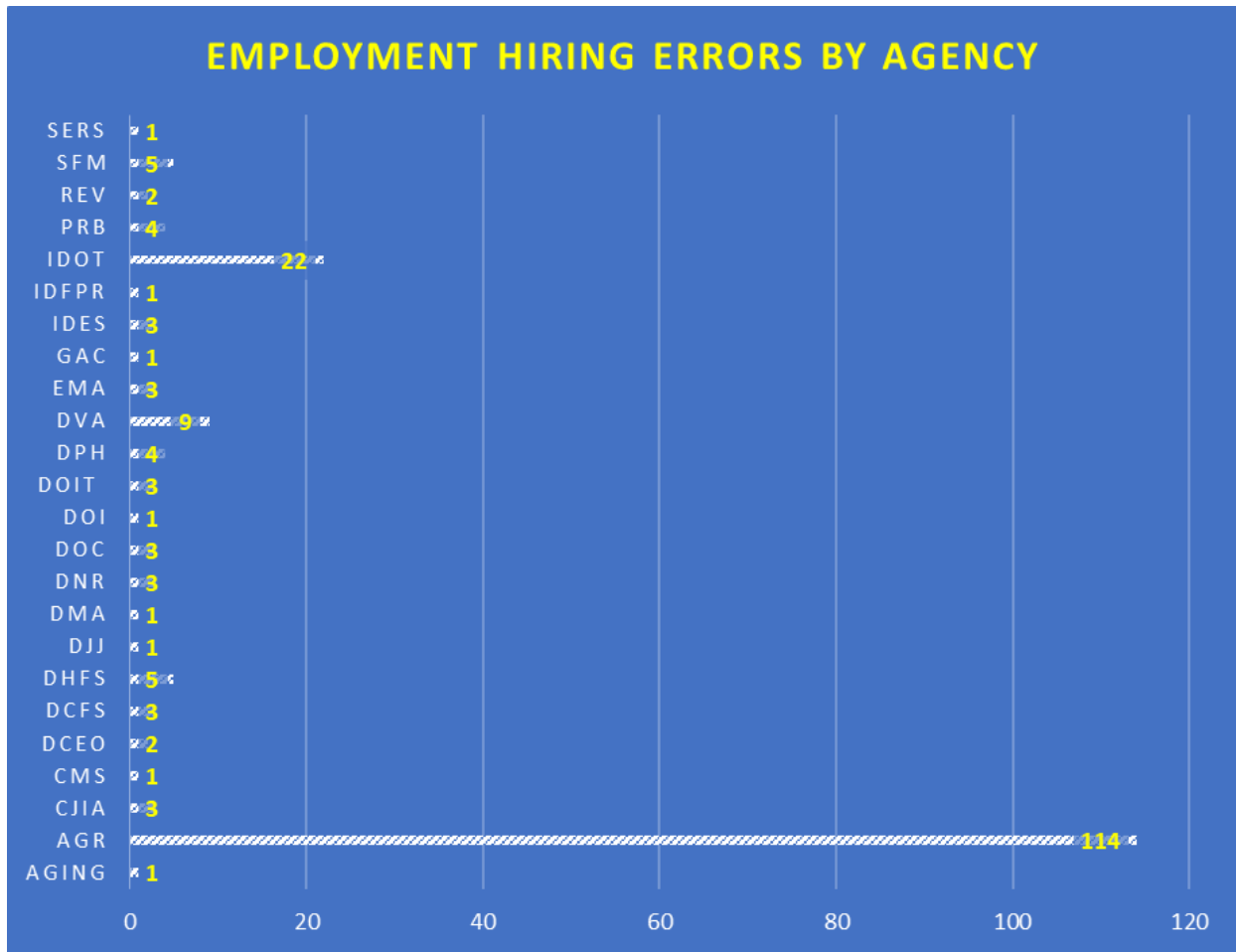


Compliance Review Audit Activity



This metric is a computation of the total number of requisitions divided by the total number of compliance queries. We use this metric as part of our targeting method for additional training. In the case of DCFS, who had a 17% Compliance Utilization rate for the previous report, the training worked, resulting in a 45% increase in Compliance Utilization. The HR staff were not aware how to properly apply some requirements prior to the training.

Compliance Review Audit Activity

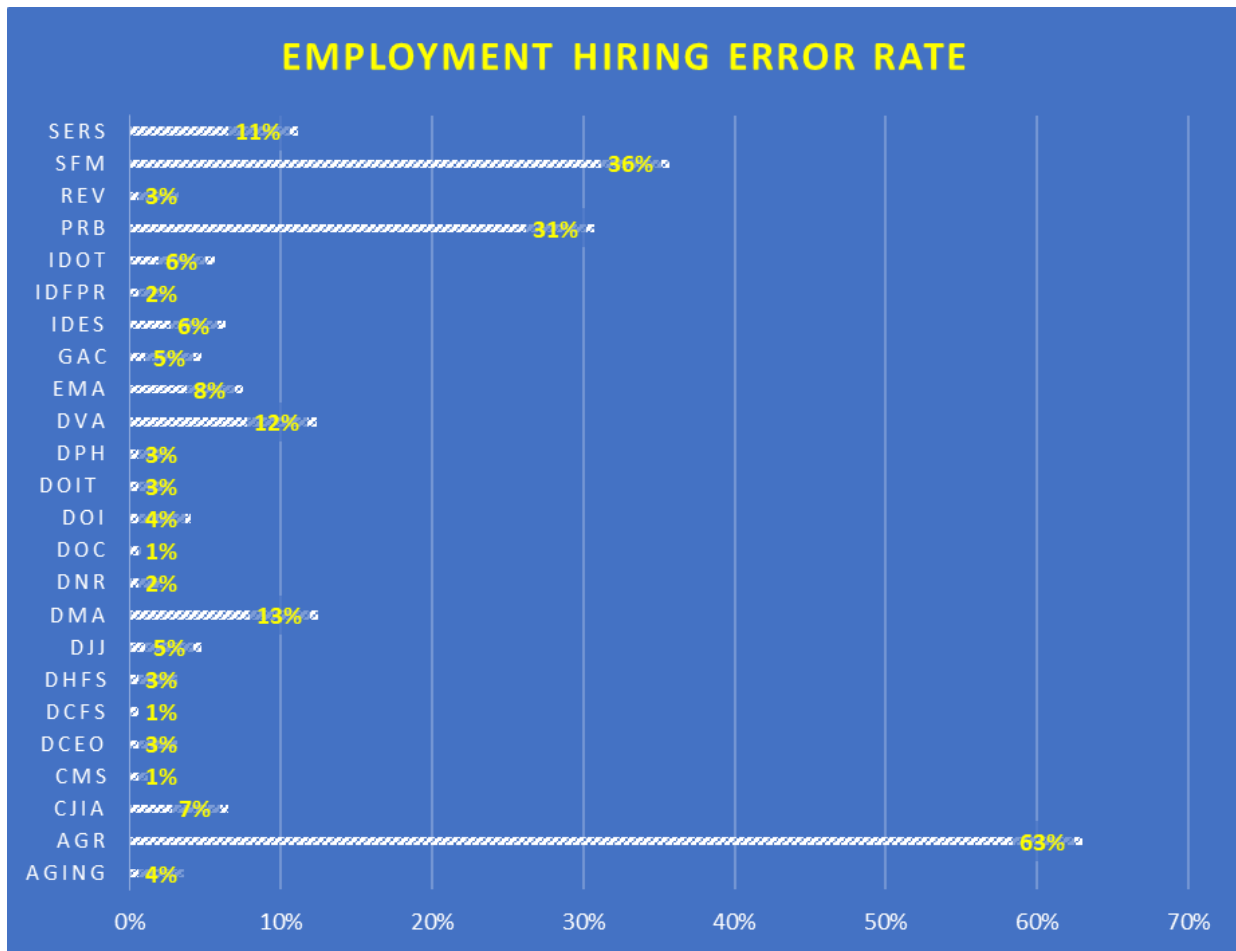


196 Employment Hiring Errors (EHE) occurred, a large increase from the previous report (79). The increase was due to multiple agencies violating CEP ¶49, failing to receive pre-offer approval from CMS. Compliance reviews were conducted on all with no material findings.

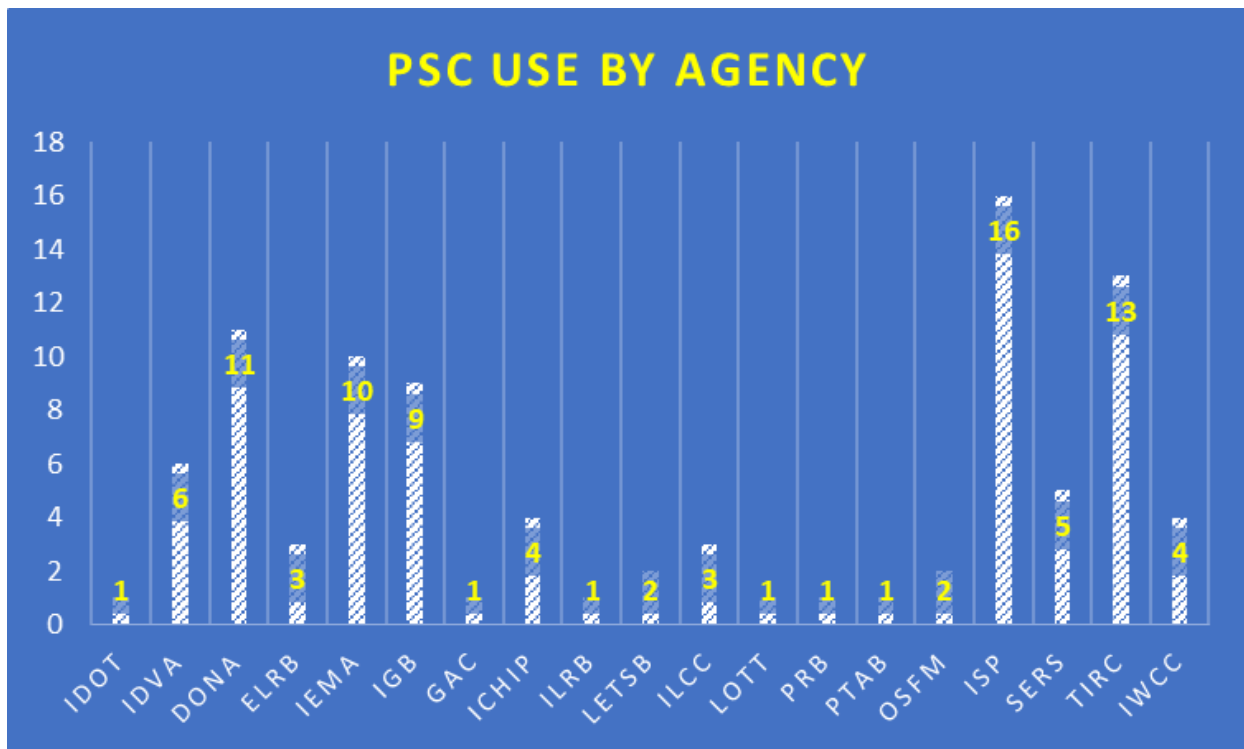
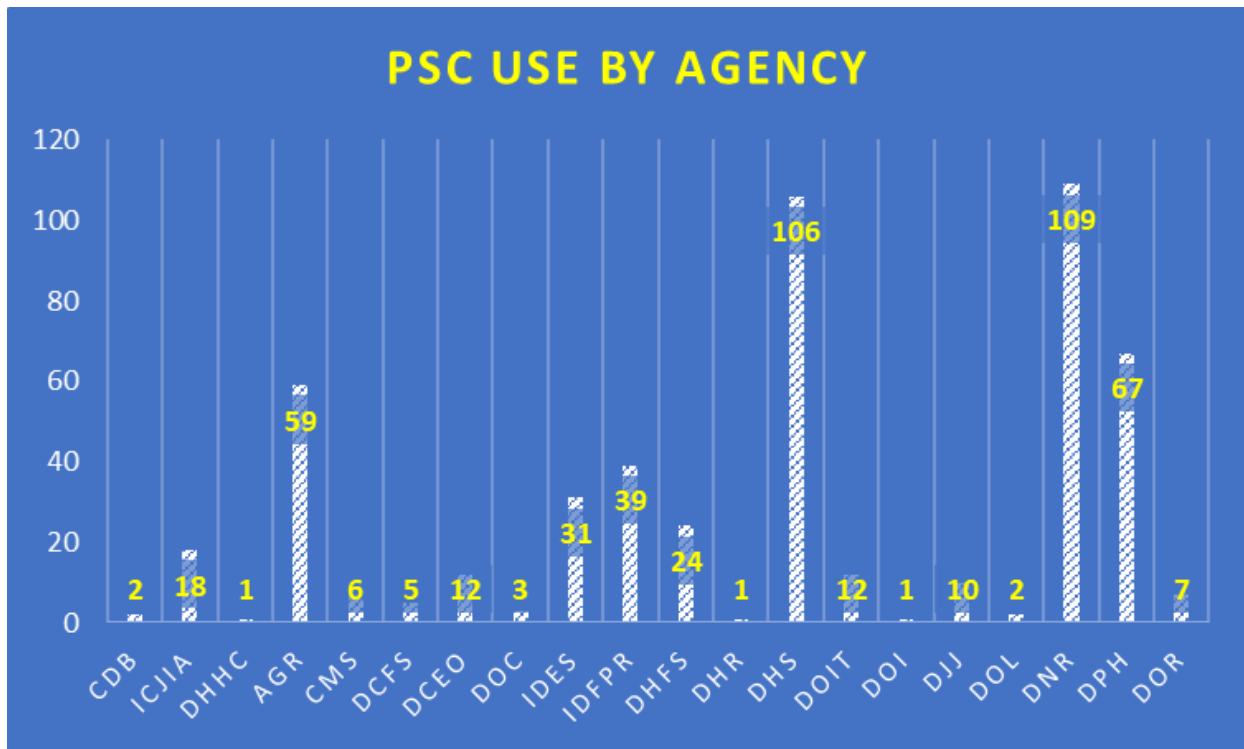
Category	Details	# Violations
CEP ¶ 49	No pre-offer approval	136
CEP ¶ 33	Small pool request submitted late	30
CEP ¶ 35	Relationship Disclosure and Conflict of Interest forms completed late	8
Personnel Code sect. 8b.3	Failed to request eligible list	5
CEP ¶ 36	Interviewer not certified	3
CEP ¶ 29	Incorrect posting period	1
CEP ¶ 41	Cancellation not requested	1
Personnel Code sect. 8b.7	Veterans preference violation	1
Executive Order 18-12	Failed to offer to eligible out of state candidate	1

Compliance Review Audit Activity

The EHE rate is the number of EHEs committed by an agency divided by the total number of hiring sequences. DHS, who by a large margin had the most hiring sequences during the reporting period (1,735) had no EHEs. This is an indicator of leadership and staff exercising compliance with the CEP, Personnel Code/Rules, and other policies and governing documents. Additional compliance training was provided to the Dept. of Agriculture HR staff in January 2023 to counter the large spike in EHEs.




Compliance Review Audit Activity



Compliance Review Audit Activity

Personal Service Contracts (PSC)

By The Numbers



609
Personal Service Contracts
- End of 4th QTR CY22

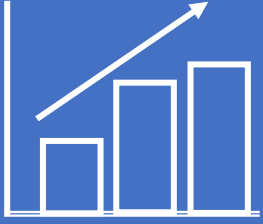


374 – no previous state employment
235 – previous state employment

20 - Exempt
589 - Non-Exempt



40 *PSC use is increasing*
agencies utilize PSCs
CY22



Quarter	Count
1 st QTR	511
2 nd QTR	562
3 rd QTR	602
4 th QTR	609


24 

Disapproved PSCs

4th QTR CY22

218 requests for PSCs

- Newly established PSCs
- PSC extensions
- PSC renewals



Political Discrimination

Instances of political discrimination, or allegations thereof, are also required to be reported on a semi-annual basis. The CEP provides a comprehensive definition of political discrimination.

Any positive or negative employment action based on Political Reasons or Factors involving an Applicant, Candidate or State employee applying for, being considered for or holding a non-exempt position.

There were no reports of Political Discrimination during this report period. This is one of the facts that speaks to the stability of the State's, and by extension, the Governor's reform measures.



Political Contacts

CMS also provides notice of reports of political contacts. The CEP provides a detailed definition of political contacts required to be reported.

Any contact, whether in person, in writing, by telephone, by facsimile, by e-mail, or any other means from any elected or appointed official of any political party or any agent acting on behalf of an elected or appointed official or political party, attempting to affect any hiring or employment action for any Non-Exempt Position. Any unsolicited contact (i.e. contact not solicited by the agency to verify employment or check references) related to a Non-Exempt Position directed to any personnel involved in an employment action is considered a Political Contact.

During this reporting period, CMS Personnel Compliance received 6 reports of political contacts related to hiring sequences via the Political Contact SharePoint page.

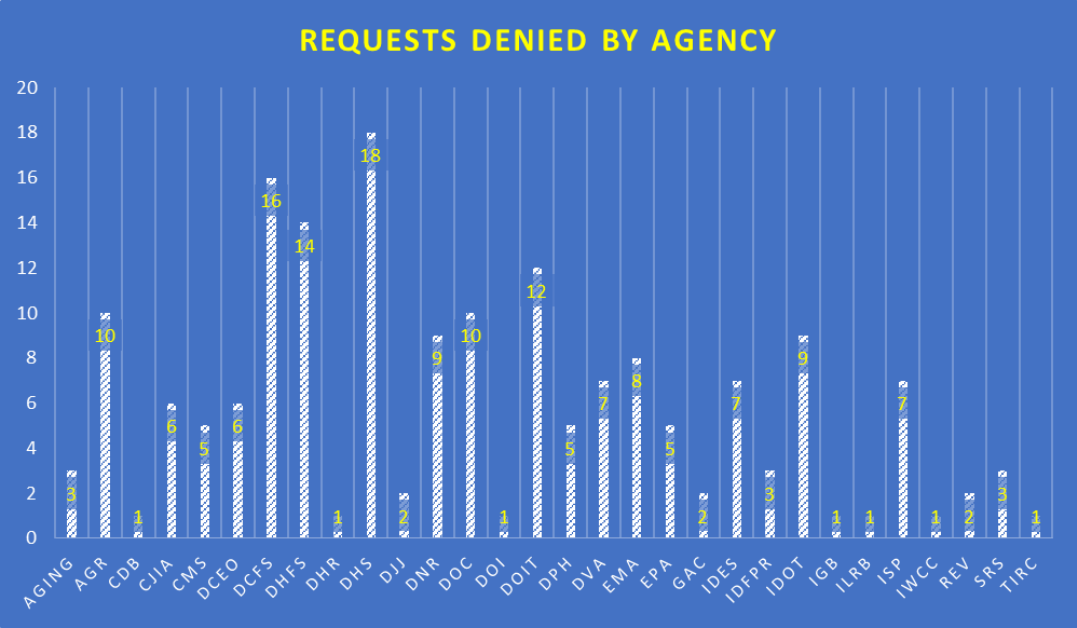
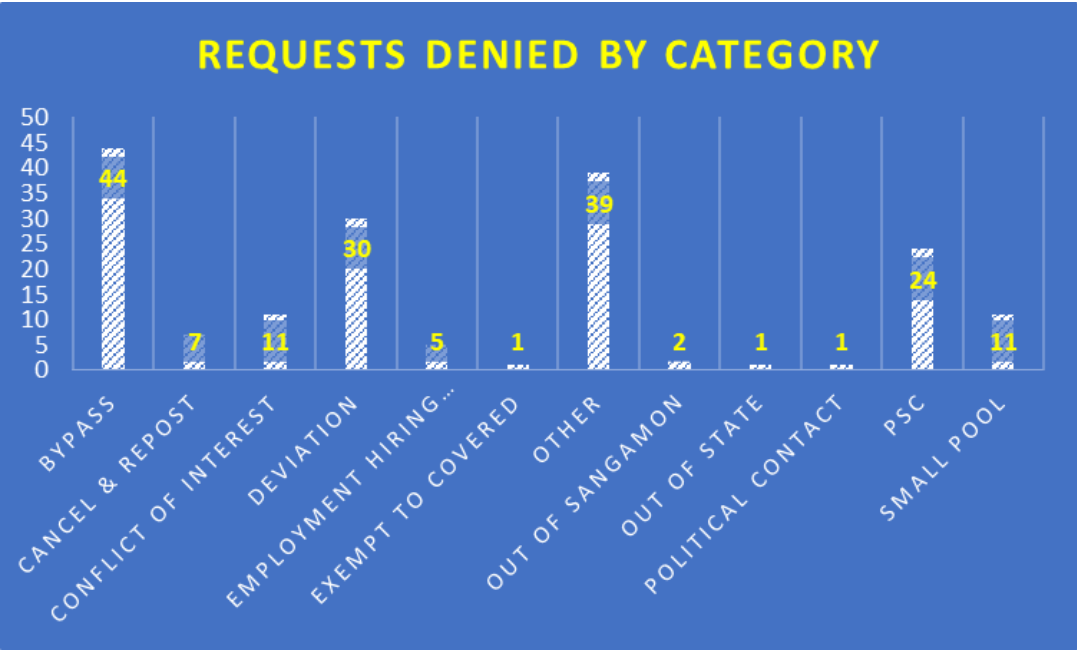
IDOT – 4 | DVA – 1 | DPH - 1

1. A staff employee inquired about seasonal hiring on behalf of a constituent.
2. An applicant reported to an elected official that their application had been erroneously denied.
3. An elected official inquired about a seasonal employee whose employment was terminated
4. A staff employee inquired about an employee who had not yet received a reply on a transfer request.
5. A staff employee inquired about a job application on behalf of a constituent.
6. An appointed official disclosed that a former colleague had sent an email after the former colleague interviewed for a position at the agency headed by the appointed official.

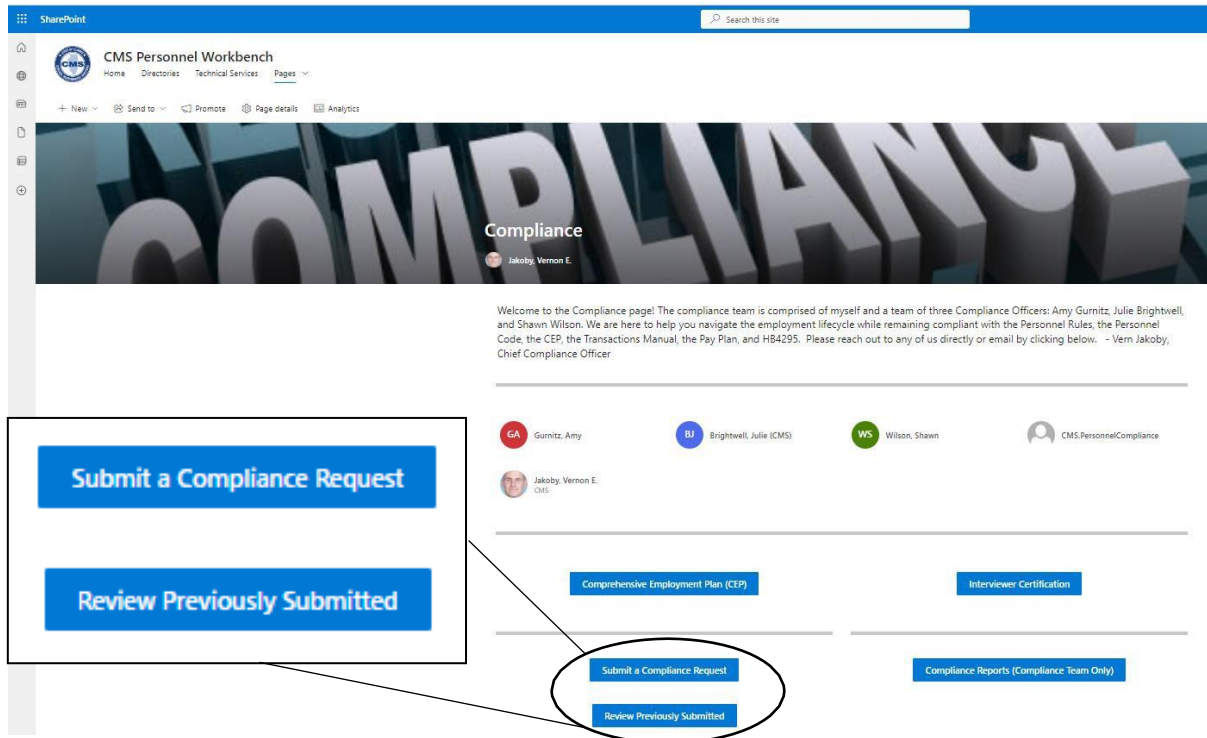
Review of these hiring sequences did not reveal evidence that the contacts had any impact on the outcome of the hiring decision.

Remedial and Corrective Actions

The Personnel Compliance Office worked with agencies to reach compliant solutions to the hiring challenges they face 94.86% of the time. The partnership between the agencies and Compliance throughout the last six months resulted in Compliance denying an agency request 176 times, or 5.14%, of the 3,424 total queries. Denials are part of the targeting process for identifying additional training opportunities. The Compliance Team uses these queries to teach and train what comprises an approvable query.



Compliance SharePoint Site



The concept of using a case management system to provide better analytical capability and eliminate manual data crunching was developed by the Chief Compliance Officer in 2020. Finally, this vision has become reality. The Compliance SharePoint Site was created through the summer and fall of 2022 with testing beginning in Dec 2022. DHS, IDOT, and DOC all participated in the test phase, submitting 124 compliance queries as well as valuable feedback.

In Jan 2023, the Chief Compliance Officer completed 2 live demonstrations for state Human Resources staff in preparation for state-wide use. On Feb 1, 2023, the Compliance SharePoint Site went live for all agencies to use as the primary method of submitting compliance queries.

The entire Compliance Team is excited about this new capability, and we have received several messages from agency HR staff with positive statements about the site. We continue to gather feedback and implement changes, with the help of the Bureau of Personnel's Statewide Program and Process Development Advisor, Ms. Valerie Cowen. We cannot thank Valerie enough for her hard work and ingenuity. Without her effort, this site would still be nothing but a vision.

Compliance SharePoint Site



Compliance


Please select the type of request from the list at the right to begin the request process.

- Additional hires from a sequence
- Bypass
- Cancel or Cancel/Repost
- CEP P49 Violation
- Deviation from Hiring Plan
- Employment Hiring Error
- Exempt to Covered
- IDOT convert to Code
- Out of Sangamon County Posting
- Out of State hire
- OC Screen request
- Personal Services Contract
- RDCOI Review
- Small Pool
- Small Pool - after the fact
- Term renewal
- Other

After clicking the "Submit a Compliance Request" button, personnel arrive at this landing page and choose a category for their query.

Compliance SharePoint Site


Compliance Request - New



Deviation from Hiring Plan Request

Agency Find items	* Query Type Find items
Requisition Number	Deviation Type Find items
Posting Start Date 12/31/2001	Posting End Date 12/31/2001
Additional Email	Additional Email 2
Additional Email 3	Additional Email 4

tr Apps | Compliance Request - New




Deviation from Hiring Plan Request

Reason for Request

Attachments



There is nothing attached.

 Attach file


The agency completes the information, attaches files, and clicks “submit”.


Compliance SharePoint Site

Collaboration

 **Additional Hires from a Sequence**  [Submit Update](#)

Compliance Officer Notes

Current Status: 

Second Level Review Status: 

Second Level Review Notes

Compliance Questions

Agency Responses

Compliance Internal Notes

Compliance Notes (Final) to Agency

The Compliance Officers can send queries to the Chief Compliance Officer for a second level review. The Compliance Officers can also submit questions to the agency and receive responses before submitting the final answer to the agency.

Compliance SharePoint Site

Compliance Reports are customizable by using the date slider. 10 types of reports are currently available, and the Compliance Team is developing more ideas.

Compliance - Distribution by Type

Date Created: 11/30/2022 to 1/31/2023

Agency	Additional Hires from a Sequence
Corrections, Department of (29)	2
Human Services, Department of (10)	4
Transportation, Department of (23)	5
Total	11

Agency	Bypass
Corrections, Department of (29)	7
Human Services, Department of (10)	28
Transportation, Department of (23)	2
Total	37

Agency	Cancel or Cancel/Repost
Corrections, Department of (29)	3
Human Services, Department of (10)	4
Transportation, Department of (23)	12
Total	19

Agency	CEP 49 Violation
Transportation, Department of (23)	7
Total	7

Agency	Deviation from Hiring Plan
Corrections, Department of (29)	2
Human Services, Department of (10)	1
Transportation, Department of (23)	5
Total	8

Agency	Employment Hiring Error
Transportation, Department of (23)	1
Total	1

Agency	Exempt to Covered
Corrections, Department of (29)	2
Human Services, Department of (10)	1
Total	3

Agency	IDOT Convert to Code
Transportation, Department of (23)	7
Total	7

Query Type	Total Submitted
Additional hires from a sequence	11
Bypass	37
Cancel or Cancel/Repost	19
CEP P49 Violation	7
Deviation from Hiring Plan	8
Employment Hiring Error	1
Exempt to Covered	3
IDOT convert to Code	7
Other	9
Personal Services Contract	1
Small Pool	20
Small Pool - after the fact	1
Total	124

Bypass Guidance

After a thorough development phase, the Deputy Director of Personnel published a memorandum on Jan 11, 2023, with updated bypass guidance. A primary focus of this guidance was presenting agencies with the ability to eliminate those applicants that do not meet the requirements of a qualified candidate or are otherwise not suitable for employment as early as possible in the hiring process. This guidance supplements the paragraphs of the CEP that cover bypass procedures (38-39). Here are highlights of the guidance:

- Defines “earliest time” as - before SME review or before interview (if the hiring plan doesn’t include a SME review), for Merit Compensation (MC) and Bargaining Unit (BU) positions not subject to contractual Filling of Vacancy (FOV) language.
- Lists specific factors to consider outside of the hiring process that should be taken into consideration to determine if that candidate is the actual best candidate for the position.
- Allows for agencies to bypass, if they choose and without Compliance approval, former state employees with a Transactions Code of BA121 (No Reinstatement Rights).
- Allows for agencies to bypass, without Compliance approval, former employees of that agency who have a Transactions code of BA127 (No Reinstatement Rights to Agency).
- Lists the specific situations alluded to in CEP ¶39, where an agency can bypass a candidate without Compliance approval.
- Lists all situations where a Compliance approval is required.

Resources and Contacts

For questions about this report, please contact Chief Compliance Officer Vernon Jakoby.

**Chief Compliance Officer
Vernon Jakoby**

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Cell: (217) 685-6008

Compliance requests can be directed to

CMS.PersonnelCompliance@Illinois.gov

Compliance Training requests can be directed to

CMS.ATD@illinois.gov

Reports of Political Contacts or Political Discrimination should be submitted at:

<https://ilgov.sharepoint.com/sites/CMSPoliticalContactReporting>

This report will be made publicly available at

<https://www2.illinois.gov/cms/About/Reports/Pages/default.aspx>