



State of Illinois
Department of Central Management Services



CMS Personnel Compliance Semi-Annual Report

February 1 – July 31, 2022



Compliance Office, Bureau of Personnel,
Central Management Services

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Executive Summary

State agencies are becoming more familiar with the compliance aspects of the Governor's Comprehensive Employment Plan (CEP) and other governing documents for personnel actions. For this reporting period, the total number of compliance queries increased by over 1,000 from the previous report. Central Management Services ("CMS") continued to develop and deliver statewide training on the CEP to refresh knowledge and impact trends.

For the six months preceding this semi-annual report, CMS' Compliance Office completed 3,132 compliance reviews for queries from 47 separate State agencies, boards, and commissions. The Compliance Office also conducted approximately 4 hours of live training to several hundred state employees on CEP topics chosen by observations and trends. The Training Coordinator created an updated version of Interviewer Certification training that started in July 2022. This newest version of Interviewer Certification Training has already been completed by over 1,000 individuals. The Training Coordinator also completed a 500+ page Hiring Process Training Manual used statewide while also growing the number of courses available at CMS University.

The Compliance Office continues to expand its impact on State hiring and develop relationships with customer agencies. The Compliance Office conducted 2 visits to agency locations (DHS & DOC) during this reporting period, further developing our positive customer service reputation and providing an opportunity to grow knowledge of CEP requirements through in person engagement.



Compliance Enterprise Strategy Activities

- 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 4 CEP refresher training sessions with statewide HR personnel. Used data and trends to select topics.
 - The Chief Compliance Officer (CCO) personally communicated with new HR Directors 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
 - Continuing to make progress towards an online intake system for compliance queries.
- Improve Customer Value and Reduce Waste in All Key CMS Processes
 - Eliminated 3 compliance approval situations due to data showing a lack of trends and the existence of redundant checks with other sections of the Bureau of Personnel (BoP).
 - Conducted 2 customer service visits to agencies (DHS, DOC) to get to know our customers and provide additional CEP training at the agency's location.

Personnel Compliance Office – Training

Completed Projects



Created & Published 2022 CMS Interviewer Certification Training and Report



Created and published Hiring Process Training Manual v1



Coordinated with CMS HRT and Transactions to create and publish 18 hiring resource on-demand training videos

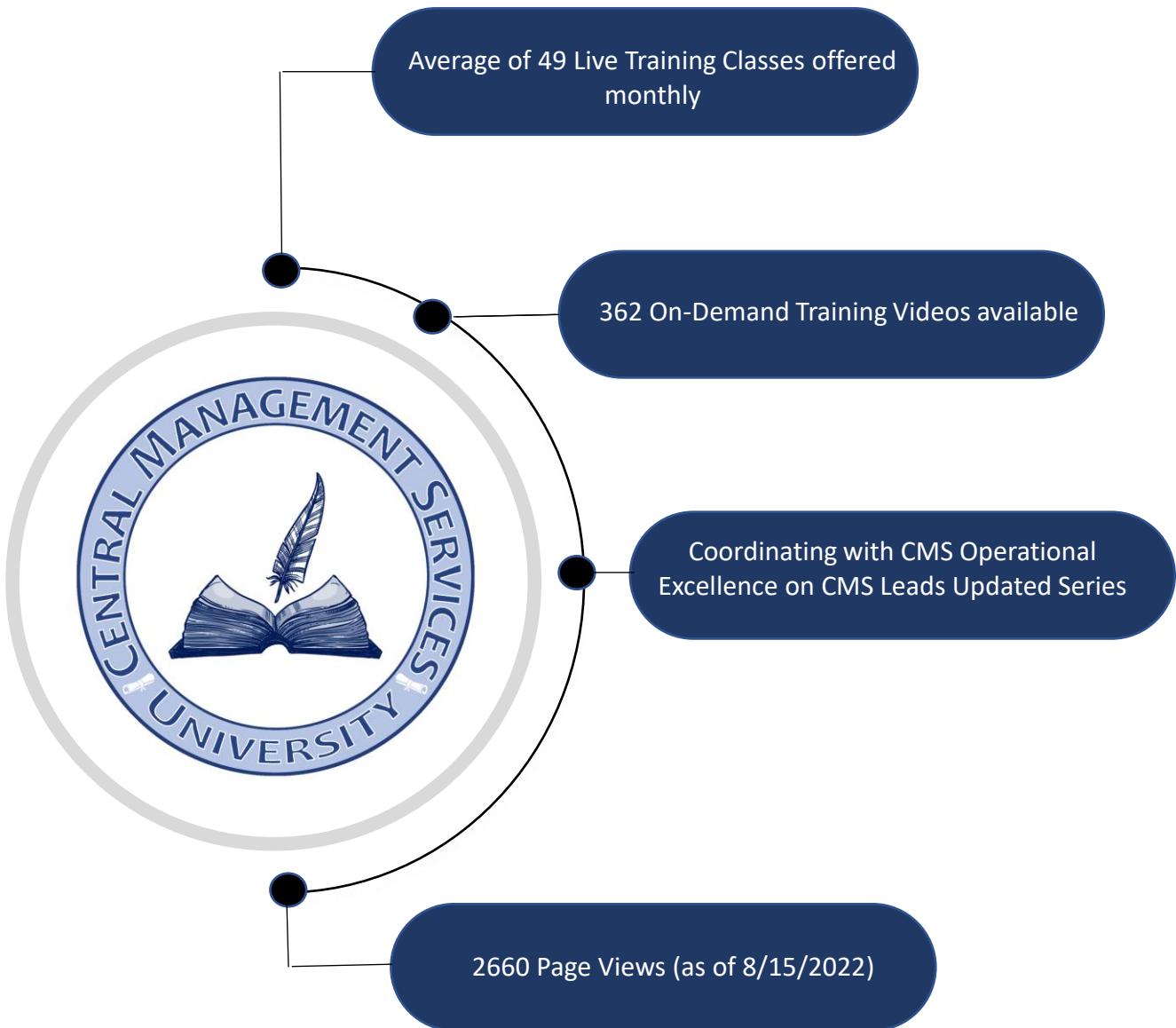


Coordinated with Career Services to create State of Illinois Employee Career Portal Training

Compliance Office – Training

CMS University

CMS University is the State of Illinois' talent development portal designed to showcase the innovative programs offered by state agencies to address the professional development needs of our staff.



Compliance Office – Training

CEP Refresher Training Completed

- February 2022 – no training
- March 30, 2022 – Bypass Requests
- April 27, 2022 – Reporting
- May 25, 2022 – Exempt Employment Plan
- June 15, 2022 – Relationship Disclosure & Conflicts of Interest
- July 2022 – no training

Compliance Reports

Annual Technical and Non-Code Positions Report - a listing of all non-Code positions that do not appear on the Exempt List. In progress as of 8/15/2022.

Quarterly PSC Report – a listing of all PSCs for all agencies, whether under the jurisdiction of the Governor or not, in the quarter. 2QTR CY22 in progress.

Quarterly PSC Audit – results of the audit made on a sample of PSCs selected from the quarterly report. 2QTR CY22 in progress.

Quarterly Temporary Assignments (TA) Report – a listing of all TAs that exceed 60 days. 2QTR 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. 2QTR CY22 in progress.

Quarterly Interim Assignments (IA) Report – a listing of all IAs that exceed 60 days. 2QTR CY22 in progress.

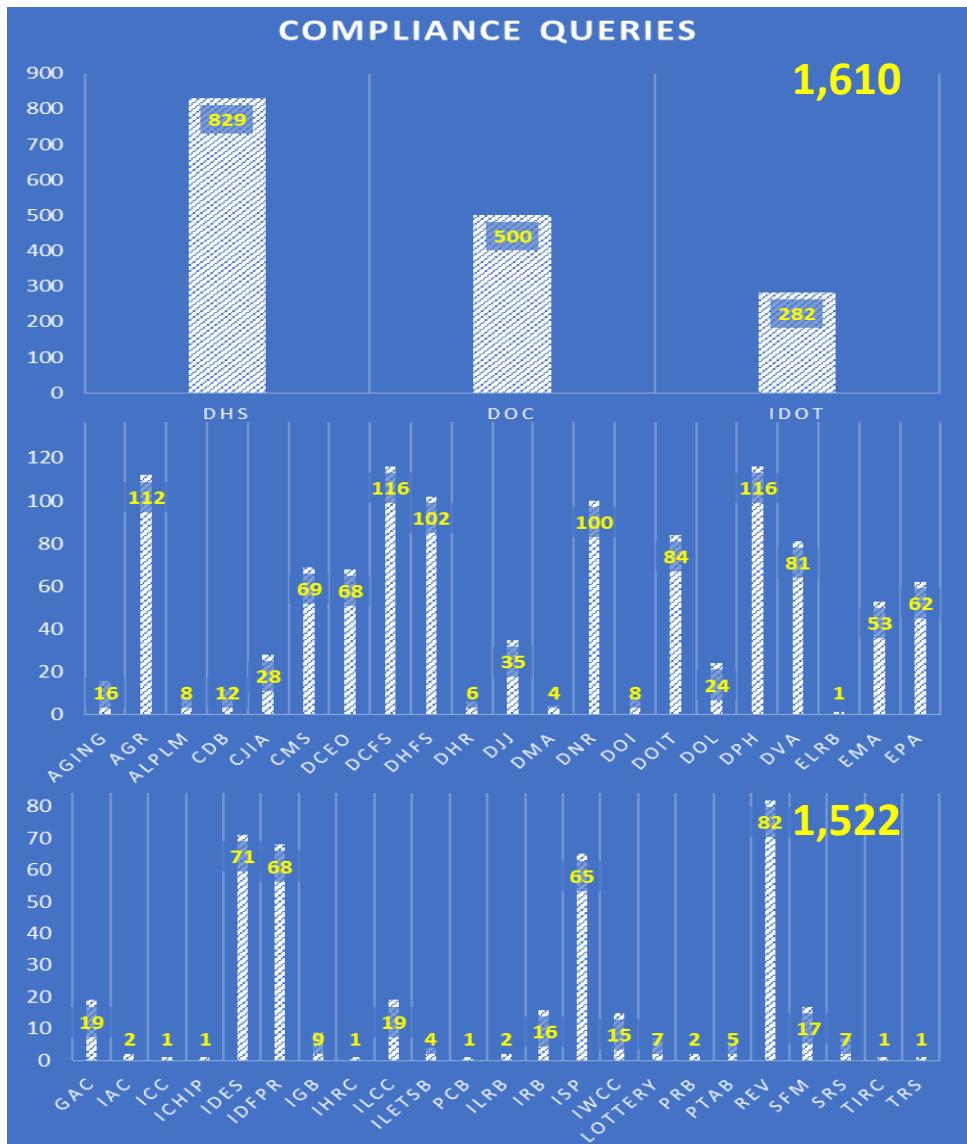
Quarterly Interim Assignments Audit Report - results of the audit of a sample of IAs, focusing on those that have lasted more than 120 days – to ensure that a valid justification supports the IA. 2QTR CY22 in progress.

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.
Submitted 8/16/2022.

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

Semi-Annual Seasonal Employees & Interns Report – creating format for first version of the report but also reviewing the actual need for this report.

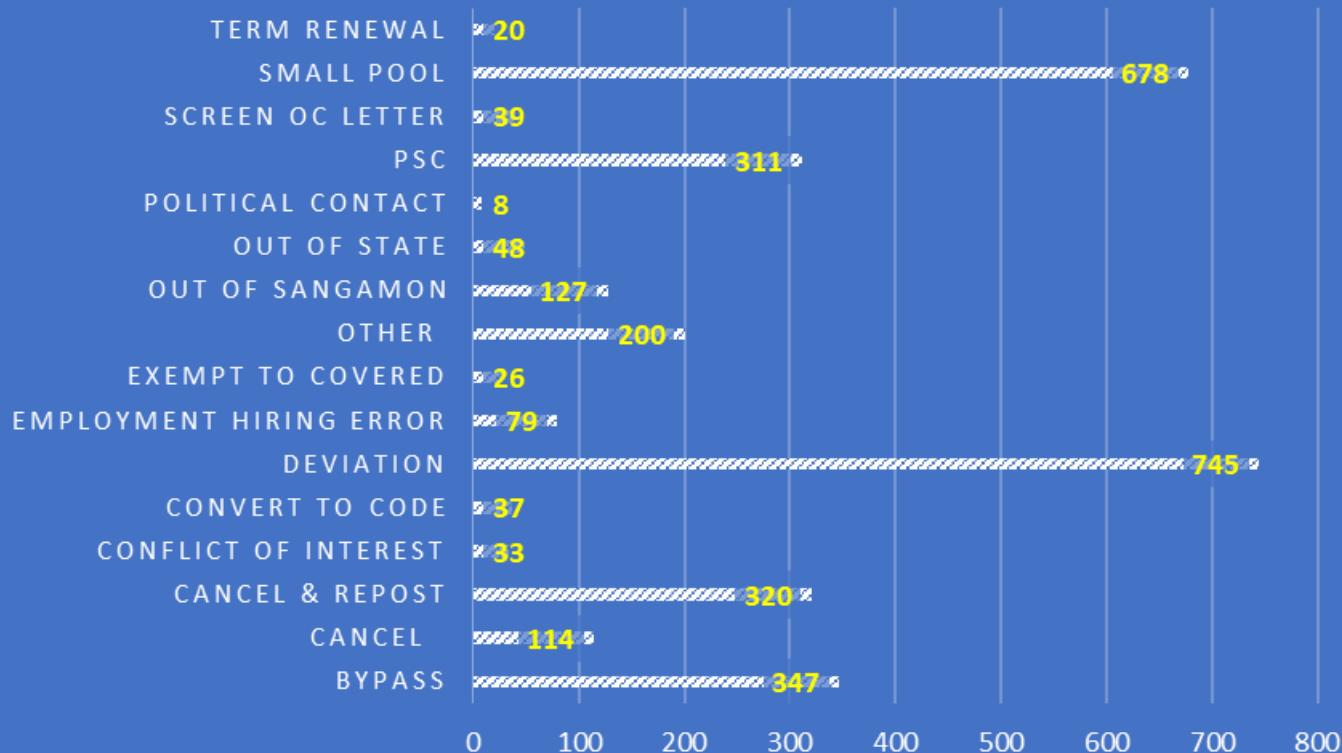
Compliance Review Audit Activity



For the reporting period, there were a total of **3,132** compliance queries submitted by **47** agencies, boards, and commissions. The Department of Human Services (DHS) led with nearly 26.5% (829) of the total. The Department of Corrections (DOC) was next with almost 16% of the total (500). IDOT was next with 9% (282). These 3 agencies accounted for over 51% of all compliance queries (1,610 of 3,132). Of note, Agriculture (AGR) increased by over 400% from the previous report with 4% of the total (112, up from 25 queries). In the same category, other agencies had large increases of compliance queries (IEMA – from 9 to 53, DOL – from 4 to 24, ILCC – from 6 to 19, and IRB – from 3 to 16). This is a strong indicator of the value of training and the hard work of state HR personnel to ensure compliance.

Compliance Review Audit Activity

DISTRIBUTION OF COMPLIANCE QUERIES

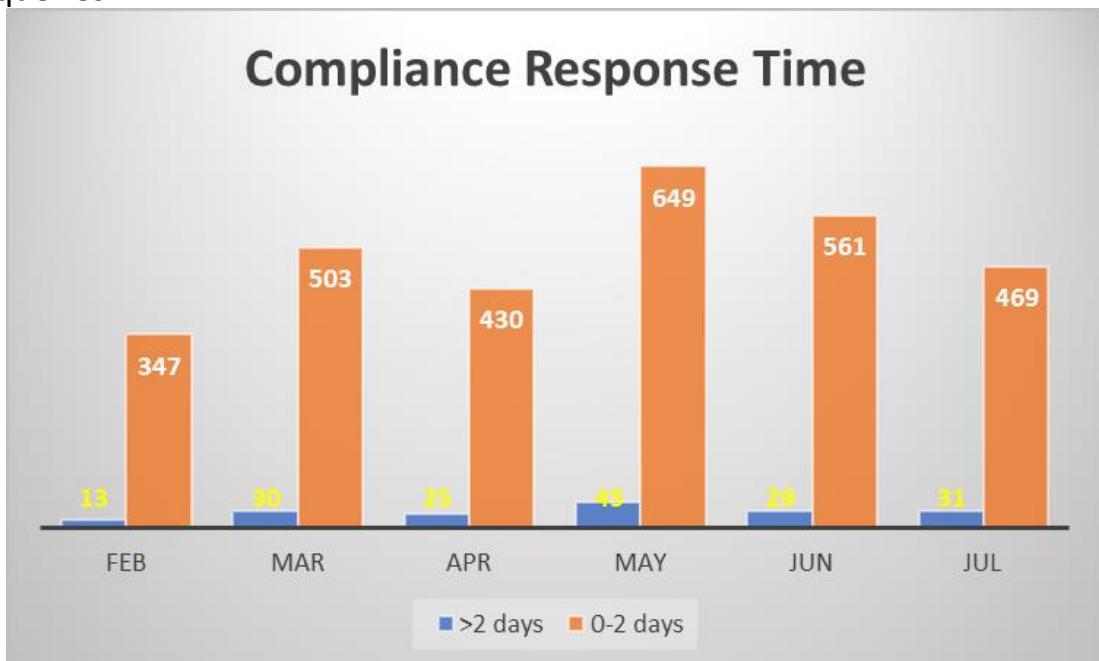


Deviations from the original hiring plan account for over 47% (745) of total compliance queries. This is not surprising given the changes to the hiring process during the reporting period. Small pool requests are still numerous, accounting for 43% of the total (581), increasing by 151 queries from the previous report and shows that agencies are still facing challenges to obtain large pools of qualified candidates. Personal Service Contracts (PSCs) that are either new or renewal requests more than doubled, from 118 to 311. The review of PSC requests has become more stringent. For example, on requests to establish a new PSC with a State retiree, the person must have first completed a 75-day temporary appointment and agencies must show that they are actively working to fill the vacancy. There were 200 queries denoted in the “Other” category (12.71% of total requests). Many of these involve proactive thought partnership and problem solving rather than explicit requests for approval, including a growing trend of agencies seeking a “pre-look” at bypass situations.

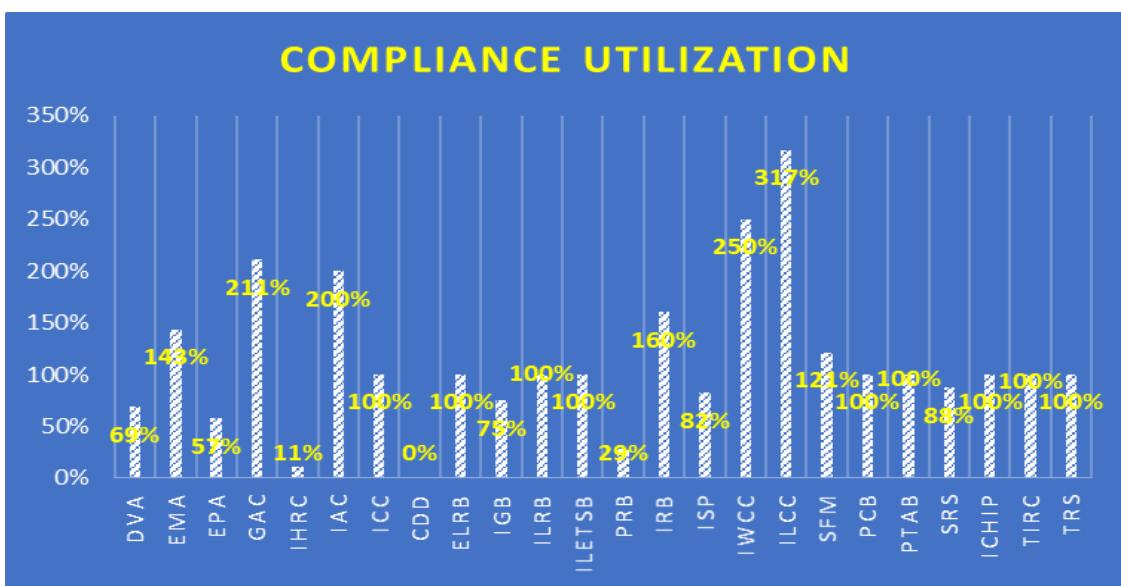
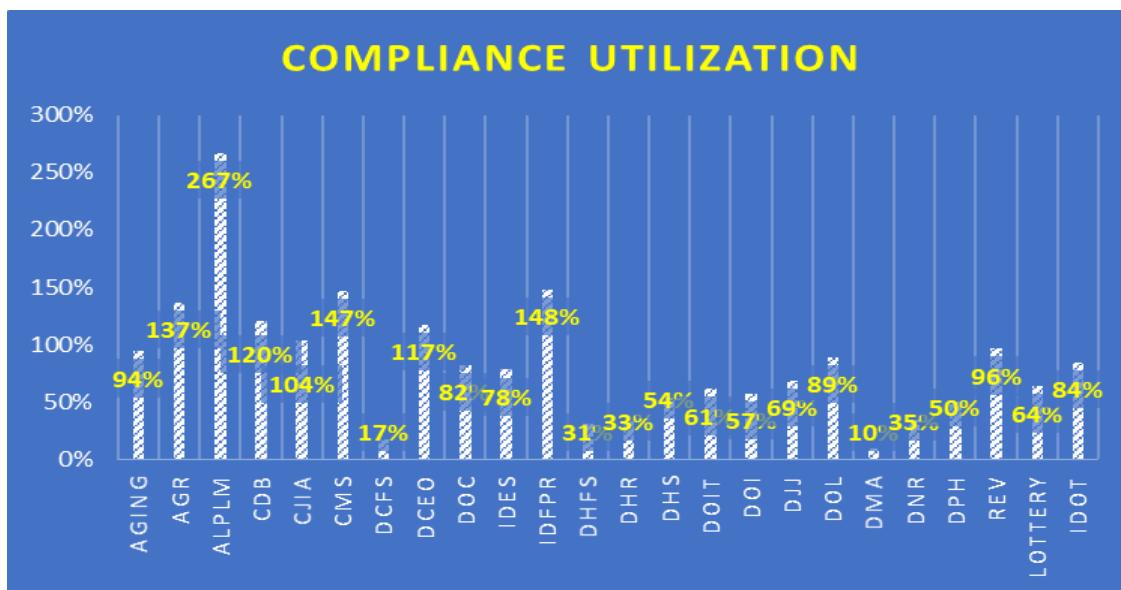
Compliance Review Audit Activity

Timely Responses/Customer Service

Outstanding customer service is a part of the Compliance Office reputation. The Compliance Office works quickly to deliver timely and actionable replies to organizations. The goal is to provide a same day response, or at the latest, the next day. What occasionally slows this down are the queries that require a referral outside of compliance, gathering more data from agencies, or taking the time to properly analyze a difficult situation. For this reporting period compliance replied the same day or the next day nearly 95% of the time, a 4% increase in responsiveness from the last report, while receiving 1,000+ more queries. The Compliance Office continues to receive messages from agencies thanking us for the quick turnaround on their queries.



Compliance Review Audit Activity



This new metric is a computation of the total number of requisitions divided by the total number of compliance queries. In some case, the percentage exceeds 100, due to PSCs, other queries, or having multiple queries for a requisition – for example: small pool, deviation, cancellation. We will further develop this metric for greater accuracy with the use of a yet to be developed online intake system, which will allow for easier analysis of data to provide greater clarity on whether an agency is performing well or poorly when it comes to utilizing compliance. This metric is too new to have even established a benchmark.

Compliance Review Audit Activity



During this reporting period, CMS is reporting 79 instances of Employment Hiring Errors. This is a large increase from the previous report (18) and is due to multiple agencies not receiving pre-offer approval from CMS before making an offer to a candidate in accordance with paragraph 49 of the CEP. 48 of the 79 errors are due to CEP paragraph 49 non-compliance. Compliance reviews were conducted on all with only one material finding. The errors fell into the following categories:

- Conflict of Interest forms completed late - 10
- Small pool request late - 5
- No pre-offer approval provided - 48
- Other (minor issues not affecting the outcome of the sequence) - 16

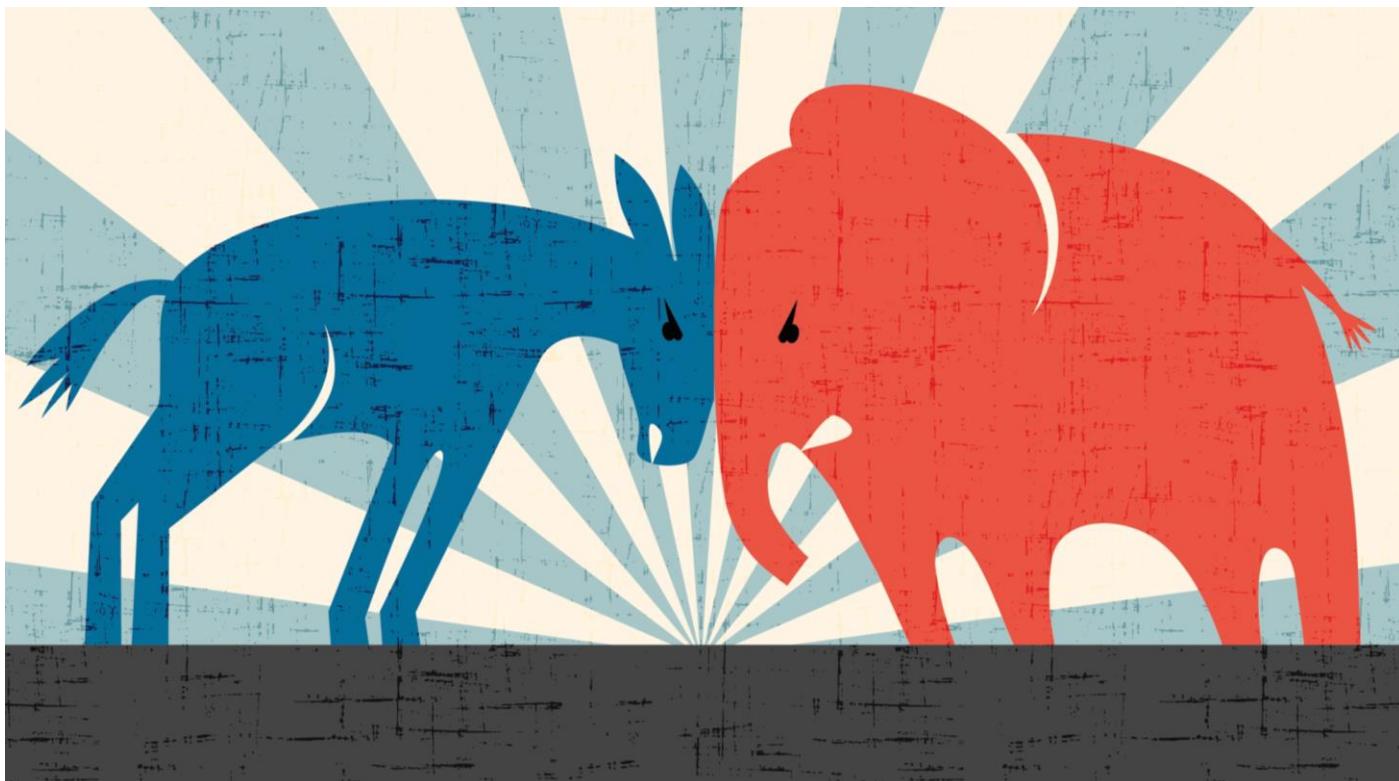
The material employment hiring error concerned a hiring sequence where the agency made a mistake in favoring an Illinois veteran over a Texas non-veteran, both of whom were qualified for the position.

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.

One individual, not employed by the State, sent multiple allegations of Political Discrimination during this period. The Compliance review of these allegations showed that they had no merit. It is a case of a person attempting to gain employment with the State in positions that they are either not qualified for or have interviewed poorly when they met minimum qualifications. The messages were sent to OEIG for further investigation.



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 9 reports of political contacts related to hiring sequences via the Political Contact SharePoint page.

CMS – 4 | DHS – 2 | IDOT – 1 | EPA – 1 | DNR - 1

1. Elected official sent an agency a letter of recommendation on behalf of a job-seeker
2. An applicant included a letter of recommendation from a State Senator when applying to a position
3. A State Representative's office contacted an agency concerning how contractual rights and veteran's preference interact when hiring for a position.
4. State Representative called an agency to state that an employee was a good employee and did not think the person should be terminated.
5. Agency was contacted by a State Senator concerning a constituent who had applied for a position, was interviewed and offered the position, then, the offer was rescinded.
6. Agency was contacted regarding a rescinded offer of employment. In summary, an error applying veterans' preference in a hiring sequence resulted in an offer to a candidate which, if not for that error, would not have been selected.

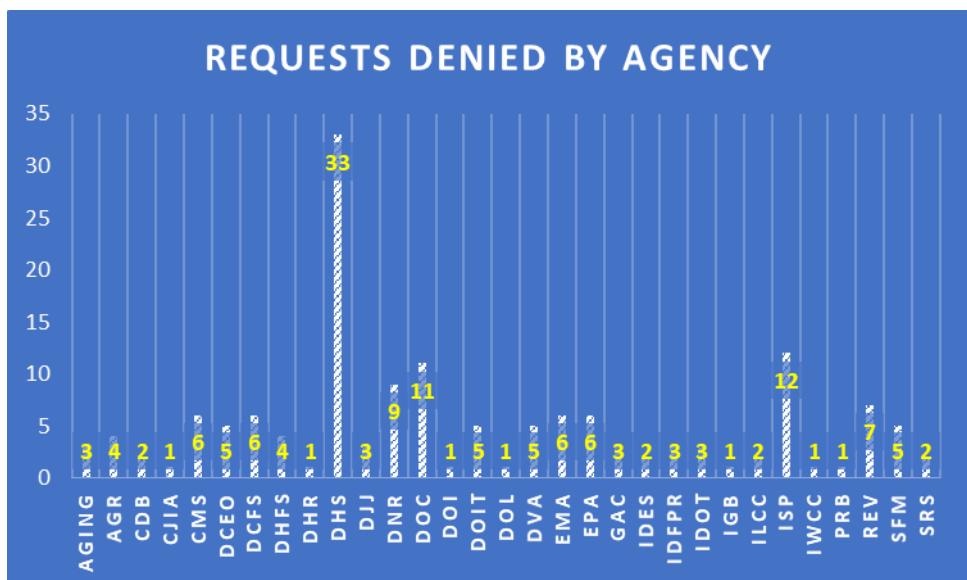
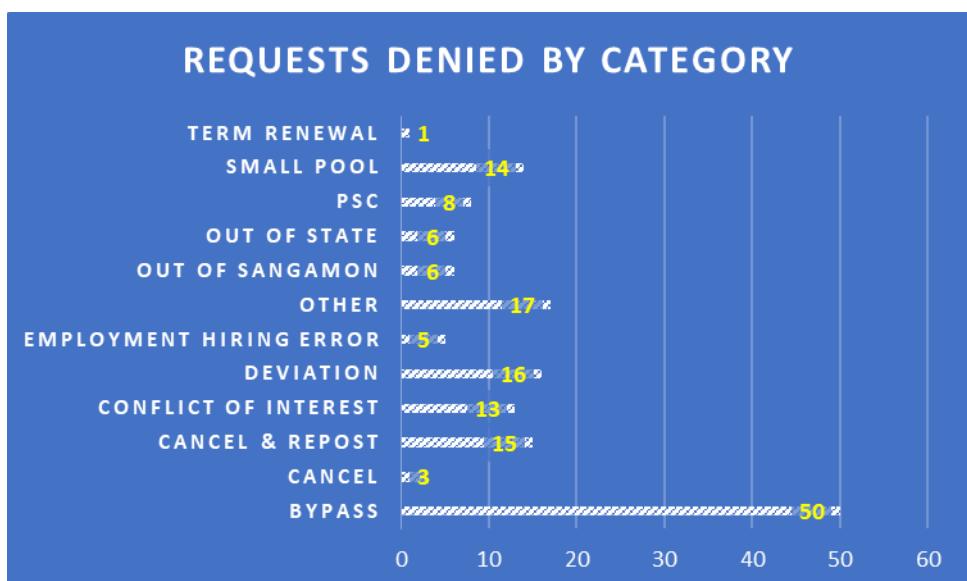
Political Contacts

7. Job seeker contacted agency and stated that a relative had talked with a State Representative and a legislative aide about the relative becoming employed by the State.
8. A Representative's staffer reached out to an agency director regarding the lack of termination of an employee and relaying constituent concerns of other agency staffers about the employee being returned to work and not being terminated.
9. State Representative directly mailed a letter of recommendation for a person to an agency deputy director.

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

Remedial and Corrective Actions

The Personnel Compliance Office successfully worked with agencies to reach compliant solutions to the challenges they were facing 95.1% of the time. The partnership between the agencies and Compliance throughout the last six months resulted in Compliance denying an agency request 154 times, or 4.9%, of the 3,132 total queries. Bypass request denials were the highest as 53.2% (50 of 154) of bypass requests were denied, indicating the need for further training on the topic. Compliance will continue to provide training and guidance to agencies to find compliant solutions to staffing issues that they face.



Resources and Contacts

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

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Compliance requests can be directed to
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Compliance Training requests can be directed to
CMS.ATD@illinois.gov

Reports of Political Contacts 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>