State of Illinois
Department of Central Management Services

CMS PERSONNEL COMPLIANCE SEMI-ANNUAL REPORT

August 1, 2023 – January 31, 2024

Compliance Office
Bureau of Personnel
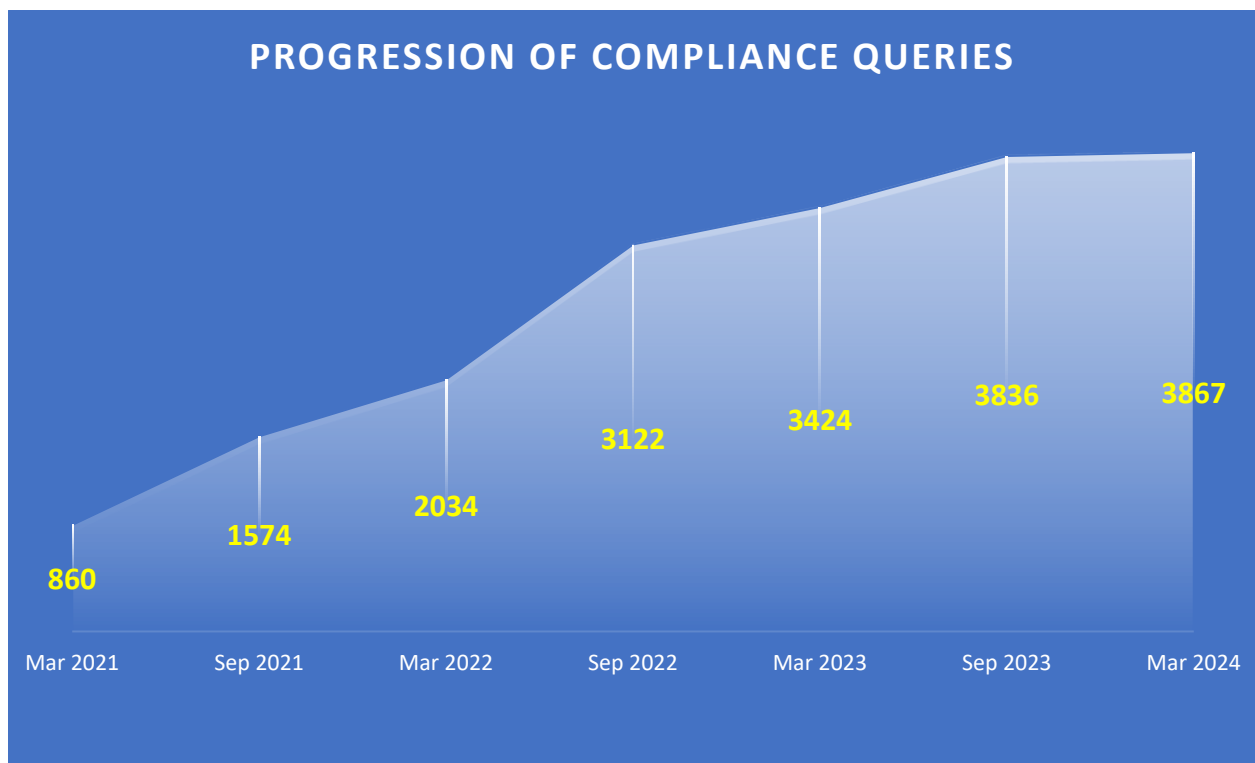Central Management Services

Table of Contents

Executive Summary

The growth in compliance requests over the past years demonstrates State Agencies are appropriately reviewing, and adhering to, the Comprehensive Employment Plan (CEP). For the six months preceding this semi-annual report, the CMS Personnel Compliance Office completed **3,867** compliance reviews from all intake sources for queries from State agencies, boards, and commissions. Similar to previous reporting periods, this is a new record high (see chart below) and does not count the numerous times that agencies reach out to the team via phone and instant messaging to ask questions and receive guidance.

The Compliance SharePoint site, which launched in February 2023, is our primary intake method for compliance queries and continues to be very successful. We have continued to receive feedback, positive and constructive, and incorporate recommended changes to increase the functionality of the site. Most recently, the capability for agencies to enter multiple queries of the same type with less effort was added as well as various bug fixes implemented.

Another indicator that agencies are adhering to the compliance rules is that no material findings came from Employment Hiring Errors. These errors again decreased from the previous report period – **this time by approximately 4%** – which speaks to the efficacy of the guidance we're providing. The Compliance team uses this error data to determine potential needs for additional trainings for specific agencies on specific areas of need.

For Political Discrimination, the trend from past reports continues – no findings. Although Political Contact reports increased by 25% (from 4 to 5), they continue to have no material impact to a hiring sequence.

PROGRESSION OF COMPLIANCE QUERIES

	Mar 2021	Sep 2021	Mar 2022	Sep 2022	Mar 2023	Sep 2023	Mar 2024
	860	1574	2034	3122	3424	3836	3867

Personnel Compliance Strategy Activities

- **Improve the timeliness, efficiency, and quality of the hiring process (CMS)**

  o Maintain the responsiveness standard of no more than 2 days to provide a full Compliance response and approval determination to queries.

- **Assess, Develop and Deliver Compliance Training for Agencies, Boards, and Commissions**

  o Both the Chief Compliance Officer (CCO) and Acting CCO personally communicated with HR Directors and other senior HR staff, nearly daily, to provide coaching on Compliance issues.

  o Similarly, the Compliance Officers personally communicated with agency HR staff as well as CMS BoP staff on a consistent basis to offer insight and guidance on Compliance issues.

- **Improve Workplace Culture towards Continuous Improvement and Respect**

  o 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**

  o Implemented state-wide use of a SharePoint site as the primary intake method for Compliance Queries. This allows for instant updates on Compliance trends by utilizing the reports available.

- **Improve Customer Value and Reduce Waste**

  o Eliminated compliance approval situations due to data showing a lack of a trend or the existence of redundant checks within sections of the Bureau of Personnel (BoP).

Compliance Office – Training

The Compliance Office, along with personnel from the Division of Transactions, Records Backwage Claims and the Division of Career Services and Hiring Resources, strives to conduct in-person visits to State Agencies to develop positive customer relations, answer all questions and concerns, as well as to further understanding of the CEP, other governing documents, and the hiring process. During the coverage period for this report, the Compliance Office was able to complete 1 in-person visit due to its staffing shortages and competing workload priorities. It is the intent of the Compliance Office to resume these visits at their previous rate as soon as possible once the CCO has been filled on a permanent basis and staffing levels have returned to baseline.

Through analysis of compliance data to include increases in denial rates, tracking the arrival of new key leaders, and large HR Staff turnovers, the Compliance Office completed a focused training program to educate State employees on the principles in the CEP and to equip them with the necessary tools for consistent and transparent operation of the State's personnel functions.

Agency In-Person Training
- August 22, 2023 – Department of Public Health

Compliance Training Projects Complete
- Contributed input for the Hiring Process Training Manual
- Contributed input for CMS BoP guidance to agency HR staff re: failed sequences
- Internal Compliance Team trainings on Personal Services Contracts (PSCs) including establishing Exempt PSCs and several CEP processes

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.

Quarterly PSC Audit – results of the audit made on a sample of PSCs selected from the quarterly report.

Quarterly Temporary Assignments (TA) Report – a listing of all TAs that exceed 60 days.

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.

Quarterly Interim Assignments (IA) Report – a listing of all IAs that exceed 60 days.,

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.

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.

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

We began completing the quarterly reports in early 2021 with no significant material findings as of yet.

Compliance Review Audit Activity

DISTRIBUTION OF COMPLIANCE QUERIES

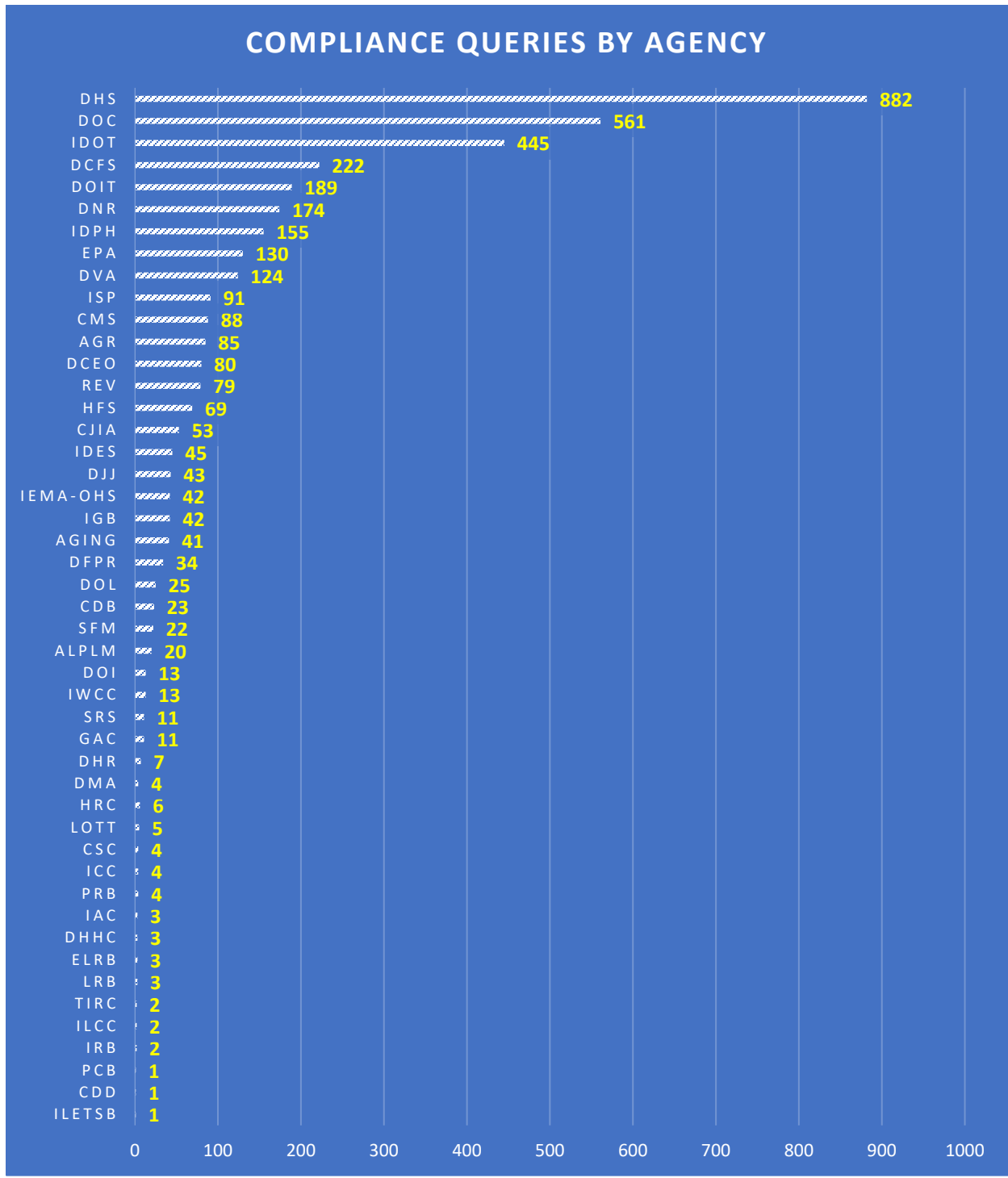| Category	Value
BYPASS	697
CANCEL OR CANCEL/REPOST	687
DEVIATION	651
ADDITIONAL HIRE	611
SMALL POOL	432
OTHER	267
PERSONAL SERVICE CONTRACT	202
SMALL POOL - AFTER THE FACT	106
IDOT CONVERT TO CODE	53
EXEMPT TO COVERED	44
CEP P49 VIOLATION	37
RDCOI REVIEW	36
TERM RENEWAL	17
EMPLOYMENT HIRING ERROR	14
OUT OF STATE HIRE	8
POLITICAL CONTACT	5
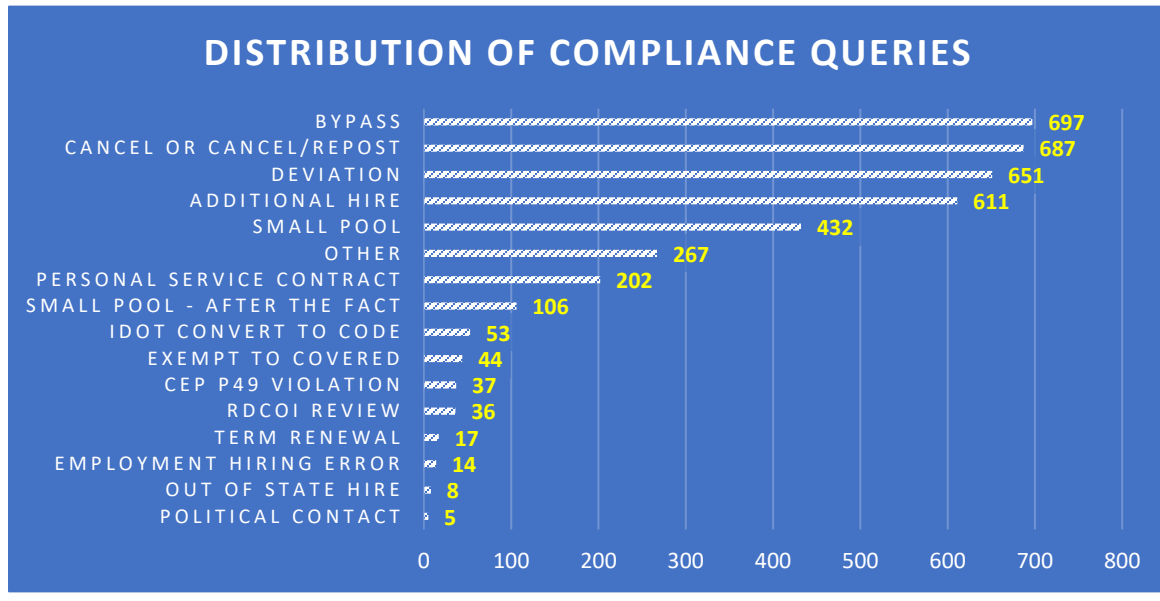
The chart shows the categories that comprise the bulk of Compliance work. The top 7 categories account for 3,547 queries, 92% of the total. For this report, additional hires from a sequence are reported separately from deviations from the hiring plan since they comprised greater than 50% of the total. Also, 356 of these additional hires come from DHS requesting to make additional hires from existing candidate pools in order to fill vacancies from existing headcount.

- Compliance again saw increases in numerous categories, with some seeing increases of >100 (bypass and deviation to hiring plan).
- The number of queries in the "Other" category saw a decrease from 318 to 267, however, still reflects the continued communication between agencies and Compliance to achieve workable, compliant solutions.
- With recent changes in law or procedure over the prior reporting period, this report does not show numbers for Out of Sangamon County requests.
- However, Out of State requests remained fairly static in decreasing by 1, from 9 to 8.
- With recent changes to procedure, Term Renewals no longer require prior Compliance approval and is reflected in their drop from 53 to 17.
- Although the numbers are much lower, several of these categories demand considerable time for each query since they require a full review of the hiring sequence (small pool after the fact, convert to code, employment hiring error, CEP P49 violation, and Exempt to covered).
- Bypass queries are the most time consuming and extra time is required to ensure correct responses accordance with applicable laws, governing documents, and policies. Bypass requests are carefully reviewed and researched before a decision is made. We confer with CMS Labor Relations and CMS Personnel Legal, along with ongoing communication with the requesting agency.

Compliance Review Audit Activity

COMPLIANCE QUERIES BY AGENCY

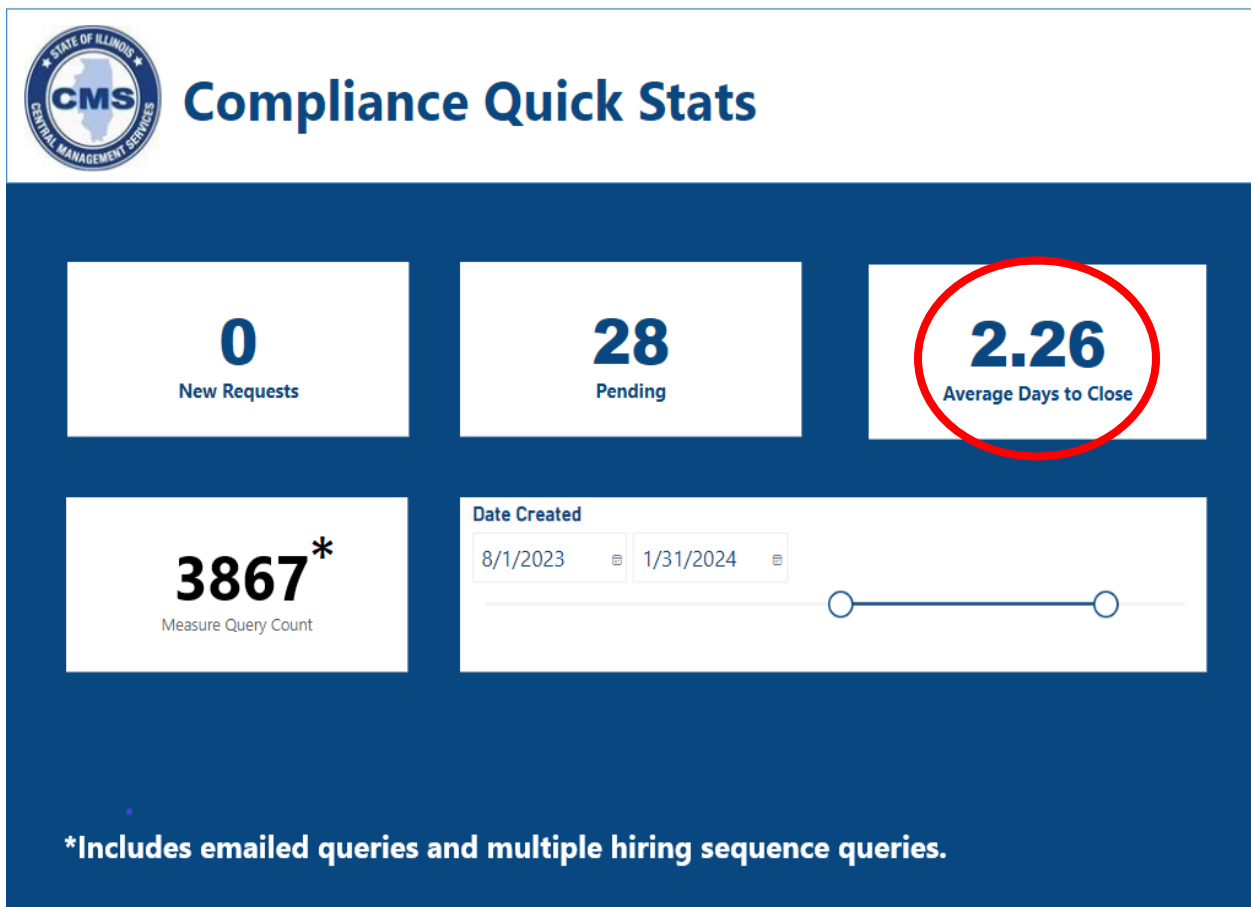| Agency	Queries
DHS	882
DOC	561
IDOT	445
DCFS	222
DOIT	189
DNR	174
IDPH	155
EPA	130
DVA	124
ISP	91
CMS	88
AGR	85
DCEO	80
REV	79
HFS	69
CJIA	53
IDES	45
DJJ	43
IEMA-OHS	42
IGB	42
AGING	41
DFPR	34
DOL	25
CDB	23
SFM	22
ALPLM	20
DOI	13
IWCC	13
SRS	11
GAC	11
DHR	7
DMA	4
HRC	6
LOTT	5
CSC	4
ICC	4
PRB	4
IAC	3
DHHC	3
ELRB	3
LRB	3
TIRC	2
ILCC	2
IRB	2
PCB	1
CDD	1
ILETSB	1

DHS remains our largest customer accounting for 22.8% of Compliance activity. The top four agencies submitted 55% (2,110) of the Compliance queries, with DOC - 14.5%, DOT - 11.5%, and DCFS - 5.7%. The remaining 45% (1,757) came from 43 organizations, including some non-code entities.
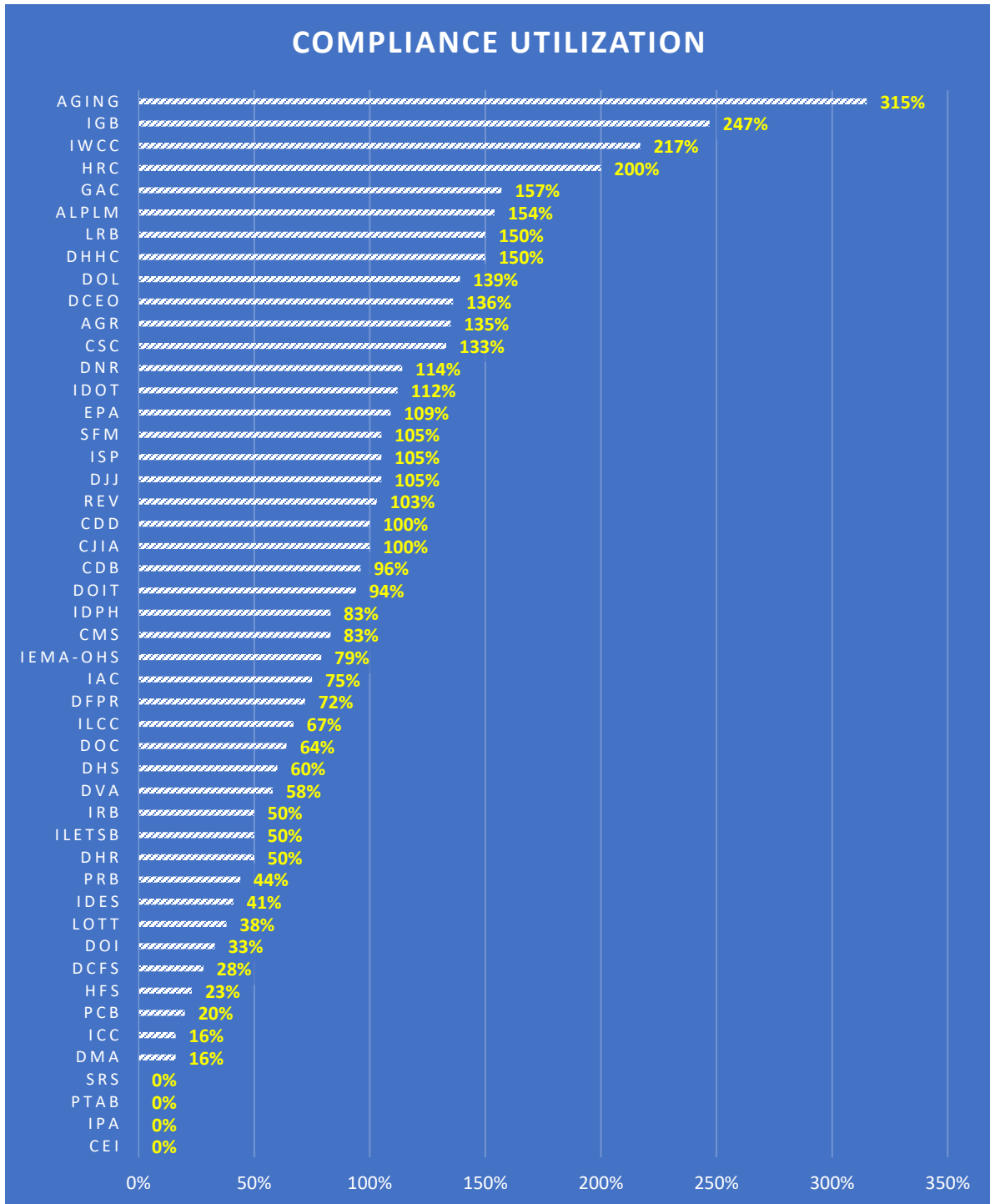
Compliance Review Audit Activity

Compliance Response Time

Outstanding customer service has always been a goal for the Compliance Office and is a large part of our reputation. The team 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. Responses can take longer than our standard when: referrals from outside of Compliance are needed, there is a need to gather more data from agencies, multiple Compliance Officers are needed to analyze a complex situation, or decreases in our staffing levels. For this reporting period Compliance, had an average response time of 2.26 calendar days, while overall queries increased from the previous report, and the team experienced another decrease in headcount (a Compliance Officer was Interim Assigned into the vacant CCO position). The Average Days to Close is a new metric made possible by the switch to SharePoint as the primary intake method.

Compliance Review Audit Activity

COMPLIANCE UTILIZATION

Agency	Utilization
AGING	315%
IGB	247%
IWCC	217%
HRC	200%
GAC	157%
ALPLM	154%
LRB	150%
DHHC	150%
DOL	139%
DCEO	136%
AGR	135%
CSC	133%
DNR	114%
IDOT	112%
EPA	109%
SFM	105%
ISP	105%
DJJ	105%
REV	103%
CDD	100%
CJIA	100%
CDB	96%
DOIT	94%
IDPH	83%
CMS	83%
IEMA-OHS	79%
IAC	75%
DFPR	72%
ILCC	67%
DOC	64%
DHS	60%
DVA	58%
IRB	50%
ILETSB	50%
DHR	50%
PRB	44%
IDES	41%
LOTT	38%
DOI	33%
DCFS	28%
HFS	23%
PCB	20%
ICC	16%
DMA	16%
SRS	0%
PTAB	0%
IPA	0%
CEI	0%

This metric compares total number of requisitions to total number of queries submitted. Average overall Compliance Utilization is 90%, while the average of the top 4 agencies (DHS, DOC, IDOT, DCFS) drops to 66%. The Compliance team uses this and other data to determine targeted training topics for agencies.

Compliance Review Audit Activity

EMPLOYMENT HIRING ERRORS BY AGENCY

Agency	Errors
IWCC	1
IDOT	1
IDES	1
CMS	1
IDPH	2
DHS	2
DCFS	6
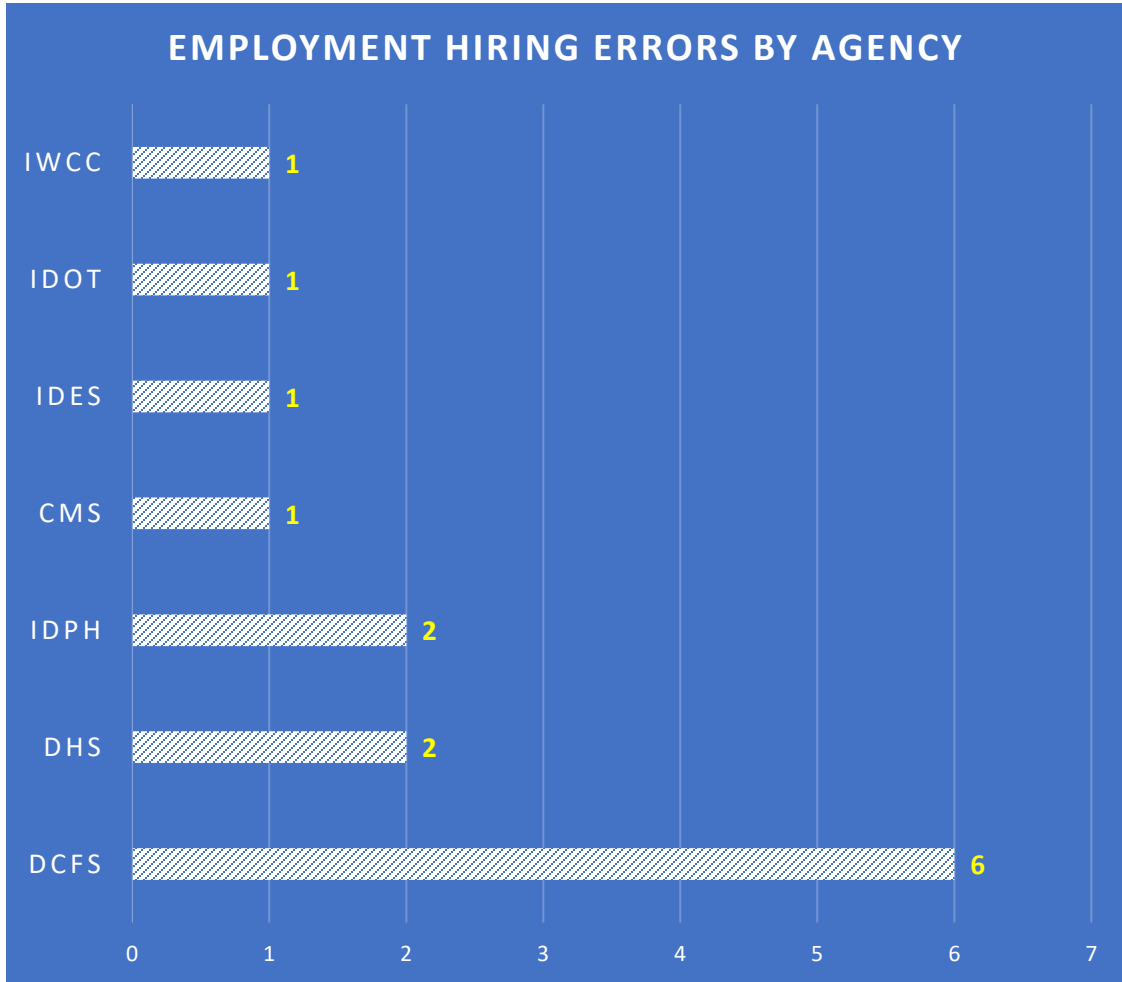
Personnel Compliance worked to resolve 14 Employment Hiring Errors. The chart above shows the distribution of those errors by agency. Reported separately, we also had 106 instances of Small Pool - after the fact and 37 CEP paragraph 49 violations (no pre-offer approval). The total from the previous report decreased (163 to 157). Compliance reviews were conducted on all with no material findings.

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… 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 5 reports of political contacts. Review of these did not reveal evidence that the contacts had any impact on the hiring decision.

DHS: 3
- An applicant for a DHS position stated on a resume that they had been recommended by a US Senator and submitted for political appointment positions by two US Presidents. These actions were alleged to have occurred in the 1970s and 1980s.
- An applicant for a DHS position had uploaded a letter of recommendation to their application from a Springfield Township supervisor.
- In their formal written response to the Preliminary Decision Notice letter, a candidate for a DHS position had included a letter of recommendation from a State Representative.

IGB: 1
- An appointed Council Member contacted IGB to inquire whether a Gaming Agent Trainee position in Chicago had yet been filled.
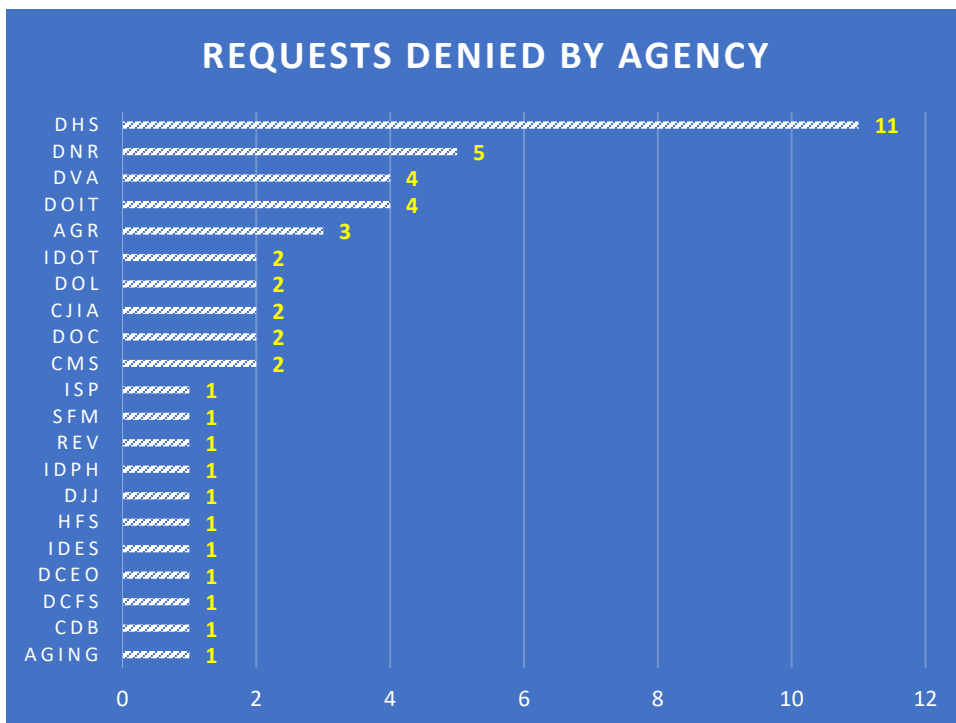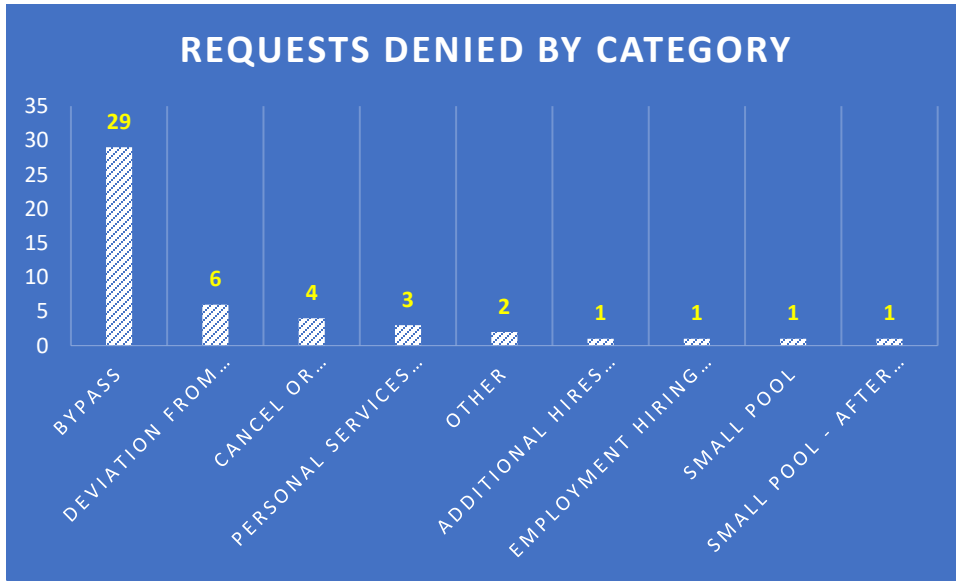
DOT: 1
> An employee for a State Representative e-mailed DOT re: an application status.

Remedial and Corrective Actions

The Personnel Compliance Office worked with agencies to reach compliant solutions to the hiring challenges they face 98.8% of the time. The partnership between the agencies and Compliance throughout the last six months resulted in Compliance denying an agency request 48 times, or 1.2%, of the 3,867 total queries. Denied bypasses accounted for 60.4% of all denials. Denials are part of the targeting process for identifying additional training opportunities. The Compliance team uses these queries to train on the CEP.

REQUESTS DENIED BY CATEGORY

Category	Count
BYPASS	29
DEVIATION FROM...	6
CANCEL OR...	4
PERSONAL SERVICES...	3
OTHER	2
ADDITIONAL HIRES...	1
EMPLOYMENT HIRING...	1
SMALL POOL	1
SMALL POOL - AFTER...	1

REQUESTS DENIED BY AGENCY

Agency	Count
DHS	11
DNR	5
DVA	4
DOIT	4
AGR	3
IDOT	2
DOL	2
CJIA	2
DOC	2
CMS	2
ISP	1
SFM	1
REV	1
IDPH	1
DJJ	1
HFS	1
IDES	1
DCEO	1
DCFS	1
CDB	1
AGING	1

Resources and Contacts

For questions about this report, please contact the Acting Chief Compliance Officer.

Acting Chief Compliance Officer
Shawn Wilson

Shawn.Wilson2@Illinois.gov
Office: (217) 557-1583
Cell: (217) 993-2185

Compliance requests can be directed to:

CMS.PersonnelCompliance@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