



FILED
INDEX DEPARTMENT
DEC 21 2020
IN THE OFFICE OF
SECRETARY OF STATE

December 21, 2020

EXECUTIVE ORDER 2020-75

EXECUTIVE ORDER TO FACILITATE THE RETURN OF TRADES EMPLOYEES
FROM EMPLOYMENT BY THE ILLINOIS DEPARTMENT OF CENTRAL
MANAGEMENT SERVICES TO EMPLOYMENT BY
THE ILLINOIS DEPARTMENT OF HUMAN SERVICES

WHEREAS, both the Illinois Department of Central Management Services (“CMS”) and the Illinois Department of Human Services (“IDHS”) believe that it is in the best interest of both departments and of the State to return the trades employees who work at IDHS facilities (State-Operated Psychiatric Hospitals and State-Operated Development Centers), but who function as CMS employees (“Trades Employees”), to IDHS as IDHS employees; and,

WHEREAS, both CMS and IDHS believe that it would be operationally and logistically beneficial, because these Trades Employees are currently the only non-IDHS employees on-site at IDHS, often creating unnecessary challenges and discrepancies between IDHS and CMS employees who are on-site at IDHS facilities; and,

WHEREAS, the Office of the Governor supports and agrees with CMS’s and IDHS’s assessment; and,

WHEREAS, Executive Orders 2003-10 and 2010-10 provided the basis for the original transfer of these employees to CMS, pursuant to an April 2011 Intergovernmental Agreement (“IGA”); and,

WHEREAS, Executive Order 2003-10 provided that, “The function of facilities management... for each agency, office, division, department, bureau, board and commission directly responsible to the Governor shall be consolidated under the jurisdiction of the Department of Central Management Services.” § I.A; and,

WHEREAS, Executive Order 2003-10 went on to state that, “In consultation with the appropriate staff in the Governor’s office and in the executive agencies, the Director of Central Management Services shall determine which facilities management . . . shall be transferred to the Department of Central Management Services.” § II.A; and,

WHEREAS, Executive Order 2003-10 was ultimately memorialized in statute, with a provision permitting, but not requiring, the Director of CMS to direct the transfer of these employees to CMS. This statute, 20 ILCS 405/405-415, states, in part:

Notwithstanding any other law to the contrary, the Director of Central Management Services may direct the transfer, to the Department of Central Management Services, of those facilities and facility management functions authorized to be transferred under Executive Order 10 (2003).

20 ILCS 405/405-415(a) (emphasis added); and,

WHEREAS, however, neither CMS nor IDHS acted upon either Executive Order 2003-10 or 20 ILCS 405/405-415 until after Executive Order 2010-10 was issued in July 2010; and,

WHEREAS, the applicable portions of Executive Order 2010-10 state, "All agencies shall consolidate their facilities management activities and staffs through intergovernmental agreements with CMS, or through other mechanisms as directed by the Director of GOMB, to provide centralized management and cost-saving." Enforcement, § II; and,

WHEREAS, CMS and IDHS followed Executive Order 2010-10 by entering into the April 2011 IGA, transferring the employment of the Trades Employees located at IDHS facilities from IDHS to CMS; and,

WHEREAS, if Executive Orders 2003-10 and 2010-10 were rescinded, CMS and IDHS could terminate or supersede the April 2011 IGA with a succeeding IGA and return the Trades Employees to IDHS as IDHS employees; and,

WHEREAS, all other provisions of Executive Orders 2003-10 and 2010-10 have either been memorialized in statute or are now moot (e.g., the Fiscal Year 2011 requirements in Executive Order 2010-10), such that both Executive Orders can either be rescinded or superseded, in their entirety;

THEREFORE, I, JB Pritzker, Governor of Illinois, by virtue of the executive authority vested in me by Article V of the Constitution of the State of Illinois, hereby order the following:

I. Rescission of Executive Orders 2003-10 and 2010-10 in Order to Allow Return of Trades Employees from CMS to IDHS

The only provisions of Executive Orders 2003-10 and 2010-10 that are not either moot or memorialized in statute are the provisions relating to the transfer of the Trades Employees from IDHS to CMS. In order to return the Trades Employees from CMS to IDHS, Executive Orders 2003-10 and 2010-10 are rescinded in their entirety.

II. Savings Clause

This Executive Order does not contravene, and shall not be construed to contravene, any federal law or regulation, State statute or regulation, or collective bargaining agreement. Nothing in this Executive Order shall affect or alter the existing statutory powers of any State agency or be construed as a reassignment or reorganization of any State agency.

III. Prior Executive Orders


This Executive Order supersedes any contrary provisions of any other prior Executive Order

IV. Severability Clause

If any part of this Executive Order is found to be invalid by a court of competent jurisdiction the remaining provisions shall remain in full force and effect. The provisions of this Executive Order are severable.

V. Effective Date

The Executive Order shall take effect immediately upon its filing with the Secretary of State.


JB Pritzker, Governor

Issued by Governor: December 21, 2020
Filed with Secretary of State: December 21, 2020

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