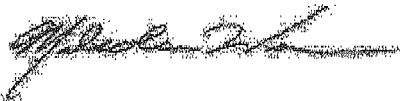




## MEMORANDUM

TO: Agency Directors, Personnel Managers, Labor Relations Administrators and Payroll Managers

FROM: Malcolm Weems, CMS Acting Director 

DATE: July 1, 2011

SUBJECT: FY12 Cost of Living Adjustments, Longevity Enhancements and Step Increases

Pursuant to the Illinois Constitution, the General Assembly possesses the sole authority to make appropriations for all expenditures of public funds by the State. Additionally, the Illinois Public Labor Relations Act (5 ILCS 315/21) states, "subject to the appropriation power of the employer, employers and exclusive representatives may negotiate multi-year collective bargaining agreements pursuant to the provisions of this Act."

The Governor's proposed budget to the General Assembly sought to fully fund all collective bargaining contracts. However, the budget that was passed by the General Assembly and sent to the Governor **DOES NOT** contain appropriation authority to implement cost of living adjustments, longevity enhancements or step increases for employees covered by a collective bargaining agreement in the following fourteen (14) departments, boards, authorities, and/or commissions:

- Criminal Justice Information Authority
- Corrections
- Deaf and Hard of Hearing Commission
- Guardianship & Advocacy Commission
- Historic Preservation
- Human Rights Commission
- Human Rights (Department of)
- Human Services
- Juvenile Justice
- Labor (Department of)
- Natural Resources
- Prisoner Review Board
- Public Health
- Revenue

Accordingly, due to the absence of sufficient appropriations by the General Assembly, the above listed agencies cannot implement the FY12 increases.

Agencies not listed above were granted sufficient appropriation authority by the General Assembly to implement the FY12 increases and shall proceed to implement the FY12 increases.

Notwithstanding any of the above, employees who signed an irrevocable intent to retire shall receive contractual adjustments consistent with the terms of the "FY12 Cost Savings Agreement" signed by CMS and AFSCME Council 31 in all agencies. As these employees have committed to retire no later than December 31, 2011, the resulting vacancies will more than offset any contractual adjustments.

Additionally, employees covered by HR-001, RC-19, RC-20, NR-916, RC-45 and Prevailing Rate collective bargaining agreements are not impacted by this memorandum and those collective bargaining agreement terms shall be implemented regardless of agency.

Please contact CMS Labor Relations at (217) 782-2559, if you have further questions.

Cc: Jack Lavin, Chief of Staff, Office of the Governor  
David Vaught, Director, GOMB  
Robb Craddock, Deputy Director – Labor Relations, CMS