



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2292

Introduced 2/14/2008, by Sen. Edward D. Maloney

SYNOPSIS AS INTRODUCED:

70 ILCS 2605/4.14

from Ch. 42, par. 323.14

Amends the Metropolitan Water Reclamation District Act. Provides that charges for removal or discharge of a civil service employee of the Metropolitan Water Reclamation District must be filed with the civil service board within 30 days from the date of suspension. Provides that those charges shall be promptly investigated by the civil service board (now, the civil service board must conduct an investigation within 30 days from the date of suspension). Provides that the employee's suspension shall be extended until the civil service board enters a finding unless the board approves an agreement to terminate the suspension at an earlier date. Provides that either the district or the employee may file a petition for rehearing within 21 days after the finding and decision are served. Makes other changes. Effective immediately.

LRB095 16249 HLH 42268 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Metropolitan Water Reclamation District Act
5 is amended by changing Section 4.14 as follows:

6 (70 ILCS 2605/4.14) (from Ch. 42, par. 323.14)

7 Sec. 4.14. No officer or employee in the classified civil
8 service of the sanitary district shall be removed or discharged
9 except for cause, upon written charges, and after an
10 opportunity to be heard in his own defense. Such charges shall
11 be filed with the civil service board within 30 days from the
12 date of suspension under the charges, and the charges shall be
13 promptly investigated by or before the civil service board, or
14 by or before some officer or officers appointed by the civil
15 service board to conduct such investigation ~~within thirty days~~
16 ~~from the date of suspension under such charges~~. The hearing
17 shall be public and the accused shall be entitled to call
18 witnesses in his defense and to have the aid of counsel. The
19 civil service board may continue a discharge hearing for good
20 cause shown. The civil service board shall enter a finding and
21 decision. A decision shall be deemed to have been served either
22 when a copy of the decision is personally delivered or when a
23 copy of the decision is deposited in the United States mail,

1 addressed to the employee at his last known address on file
2 with the human resources department. ~~The hearing may be~~
3 ~~postponed or continued with the consent of the accused.~~ The
4 finding and decision of the civil service board or of such
5 investigating officer or officers, when approved by said civil
6 service board, shall be final, except for the judicial review
7 thereof as herein provided, and shall be certified to the
8 appointing officer, and shall be forthwith enforced by such
9 officer. Nothing in this Act shall limit the power of any
10 officer to suspend a subordinate for a reasonable period not
11 exceeding thirty days; however, if charges are filed against a
12 suspended employee, the suspension shall be extended until the
13 civil service board enters its finding and decision regarding
14 the charges unless prior to this time the board enters an order
15 approving an agreement between the sanitary district and the
16 employee that the suspension should terminate at an earlier
17 date. Every such suspension shall be without pay: Provided,
18 however, that the civil service board shall have authority to
19 investigate every such suspension and, in case of its
20 disapproval thereof, it shall have power to restore pay to the
21 employee so suspended. In the course of any investigation
22 provided for in this Act, each member of the civil service
23 board and any officer appointed by it shall have the power to
24 administer oaths and shall have power to secure by its subpoena
25 both the attendance and testimony of witnesses and the
26 production of books and papers.

1 Either the sanitary district or the employee may file a
2 written petition for rehearing of the finding and decision of
3 the civil service board within 21 calendar days after the
4 finding and decision are served as provided in this Section.
5 The petition shall state fully the grounds upon which
6 application for further investigation and hearing is based. If
7 a petition is denied by the civil service board, the decision
8 shall remain in full force and effect and any further appeal by
9 either party shall be in accordance with the provisions of the
10 Administrative Review Law.

11 The provisions of the Administrative Review Law, and all
12 amendments and modifications thereof, and the rules adopted
13 pursuant thereto, shall apply to and govern all proceedings for
14 the judicial review of final administrative decisions of the
15 civil service board hereunder. The term "administrative
16 decision" is defined as in Section 3-101 of the Code of Civil
17 Procedure.

18 (Source: P.A. 82-783.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.