

AN ACT concerning local government.

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

Section 5. The Metropolitan Water Reclamation District Act is amended by changing Sections 4.9, 4.10, and 4.11 as follows:

(70 ILCS 2605/4.9) (from Ch. 42, par. 323.9)

Sec. 4.9. From the return or reports of examiners, or from the examinations which he or she has made, the Director shall prepare a register for each grade or class of positions in the classified service of the sanitary district of the persons who shall attain such minimum mark as may be fixed by the Director for any part of such examination, and whose general average standing upon examination for such grade or class is not less than the minimum fixed by the rules of the Director, and who are otherwise eligible; and such persons shall take rank upon the register as candidates in the order of their relative excellence as determined by examination, without reference to priority of time of examination. The Director may substitute categories designated as A, B, and C ~~such as excellent, well qualified, and qualified,~~ for numerical ratings and establish eligible registers accordingly. The notice of examination shall specify the category or categories upon which selection will be made.

(Source: P.A. 82-1046.)

(70 ILCS 2605/4.10) (from Ch. 42, par. 323.10)

Sec. 4.10. Promotions. The Director shall note of record the duties (whether imposed by law, official regulation or practice) of each classification in the classified service, and shall thereupon by rule fix lines for promotion from lower classifications to higher classifications in all cases where, in his or her judgment, the experience gained in the lower classification may tend to qualify an employee to perform the duties of a higher classification. In case of vacancy in higher classifications, which cannot be filled by reinstatement, the Director shall hold promotional examinations to fill such vacancy. Incumbents of classifications in lines of promotion established by the Director shall be solely eligible for such examination, unless in the judgment of the Director, it is for the best interests of the service that original examination for such vacancy be held. In promotional examinations, efficiency and seniority in service shall form a part of such examination, but combined shall not carry a weight of more than 25% of the total examination points. Although efficiency and seniority in service shall not carry a weight of more than 25% of the total examination points, the Director may require candidates to separately pass the efficiency and seniority parts of the examination in order for the candidates to be eligible to take the subsequent parts of the examination. If the Director

requires candidates to separately pass the efficiency and seniority parts of the examination, then any candidate who does not pass the efficiency and seniority parts of the examination shall fail the entire examination. All examinations for promotion shall be competitive. The method of examination, the rules governing the same, and the method of certifying shall be the same as provided for in the original examination.

(Source: P.A. 90-315, eff. 1-1-98.)

(70 ILCS 2605/4.11) (from Ch. 42, par. 323.11)

Sec. 4.11. Appointments. Whenever a position classified under this Act is to be filled, except the positions of deputy director of engineering, deputy director of monitoring and research, deputy director of maintenance and operations, assistant director of engineering, assistant director of maintenance and operations, deputy general counsel, head assistant attorneys, assistant director of monitoring and research, assistant director of information technology, comptroller, assistant treasurer, assistant director of procurement and materials management, assistant director of human resources, and laborers, the Executive Director ~~appointing officer~~ shall make requisition upon the Director, and the Director shall certify to him or her from the register of eligibles for the position the names ~~and addresses~~ (a) of the five candidates standing highest upon the register of eligibles for the position, or (b) of the candidates within the

A category highest ranking group upon the register of eligibles if the register is by categories designated as A, B, and C ~~such as excellent, well qualified, and qualified,~~ provided, however, that any certification shall consist of at least 5 candidates ~~names,~~ if available. If fewer than 5 candidates are in the A category, then the ~~The~~ Director shall also certify all of the candidates in the B category. If fewer than 5 candidates are in the A and B categories combined, then the Director shall also certify all of the candidates in the C category ~~names from succeeding categories in the order of excellence of the categories until at least 5 names are provided to the appointing officer.~~ The Executive Director ~~appointing officer~~ shall notify the Director of each position to be filled separately and shall fill the position by appointment of one of the certified candidates ~~persons certified to him by the Director.~~ The Executive Director's appointment decision shall be final and not subject to review. An appointed candidate ~~Appointments~~ shall be a probationary appointee on probation for a period to be fixed by the rules, not exceeding 250 days worked by the probationary appointee in the position of probationary appointment ~~one year~~. At any time during the period of probation, the Executive Director ~~appointing officer~~ with the approval of the Director may terminate ~~discharge~~ a probationary appointee ~~person so certified~~ and shall ~~forthwith~~ notify the civil service board in writing of the termination; however, the Executive Director's termination of a

probationary appointee shall be final and not subject to review
~~this discharge~~. If a probationary appointee ~~person~~ is not
terminated discharged, his or her appointment shall be deemed
complete.

When there is no eligible list, the Executive Director
~~appointing officer~~ may, with the authority of the Director,
make a temporary appointment to remain in force only until a
permanent appointment from an eligible register or list can be
made in the manner specified in the previous provisions of this
Section, and examinations to supply an eligible list therefor
shall be held and an eligible list established therefrom within
one year from the making of such appointment. The acceptance or
refusal by an eligible person of a temporary appointment does
not affect his or her standing on the register for permanent
appointment.

In employment of an essentially temporary and transitory
nature, the Executive Director ~~appointing officer~~ may, with the
authority of the Director of Human Resources make temporary
appointments. No temporary appointment of an essentially
temporary and transitory nature may be granted for a period of
more than 119 consecutive or non-consecutive working days per
calendar year. The Director must include in his or her annual
report, and if required by the commissioners, in any special
report, a statement of all temporary appointments made
~~authorities granted~~ during the year or period specified by the
commissioners, together with a statement of the facts in each

case because of which the authority was granted.

All laborers shall be appointed by the Executive Director and shall be on probation for a period to be fixed by the rules, not exceeding 250 days worked by the laborer in the position of the probationary appointment. At any time during the period of a laborer's probation, the Executive Director with the approval of the Director may terminate a laborer's probationary appointment and shall notify the civil service board in writing of the termination; however, the Executive Director's termination of a laborer's probationary appointment shall be final and not subject to review. If a laborer's probationary appointment is not terminated, the appointment shall be deemed complete ~~one year~~.

The positions of deputy director of engineering, deputy director of monitoring and research, deputy director of maintenance and operations, assistant director of engineering, assistant director of maintenance and operations, deputy general counsel, head assistant attorneys, assistant director of monitoring and research, assistant director of information technology, comptroller, assistant treasurer, assistant director of procurement and materials management, and assistant director of human resources shall be appointed by the Executive Director upon the recommendation of the respective department head and shall be on probation for a period to be fixed by the rules, not exceeding two years. At any time during the period of probation, the Executive Director on the

recommendation of the department head concerned, may terminate any such probationary appointee ~~discharge a person so appointed~~ and he or she shall ~~forthwith~~ notify the Civil Service Board in writing of the termination; however, the Executive Director's termination of a probationary appointee shall be final and not subject to review ~~such discharge~~. If a probationary appointee ~~a person~~ is not terminated ~~so discharged~~, his or her appointment shall be deemed complete under the laws governing the classified civil service.

(Source: P.A. 94-680, eff. 11-3-05; 95-345, eff. 1-1-08; 95-923, eff. 1-1-09.)

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