



Rep. Katie Stuart

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LRB102 03188 RJT 37819 a

1 AMENDMENT TO HOUSE BILL 1172

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1172 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Universities Civil Service Act is  
5 amended by changing Sections 36d, 36e, and 36f and by adding  
6 Section 36n-5 as follows:

7 (110 ILCS 70/36d) (from Ch. 24 1/2, par. 38b3)

8 Sec. 36d. Powers and duties of the Merit Board. The Merit  
9 Board shall have the power and duty:

10 (1) To approve a classification plan prepared under  
11 its direction, assigning to each class positions of  
12 substantially similar duties. The Merit Board shall have  
13 power to delegate to its Executive Director the duty of  
14 assigning each position in the classified service to the  
15 appropriate class in the classification plan approved by  
16 the Merit Board.

1           (2) To prescribe the duties of each class of positions  
2 and the qualifications required by employment in that  
3 class.

4           (3) To prescribe the range of compensation for each  
5 class or to fix a single rate of compensation for  
6 employees in a particular class; and to establish other  
7 conditions of employment which an employer and employee  
8 representatives have agreed upon as fair and equitable.  
9 The Merit Board shall direct the payment of the  
10 "prevailing rate of wages" in those classifications in  
11 which, on January 1, 1952, any employer is paying such  
12 prevailing rate and in such other classes as the Merit  
13 Board may thereafter determine. "Prevailing rate of wages"  
14 as used herein shall be the wages paid generally in the  
15 locality in which the work is being performed to employees  
16 engaged in work of a similar character. Each employer  
17 covered by the University System shall be authorized to  
18 negotiate with representatives of employees to determine  
19 appropriate ranges or rates of compensation or other  
20 conditions of employment and may recommend to the Merit  
21 Board for establishment the rates or ranges or other  
22 conditions of employment which the employer and employee  
23 representatives have agreed upon as fair and equitable.  
24 Any rates or ranges established prior to January 1, 1952,  
25 and hereafter, shall not be changed except in accordance  
26 with the procedures herein provided.

1           (4) To recommend to the institutions and agencies  
2 specified in Section 36e standards for hours of work,  
3 holidays, sick leave, overtime compensation and vacation  
4 for the purpose of improving conditions of employment  
5 covered therein and for the purpose of insuring conformity  
6 with the prevailing rate principal.

7           (5) To delegate to the Designated Employer  
8 Representatives the power and duty to determine the method  
9 of examination or assessment for each classification in  
10 accordance with Section 36f. ~~To prescribe standards of~~  
11 ~~examination for each class, the examinations to be related~~  
12 ~~to the duties of such class. The Merit Board shall have~~  
13 ~~power to delegate to the Executive Director and his or her~~  
14 ~~staff the preparation, conduct and grading of~~  
15 ~~examinations.~~

16           (6) To authorize the continuous recruitment of  
17 personnel and, to that end, to delegate to the Executive  
18 Director and his or her staff the power and the duty to  
19 conduct open and continuous competitive examinations or  
20 assessments for all classifications of employment.

21           (7) To cause to be established, from the results of  
22 valid examination or assessment tools established by the  
23 employer examinations, registers for each class of  
24 positions in the classified service of the University  
25 System of the persons who shall attain the minimum mark  
26 fixed by the Merit Board for the examination or

1       assessment; and such persons shall take rank upon the  
2 registers as candidates in the order of their relative  
3 excellence as determined by the examination or assessment  
4 tool, without reference to priority of time of the  
5 examination or assessment. Direct patient care health care  
6 worker positions are excluded from the register  
7 requirements.

8           (8) To provide by its rules for promotions in the  
9 classified service.

10          (8.5) To issue subpoenas to secure the attendance and  
11 testimony of witnesses and the production of books and  
12 papers in the course of any investigation or hearing  
13 conducted pursuant to the Act.

14          (9) (Blank).

15          (10) To provide by its rules for employment at regular  
16 rates of compensation of persons with physical  
17 disabilities in positions in which the disability does not  
18 prevent the individual from furnishing satisfactory  
19 service.

20          (11) To make and publish rules to carry out the  
21 purpose of the University System and for ~~examination,~~  
22 appointments, transfers, and removals and for maintaining  
23 and keeping records of the efficiency of officers and  
24 employees and groups of officers and employees in  
25 accordance with the provisions of Sections 36b to 36q,  
26 inclusive, and said Merit Board may from time to time make

1 changes in such rules.

2 (12) To appoint an Executive Director who shall  
3 appoint staff to help as may be necessary efficiently to  
4 administer Sections 36b to 36q, inclusive. To authorize  
5 the Executive Director to appoint a Designated Employer  
6 Representative at the place of employment of each employer  
7 specified in Section 36e, and this Designated Employer  
8 Representative may be authorized to give examinations and  
9 to certify names from the regional registers provided in  
10 Section 36k. The enumeration of specific duties and powers  
11 that the Merit Board may delegate to the Executive  
12 Director in this Section does not preclude the Merit Board  
13 from delegating other duties and powers to the Executive  
14 Director.

15 (13) To submit to the Governor of this state on or  
16 before November 1 of each year prior to the regular  
17 session of the General Assembly a report of the University  
18 System's business and an estimate of the amount of  
19 appropriation from state funds required for the purpose of  
20 administering the University System.

21 (14) To authorize the creation and use of pilot  
22 programs to further the goals of the Act, which may be  
23 inconsistent with any rules adopted by the Merit Board,  
24 provided that such programs are of limited duration and do  
25 not reduce any rights or benefits of employees subject to  
26 this Act.

1 (Source: P.A. 99-143, eff. 7-27-15; 100-615, eff. 1-1-19.)

2 (110 ILCS 70/36e) (from Ch. 24 1/2, par. 38b4)

3 Sec. 36e. Coverage. All employees of the Illinois  
4 Community College Board, Southern Illinois University, Chicago  
5 State University, Eastern Illinois University, Governors State  
6 University, Illinois State University, Northeastern Illinois  
7 University, Northern Illinois University, Western Illinois  
8 University, the University of Illinois, the University System,  
9 the State Universities Retirement System, the State  
10 Scholarship Commission, and the Board of Higher Education  
11 shall be covered by the University System described in  
12 Sections 36b to 36q, inclusive, of this Act, except the  
13 following persons:

14 (1) The members and officers of the Merit Board and  
15 the board of trustees, and the commissioners of the  
16 institutions and agencies covered hereunder. ‡

17 (2) The presidents and vice-presidents of each  
18 educational institution. ‡

19 (3) Other principal administrative employees of each  
20 institution and agency as determined by the Merit Board. ‡

21 (4) The teaching, research and extension faculties of  
22 each institution and agency. ‡

23 (5) Students employed under rules prescribed by the  
24 Merit Board, without examination or certification.

25 (Source: P.A. 100-615, eff. 1-1-19.)

1 (110 ILCS 70/36f) (from Ch. 24 1/2, par. 38b5)

2 Sec. 36f. Examinations.

3 (a) All examinations given under the University System  
4 shall be open to all applicants ~~who are citizens of or~~  
5 ~~residents in the State of Illinois and~~ who can qualify by  
6 training and experience for the position for which application  
7 is made. ~~In examinations for technical positions for which no~~  
8 ~~qualified residents of this State are available the residence~~  
9 ~~requirement may be waived.~~

10 (b) Examinations may be written; oral; by statement of  
11 training and experience; in the form of tests of knowledge,  
12 skill, capacity, intellect, or aptitude; or by any other  
13 method that ~~which, in the judgment of the Merit Board,~~ is  
14 reasonable and practical for any particular classification.  
15 Examinations for each class shall be prescribed and conducted  
16 by the employers set forth in Section 36e. The examinations  
17 shall be practical and shall relate to the classification for  
18 which the examination is given. No question in any examination  
19 shall relate to political or religious affiliation or racial  
20 origins of the examinee.

21 (c) Different examining procedures may be determined for  
22 the examinations in different classifications, but all  
23 examinations in the same classification must be uniform. The  
24 examination requirement for the initial appointment, entry  
25 level position only, of law enforcement personnel may be

1 waived if an applicant has satisfied all the requirements  
2 established by the Illinois Police Training Act for  
3 appointment of law enforcement officers and if the Merit Board  
4 allows for such a waiver by rule. Additional positions, entry  
5 level only, may have the examination requirement waived if the  
6 occupational standards are regulated by the Department of  
7 Financial and Professional Regulation, as designated by the  
8 Merit Board and provided for in adopted rules.

9 (Source: P.A. 100-615, eff. 1-1-19.)

10 (110 ILCS 70/36n-5 new)

11 Sec. 36n-5. Extra help appointments.

12 (a) An extra help appointment may be made by an employer to  
13 any position for work the employer attests to be casual or  
14 emergent in nature and that meets the following conditions:

15 (1) the amount of time for which the services are  
16 needed is not usually predictable;

17 (2) payment for work performed is usually made on an  
18 hourly basis; and

19 (3) the work cannot readily be assigned, either on a  
20 straight-time or on an overtime basis, to a status  
21 employee.

22 (b) Extra help appointments may not have any maximum hour  
23 limitation.

24 (c) The Merit Board may delegate to the Executive Director  
25 and the Merit Board's staff the power and duty to establish



1 other guidelines for implementation of this classification.

2 (d) The Merit Board may not create a separate appointment  
3 classification similar to an extra help appointment as  
4 described in this Section."