



Rep. Katie Stuart

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LRB102 03188 RJT 38209 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 (d) An applicant that is applying for a construction trade
10 position and has completed an apprenticeship program
11 recognized and certified by the Bureau of Apprenticeship and
12 Training of the United States Department of Labor for that
13 particular construction trade is exempt from any testing
14 provision required in this Act.

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

16 (110 ILCS 70/36n-5 new)

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

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

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

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

25 (3) the work cannot readily be assigned, either on a

1 straight-time or on an overtime basis, to a status
2 employee.

3 (b) During the duration of a public health emergency when
4 the Governor has issued an emergency proclamation, there is no
5 maximum hour limitation on extra help appointments.

6 (c) The Merit Board may delegate to the Executive Director
7 and the Merit Board's staff the power and duty to establish
8 other guidelines for implementation of this classification.

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