

SB0833



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB0833

Introduced 2/18/2005, by Sen. M. Maggie Crotty - Emil Jones, Jr.

SYNOPSIS AS INTRODUCED:

50 ILCS 742/5

Amends the Fire Department Promotion Act. Makes a technical change in a Section concerning definitions.

LRB094 04449 MKM 34478 b

A BILL FOR

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 Fire Department Promotion Act is amended by
5 changing Section 5 as follows:

6 (50 ILCS 742/5)

7 Sec. 5. Definitions. In this Act:

8 "Affected department" or "department" means a full-time
9 municipal fire department that ~~that~~ is subject to a collective
10 bargaining agreement or the fire department operated by a
11 full-time fire protection district. The terms do not include
12 fire departments operated by the State, a university, or a
13 municipality with a population over 1,000,000 or any unit of
14 local government other than a municipality or fire protection
15 district. The terms also do not include a combined department
16 that was providing both police and firefighting services on
17 January 1, 2002.

18 "Appointing authority" means the Board of Fire and Police
19 Commissioners, Board of Fire Commissioners, Civil Service
20 Commissioners, Superintendent or Department Head, Fire
21 Protection District Board of Trustees, or other entity having
22 the authority to administer and grant promotions in an affected
23 department.

24 "Promotion" means any appointment or advancement to a rank
25 within the affected department (1) for which an examination was
26 required before January 1, 2002; (2) that is included within a
27 bargaining unit; or (3) that is the next rank immediately above
28 the highest rank included within a bargaining unit, provided
29 such rank is not the only rank between the Fire Chief and the
30 highest rank included within the bargaining unit, or is a rank
31 otherwise excepted under item (i), (ii), (iii), (iv), or (v) of
32 this definition. "Promotion" does not include appointments (i)

1 that are for fewer than 180 days; (ii) to the positions of
2 Superintendent, Chief, or other chief executive officer; (iii)
3 to an exclusively administrative or executive rank for which an
4 examination is not required; (iv) to a rank that was exempted
5 by a home rule municipality prior to January 1, 2002, provided
6 that after the effective date of this Act no home rule
7 municipality may exempt any future or existing ranks from the
8 provisions of this Act; or (v) to an administrative rank
9 immediately below the Superintendent, Chief, or other chief
10 executive officer of an affected department, provided such rank
11 shall not be held by more than 2 persons and there is a
12 promoted rank immediately below it. Notwithstanding the
13 exceptions to the definition of "promotion" set forth in items
14 (i), (ii), (iii), (iv), and (v) of this definition, promotions
15 shall include any appointments to ranks covered by the terms of
16 a collective bargaining agreement in effect on the effective
17 date of this Act.

18 "Preliminary promotion list" means the rank order of
19 eligible candidates established in accordance with subsection
20 (b) of Section 20 prior to applicable veteran's preference
21 points. A person on the preliminary promotion list who is
22 eligible for veteran's preference under the laws and agreements
23 applicable to the appointing authority may file a written
24 application for that preference within 10 days after the
25 initial posting of the preliminary promotion list. The
26 preference shall be calculated in accordance with Section 55
27 and applied as an addition to the person's total point score on
28 the examination. The appointing authority shall make
29 adjustments to the preliminary promotion list based on any
30 veteran's preference claimed and the final adjusted promotion
31 list shall then be posted by the appointing authority.

32 "Rank" means any position within the chain of command of a
33 fire department to which employees are regularly assigned to
34 perform duties related to providing fire suppression, fire
35 prevention, or emergency services.

36 "Final adjusted promotion list" means the promotion list

1 for the position that is in effect on the date the position is
2 created or the vacancy occurs. If there is no final adjusted
3 promotion list in effect for that position on that date, or if
4 all persons on the current final adjusted promotion list for
5 that position refuse the promotion, the affected department
6 shall not make a permanent promotion until a new final adjusted
7 promotion list has been prepared in accordance with this Act,
8 but may make a temporary appointment to fill the vacancy.
9 Temporary appointments shall not exceed 180 days.

10 Each component of the promotional test shall be scored on a
11 scale of 100 points. The component scores shall then be reduced
12 by the weighting factor assigned to the component on the test
13 and the scores of all components shall be added to produce a
14 total score based on a scale of 100 points.

15 (Source: P.A. 93-411, eff. 8-4-03.)