



Rep. Joseph M. Lyons

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LRB097 05377 RLJ 51947 a

1 AMENDMENT TO HOUSE BILL 1760

2 AMENDMENT NO. _____. Amend House Bill 1760 by replacing
3 everything after the enacting clause with the following:

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

7 (70 ILCS 2605/4.9) (from Ch. 42, par. 323.9)

8 Sec. 4.9. From the return or reports of examiners, or from
9 the examinations which he or she has made, the Director shall
10 prepare a register for each grade or class of positions in the
11 classified service of the sanitary district of the persons who
12 shall attain such minimum mark as may be fixed by the Director
13 for any part of such examination, and whose general average
14 standing upon examination for such grade or class is not less
15 than the minimum fixed by the rules of the Director, and who
16 are otherwise eligible; and such persons shall take rank upon

1 the register as candidates in the order of their relative
2 excellence as determined by examination, without reference to
3 priority of time of examination. The Director may substitute
4 categories designated as A, B, and C ~~such as excellent, well~~
5 ~~qualified, and qualified~~, for numerical ratings and establish
6 eligible registers accordingly. The notice of examination
7 shall specify the category or categories upon which selection
8 will be made.

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

10 (70 ILCS 2605/4.10) (from Ch. 42, par. 323.10)

11 Sec. 4.10. Promotions. The Director shall note of record
12 the duties (whether imposed by law, official regulation or
13 practice) of each classification in the classified service, and
14 shall thereupon by rule fix lines for promotion from lower
15 classifications to higher classifications in all cases where,
16 in his or her judgment, the experience gained in the lower
17 classification may tend to qualify an employee to perform the
18 duties of a higher classification. In case of vacancy in higher
19 classifications, which cannot be filled by reinstatement, the
20 Director shall hold promotional examinations to fill such
21 vacancy. Incumbents of classifications in lines of promotion
22 established by the Director shall be solely eligible for such
23 examination, unless in the judgment of the Director, it is for
24 the best interests of the service that original examination for
25 such vacancy be held. In promotional examinations, efficiency

1 and seniority in service shall form a part of such examination,
2 but combined shall not carry a weight of more than 25% of the
3 total examination points. Although efficiency and seniority in
4 service shall not carry a weight of more than 25% of the total
5 examination points, the Director may require candidates to
6 separately pass the efficiency and seniority parts of the
7 examination in order for the candidates to be eligible to take
8 the subsequent parts of the examination. If the Director
9 requires candidates to separately pass the efficiency and
10 seniority parts of the examination, then any candidate who does
11 not pass the efficiency and seniority parts of the examination
12 shall fail the entire examination. All examinations for
13 promotion shall be competitive. The method of examination, the
14 rules governing the same, and the method of certifying shall be
15 the same as provided for in the original examination.

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

17 (70 ILCS 2605/4.11) (from Ch. 42, par. 323.11)

18 Sec. 4.11. Appointments. Whenever a position classified
19 under this Act is to be filled, except the positions of deputy
20 director of engineering, deputy director of monitoring and
21 research, deputy director of maintenance and operations,
22 assistant director of engineering, assistant director of
23 maintenance and operations, deputy general counsel, head
24 assistant attorneys, assistant director of monitoring and
25 research, assistant director of information technology,

1 comptroller, assistant treasurer, assistant director of
2 procurement and materials management, assistant director of
3 human resources, and laborers, the Executive Director
4 ~~appointing officer~~ shall make requisition upon the Director,
5 and the Director shall certify to him or her from the register
6 of eligibles for the position the names ~~and addresses~~ (a) of
7 the five candidates standing highest upon the register of
8 eligibles for the position, or (b) of the candidates within the
9 A category highest ranking group upon the register of eligibles
10 if the register is by categories designated as A, B, and C ~~such~~
11 ~~as excellent, well qualified, and qualified~~, provided,
12 however, that any certification shall consist of at least 5
13 candidates names, if available. If fewer than 5 candidates are
14 in the A category, then the ~~The~~ Director shall also certify all
15 of the candidates in the B category. If fewer than 5 candidates
16 are in the A and B categories combined, then the Director shall
17 also certify all of the candidates in the C category ~~names from~~
18 ~~succeeding categories in the order of excellence of the~~
19 ~~categories until at least 5 names are provided to the~~
20 ~~appointing officer. The~~ Executive Director ~~appointing officer~~
21 shall notify the Director of each position to be filled
22 separately and shall fill the position by appointment of one of
23 the certified candidates ~~persons certified to him by the~~
24 ~~Director. The~~ Executive Director's appointment decision shall
25 be final and not subject to review. An appointed candidate
26 ~~Appointments~~ shall be a probationary appointee on probation for

1 a period to be fixed by the rules, not exceeding 250 days
2 worked by the probationary appointee in the position of
3 probationary appointment ~~one year~~. At any time during the
4 period of probation, the Executive Director ~~appointing officer~~
5 with the approval of the Director may terminate ~~discharge~~ a
6 probationary appointee ~~person so certified~~ and shall ~~forthwith~~
7 notify the civil service board in writing of the termination;
8 however, the Executive Director's termination of a
9 probationary appointee shall be final and not subject to review
10 ~~this discharge~~. If a probationary appointee ~~person~~ is not
11 terminated ~~discharged~~, his or her appointment shall be deemed
12 complete.

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

24 In employment of an essentially temporary and transitory
25 nature, the Executive Director ~~appointing officer~~ may, with the
26 authority of the Director of Human Resources make temporary

1 appointments. No temporary appointment of an essentially
2 temporary and transitory nature may be granted for a period of
3 more than 119 consecutive or non-consecutive working days per
4 calendar year. The Director must include in his or her annual
5 report, and if required by the commissioners, in any special
6 report, a statement of all temporary appointments made
7 ~~authorities granted~~ during the year or period specified by the
8 commissioners, together with a statement of the facts in each
9 case because of which the authority was granted.

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

22 The positions of deputy director of engineering, deputy
23 director of monitoring and research, deputy director of
24 maintenance and operations, assistant director of engineering,
25 assistant director of maintenance and operations, deputy
26 general counsel, head assistant attorneys, assistant director

1 of monitoring and research, assistant director of information
2 technology, comptroller, assistant treasurer, assistant
3 director of procurement and materials management, and
4 assistant director of human resources shall be appointed by the
5 Executive Director upon the recommendation of the respective
6 department head and shall be on probation for a period to be
7 fixed by the rules, not exceeding two years. At any time during
8 the period of probation, the Executive Director on the
9 recommendation of the department head concerned, may terminate
10 any such probationary appointee ~~discharge a person so appointed~~
11 and he or she shall ~~forthwith~~ notify the Civil Service Board in
12 writing of the termination; however, the Executive Director's
13 termination of a probationary appointee shall be final and not
14 subject to review ~~such discharge~~. If a probationary appointee ~~a~~
15 ~~person~~ is not terminated ~~so discharged~~, his or her appointment
16 shall be deemed complete under the laws governing the
17 classified civil service.

18 (Source: P.A. 94-680, eff. 11-3-05; 95-345, eff. 1-1-08;
19 95-923, eff. 1-1-09.)

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