



Sen. Jil Tracy

Filed: 4/12/2018

10000SB2707sam001

LRB100 17609 RJF 38403 a

1 AMENDMENT TO SENATE BILL 2707

2 AMENDMENT NO. _____. Amend Senate Bill 2707 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Personnel Code is amended by changing
5 Section 11 as follows:

6 (20 ILCS 415/11) (from Ch. 127, par. 63b111)

7 Sec. 11. Hearing - disciplinary action. No officer or
8 employee under jurisdiction B, relating to merit and fitness,
9 who has been appointed under the rules and after examination,
10 shall be removed discharged or demoted, or be suspended for a
11 period of more than 30 days, in any 12 month period, except for
12 cause, upon written charges approved by the Director of Central
13 Management Services, and after an opportunity to be heard in
14 his own defense if he makes written request to the Commission
15 within 15 days after the serving of the written charges upon
16 him. Upon the filing of such a request for a hearing, the

1 Commission shall grant a hearing within 30 days. The time and
2 place of the hearing shall be fixed by the Commission, and due
3 notice thereof given the appointing officer and the employee.
4 The hearing shall be public, and the officer or employee is
5 entitled to call witnesses in his own defense and to have the
6 aid of counsel. The finding and decision of the Commission, or
7 the approval by the Commission of the finding and decision of
8 the officer or board appointed by it to conduct such
9 investigation, shall be rendered within 60 days after the
10 receipt of the transcript of the proceedings, unless the
11 Commission remands the matter back to the Administrative Law
12 Judge for the purpose of taking additional evidence, soliciting
13 additional argument, or for any other reason that will assist
14 the Commission in rendering its finding and decision. If the
15 finding and decision is not rendered within 60 days after
16 receipt of the transcript of the proceedings, or the matter is
17 not otherwise remanded by the Commission to the Administrative
18 Law Judge, the employee shall be considered to be reinstated
19 and shall receive full compensation for the period for which he
20 was suspended. The finding and decision of the Commission or
21 officer or board appointed by it to conduct investigation, when
22 approved by the Commission, shall be certified to the Director,
23 and shall be forthwith enforced by the Director. In making its
24 finding and decision, or in approving the finding and decision
25 of some officer or board appointed by it to conduct such
26 investigation, the Civil Service Commission may, for

1 disciplinary purposes, suspend an employee for a period of time
2 not to exceed 90 days, and in no event to exceed a period of 120
3 days from the date of any suspension of such employee, pending
4 investigation of such charges. If the Commission certifies a
5 decision that an officer or employee is to be retained in his
6 position and if it does not order a suspension for disciplinary
7 purposes, the officer or employee shall receive full
8 compensation for any period during which he was suspended
9 pending the investigation of the charges.

10 Nothing in this Section shall limit the authority to
11 suspend an employee for a reasonable period not exceeding 30
12 days, in any 12 month period.

13 Notwithstanding the provisions of this Section, an
14 arbitrator of the Illinois Workers' Compensation Commission,
15 appointed pursuant to Section 14 of the Workers' Compensation
16 Act, may be removed by the Governor upon the recommendation of
17 the Commission Review Board pursuant to Section 14.1 of such
18 Act.

19 Notwithstanding the provisions of this Section, a policy
20 making officer of a State agency, as defined in the Employee
21 Rights Violation Act, shall be discharged from State employment
22 as provided in the Employee Rights Violation Act, enacted by
23 the 85th General Assembly.

24 (Source: P.A. 93-721, eff. 1-1-05.)"