



Sen. Jil Tracy

**Filed: 4/30/2018**

10000SB2707sam002

LRB100 17609 RJF 39466 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 officer or board  
12 appointed to conduct such investigation for the purpose of  
13 taking additional evidence or soliciting additional argument.  
14 After receipt of the transcript of the proceedings after  
15 remand, or receipt of additional evidence or additional  
16 argument after remand, the Commission shall have an additional  
17 60 days in which to render a finding and decision. If the  
18 finding and decision is not rendered within 60 days after  
19 receipt of the transcript of the proceedings, or within 60 days  
20 after receipt of the transcript of the proceedings after remand  
21 or 60 days after receipt of additional evidence or additional  
22 argument after remand, the employee shall be considered to be  
23 reinstated and shall receive full compensation for the period  
24 for which he was suspended. The finding and decision of the  
25 Commission or officer or board appointed by it to conduct  
26 investigation, when approved by the Commission, shall be

1 certified to the Director, and shall be forthwith enforced by  
2 the Director. In making its finding and decision, or in  
3 approving the finding and decision of some officer or board  
4 appointed by it to conduct such investigation, the Civil  
5 Service Commission may, for disciplinary purposes, suspend an  
6 employee for a period of time not to exceed 90 days, and in no  
7 event to exceed a period of 120 days from the date of any  
8 suspension of such employee, pending investigation of such  
9 charges. If the Commission certifies a decision that an officer  
10 or employee is to be retained in his position and if it does  
11 not order a suspension for disciplinary purposes, the officer  
12 or employee shall receive full compensation for any period  
13 during which he was suspended pending the investigation of the  
14 charges.

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

18 Notwithstanding the provisions of this Section, an  
19 arbitrator of the Illinois Workers' Compensation Commission,  
20 appointed pursuant to Section 14 of the Workers' Compensation  
21 Act, may be removed by the Governor upon the recommendation of  
22 the Commission Review Board pursuant to Section 14.1 of such  
23 Act.

24 Notwithstanding the provisions of this Section, a policy  
25 making officer of a State agency, as defined in the Employee  
26 Rights Violation Act, shall be discharged from State employment

1 as provided in the Employee Rights Violation Act, enacted by  
2 the 85th General Assembly.  
3 (Source: P.A. 93-721, eff. 1-1-05.)".