**Section 2510.40 Exemption for Employment Involving Fiduciary Responsibilities**

Section 2-104(C) of the Human Rights Act (Ill. Rev. Stat. 1981, ch. 68, par 2-104(C)), provides that an individual who has received an unfavorable discharge from military service may be excluded from a particular job as *authorized by federal law or regulation, or when a position of employment involves the exercise of fiduciary responsibilities as defined by rules and regulations which the Department shall adopt.* The term "fiduciary responsibilities" in this context applies where the nature of the employment requires that the employee be entrusted with the discretionary safekeeping or disposition of currency, negotiable instruments or other valuable property, without supervision and under circumstances where great trust, confidence and good faith are necessarily attendant. Examples may include a trustee, guardian, broker, conservator, curator, receiver, partner, corporate or public officer, or business agent, where the foregoing characteristics exist. The mere handling of or access to currency or negotiable instruments is not sufficient to establish "fiduciary responsibilities." Examples which will not ordinarily qualify may include a retail salesperson, insurance salesperson or collector, customer service representative, clerk or cashier, service station attendant, ticket agent, librarian, teller, or appliance installer or repair person. Except where a particular position or assignment requires the discretionary handling of valuables amid great trust, law enforcement and fire personnel do not exercise "fiduciary responsibilities" within the meaning of Section 2-104(C).