



Rep. Carol Ammons

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LRB100 11276 MLM 23968 a

1 AMENDMENT TO HOUSE BILL 3185

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3185 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Universities Civil Service Act is  
5 amended by changing Sections 36b, 36c, 36d, 36e, 36f, 36g,  
6 36g-1, 36h, 36j, 36o, 36p, and 36s as follows:

7 (110 ILCS 70/36b) (from Ch. 24 1/2, par. 38b1)

8 Sec. 36b. Creation.

9 (1) A classified civil service system to be known as the  
10 State Universities Civil Service System is hereby created, and  
11 is hereinafter referred to as the University System.

12 (2) The purpose of the University System is to establish a  
13 sound program of personnel administration for the Illinois  
14 Community College Board, ~~State Community College of East St.~~  
15 ~~Louis (abolished under Section 2-12.1 of the Public Community~~  
16 ~~College Act),~~ Southern Illinois University, Chicago State

1 University, Eastern Illinois University, Governors State  
2 University, Illinois State University, Northeastern Illinois  
3 University, Northern Illinois University, Western Illinois  
4 University, the University of Illinois, the State Universities  
5 Civil Service System, the State Universities Retirement  
6 System, the State Scholarship Commission, and the Board of  
7 Higher Education. All certificates, appointments and  
8 promotions to positions in these agencies and institutions  
9 shall be made solely on the basis of merit and fitness, to be  
10 ascertained by examination, except as specified in Section 36e.

11 (3) The University ~~State Universities Civil Service~~ System  
12 hereby created shall be a separate entity of the State of  
13 Illinois and shall be under the control of a Board to be known  
14 as the University Civil Service Merit Board, and is hereinafter  
15 referred to as the Merit Board.

16 (Source: P.A. 97-333, eff. 8-12-11.)

17 (110 ILCS 70/36c) (from Ch. 24 1/2, par. 38b2)

18 Sec. 36c. The merit board. The Merit Board shall be  
19 composed of 11 members, 3 of whom shall be members of the Board  
20 of Trustees of the University of Illinois, one of whom shall be  
21 a member of the Board of Trustees of Southern Illinois  
22 University, one of whom shall be a member of the Board of  
23 Trustees of Chicago State University, one of whom shall be a  
24 member of the Board of Trustees of Eastern Illinois University,  
25 one of whom shall be a member of the Board of Trustees of

1     Governors State University, one of whom shall be a member of  
2     the Board of Trustees of Illinois State University, one of whom  
3     shall be a member of the Board of Trustees of Northeastern  
4     Illinois University, one of whom shall be a member of the Board  
5     of Trustees of Northern Illinois University, and one of whom  
6     shall be a member of the Board of Trustees of Western Illinois  
7     University. ~~The 7 new members required to be elected to the~~  
8     ~~Merit Board by their respective Boards of Trustees shall~~  
9     ~~replace the 2 persons who, until the effective date of this~~  
10    ~~amendatory Act of 1995, served as members of the Merit Board~~  
11    ~~elected from the Board of Governors of State Colleges and~~  
12    ~~Universities and the Board of Regents; and the terms of the~~  
13    ~~members elected to the Merit Board from the Board of Governors~~  
14    ~~of State Colleges and Universities and the Board of Regents~~  
15    ~~shall terminate on the effective date of this amendatory Act of~~  
16    ~~1995.~~ The members of the Merit Board shall be elected by the  
17    respective Boards in which they hold membership and they shall  
18    serve at the pleasure of the electing Boards.

19         All members of the Merit Board shall serve without  
20    compensation but shall be reimbursed for any traveling expenses  
21    incurred in attending meetings of the Merit Board.

22         The Merit Board shall determine the number necessary for a  
23    quorum, elect its own chairman and set up an Executive  
24    Committee of its own members which shall have all of the powers  
25    of the Merit Board except as limited by the Merit Board.

26         The Merit Board shall cause to be elected a committee of

1 not less than eleven members to be made up of Civil Service  
2 Employees, six of whom shall be nominated by and from the Civil  
3 Service Employees of the University of Illinois and one of whom  
4 shall be nominated by and from the Civil Service Employees of  
5 each of the other institutions specified in Section 36e, who  
6 will function in an advisory capacity to the Merit Board on all  
7 matters pertaining to the University System. This Advisory  
8 Committee shall meet at least quarterly and members of the  
9 Committee shall be reimbursed by their respective employers for  
10 time lost from work and for expenses incurred in attending  
11 meetings of the Committee.

12 (Source: P.A. 89-4, eff. 1-1-96.)

13 (110 ILCS 70/36d) (from Ch. 24 1/2, par. 38b3)

14 Sec. 36d. Powers and duties of the Merit Board. The Merit  
15 Board shall have the power and duty:-

16 (1) To approve a classification plan prepared under its  
17 direction, assigning to each class positions of  
18 substantially similar duties. The Merit Board shall have  
19 power to delegate to its Executive Director the duty of  
20 assigning each position in the classified service to the  
21 appropriate class in the classification plan approved by  
22 the Merit Board.

23 (2) To prescribe the duties of each class of positions  
24 and the qualifications required by employment in that  
25 class.

1           (3) To prescribe the range of compensation for each  
2 class or to fix a single rate of compensation for employees  
3 in a particular class; and to establish other conditions of  
4 employment which an employer and employee representatives  
5 have agreed upon as fair and equitable. The Merit Board  
6 shall direct the payment of the "prevailing rate of wages"  
7 in those classifications in which, on January 1, 1952, any  
8 employer is paying such prevailing rate and in such other  
9 classes as the Merit Board may thereafter determine.  
10 "Prevailing rate of wages" as used herein shall be the  
11 wages paid generally in the locality in which the work is  
12 being performed to employees engaged in work of a similar  
13 character. Each employer covered by the University System  
14 shall be authorized to negotiate with representatives of  
15 employees to determine appropriate ranges or rates of  
16 compensation or other conditions of employment and may  
17 recommend to the Merit Board for establishment the rates or  
18 ranges or other conditions of employment which the employer  
19 and employee representatives have agreed upon as fair and  
20 equitable. Any rates or ranges established prior to January  
21 1, 1952, and hereafter, shall not be changed except in  
22 accordance with the procedures herein provided.

23           (4) To recommend to the institutions and agencies  
24 specified in Section 36e standards for hours of work,  
25 holidays, sick leave, overtime compensation and vacation  
26 for the purpose of improving conditions of employment

1 covered therein and for the purpose of insuring conformity  
2 with the prevailing rate principal.

3 (5) To prescribe standards of examination for each  
4 class, the examinations to be related to the duties of such  
5 class. The Merit Board shall have power to delegate to the  
6 Executive Director and his or her staff the preparation,  
7 conduct and grading of examinations. Examinations may be  
8 written, oral, by statement of training and experience, in  
9 the form of tests of knowledge, skill, capacity, intellect,  
10 aptitude; or, by any other method, which in the judgment of  
11 the Merit Board is reasonable and practical for any  
12 particular classification. Different examining procedures  
13 may be determined for the examinations in different  
14 classifications but all examinations in the same  
15 classification shall be uniform.

16 (6) To authorize the continuous recruitment of  
17 personnel and to that end, to delegate to the Executive  
18 Director and his or her staff the power and the duty to  
19 conduct open and continuous competitive examinations for  
20 all classifications of employment.

21 (7) To cause to be established, l from the results of  
22 examinations, l registers for each class of positions in the  
23 classified service of the University ~~State Universities~~  
24 ~~Civil Service~~ System, of the persons who shall attain the  
25 minimum mark fixed by the Merit Board for the examination;  
26 and such persons shall take rank upon the registers as

1 candidates in the order of their relative excellence as  
2 determined by examination, without reference to priority  
3 of time of examination.

4 (8) To provide by its rules for promotions in the  
5 classified service. ~~Vacancies shall be filled by promotion~~  
6 ~~whenever practicable. For the purpose of this paragraph, an~~  
7 ~~advancement in class shall constitute a promotion.~~

8 (8.5) To issue subpoenas to secure the attendance and  
9 testimony of witnesses and the production of books and  
10 papers in the course of any investigation or hearing  
11 conducted pursuant to the Act.

12 (9) (Blank). ~~To set a probationary period of employment~~  
13 ~~of no less than 6 months and no longer than 12 months for~~  
14 ~~each class of positions in the classification plan, the~~  
15 ~~length of the probationary period for each class to be~~  
16 ~~determined by the Director.~~

17 (10) To provide by its rules for employment at regular  
18 rates of compensation of persons with physical  
19 disabilities in positions in which the disability does not  
20 prevent the individual from furnishing satisfactory  
21 service.

22 (11) To make and publish rules, to carry out the  
23 purpose of the University ~~State Universities Civil Service~~  
24 System and for examination, appointments, transfers and  
25 removals and for maintaining and keeping records of the  
26 efficiency of officers and employees and groups of officers

1 and employees in accordance with the provisions of Sections  
2 36b to 36q, inclusive, and said Merit Board may from time  
3 to time make changes in such rules.

4 (12) To appoint an Executive a Director who shall  
5 appoint staff to ~~and such assistants and other clerical and~~  
6 ~~technical~~ help as may be necessary efficiently to  
7 administer Sections 36b to 36q, inclusive. To authorize the  
8 Executive Director to appoint a Designated Employer  
9 Representative ~~an assistant resident~~ at the place of  
10 employment of each employer specified in Section 36e, and  
11 this Designated Employer Representative ~~assistant~~ may be  
12 authorized to give examinations and to certify names from  
13 the regional registers provided in Section 36k. The  
14 enumeration of specific duties and powers that the Merit  
15 Board may delegate to the Executive Director in this  
16 Section does not preclude the Merit Board from delegating  
17 other duties and powers to the Executive Director.

18 (13) To submit to the Governor of this state on or  
19 before November 1 of each year prior to the regular session  
20 of the General Assembly a report of the University System's  
21 business and an estimate of the amount of appropriation  
22 from state funds required for the purpose of administering  
23 the University System.

24 (14) To authorize the creation and use of pilot programs to  
25 further the goals of the Act, which may be inconsistent with  
26 any rules adopted by the Merit Board, provided that such



1 programs are of limited duration and do not reduce any rights  
2 or benefits of employees subject to this Act.

3 (Source: P.A. 99-143, eff. 7-27-15.)

4 (110 ILCS 70/36e) (from Ch. 24 1/2, par. 38b4)

5 Sec. 36e. Coverage. All employees of the Illinois Community  
6 College Board, ~~State Community College of East St. Louis~~  
7 ~~(abolished under Section 2-12.1 of the Public Community College~~  
8 ~~Act)~~, Southern Illinois University, Chicago State University,  
9 Eastern Illinois University, Governors State University,  
10 Illinois State University, Northeastern Illinois University,  
11 Northern Illinois University, Western Illinois University, the  
12 University of Illinois, the University State Universities  
13 Civil Service System, the State Universities Retirement  
14 System, the State Scholarship Commission, and the Board of  
15 Higher Education, shall be covered by the University System  
16 described in Sections 36b to 36q, inclusive, of this Act,  
17 except the following persons:

18 (1) The members and officers of the Merit Board and the  
19 board of trustees, and the commissioners of the  
20 institutions and agencies covered hereunder;

21 (2) The presidents and vice-presidents of each  
22 educational institution;

23 (3) Other principal administrative employees of each  
24 institution and agency as determined by the Merit Board;

25 (4) The teaching, research and extension faculties of

1 each institution and agency;

2 (5) Students employed under rules prescribed by the  
3 Merit Board, without examination or certification.

4 (Source: P.A. 97-333, eff. 8-12-11.)

5 (110 ILCS 70/36f) (from Ch. 24 1/2, par. 38b5)

6 Sec. 36f. Examinations.

7 (a) All examinations given under the University System  
8 shall be open to all applicants who are citizens of or  
9 residents in the State of Illinois and who can qualify by  
10 training and experience for the position for which application  
11 is made. In examinations for technical positions for which no  
12 qualified residents of this State are available the residence  
13 requirement may be waived.

14 (b) Examinations may be written; oral; by statement of  
15 training and experience; in the form of tests of knowledge,  
16 skill, capacity, intellect, or aptitude; or by any other method  
17 which, in the judgment of the Merit Board, is reasonable and  
18 practical for any particular classification. The examinations  
19 shall be practical and shall relate to the classification for  
20 which the examination is given. No question in any examination  
21 shall relate to political or religious affiliation or racial  
22 origins of the examinee.

23 (c) Different examining procedures may be determined for  
24 the examinations in different classifications, but all  
25 examinations in the same classification must be uniform. The

1 examination requirement for the initial appointment, entry  
2 level position only, of law enforcement personnel may be waived  
3 if an applicant has satisfied all the requirements established  
4 by the Illinois Police Training Act for appointment of law  
5 enforcement officers and if the Merit Board allows for such a  
6 waiver by rule. Additional positions may have the examination  
7 requirement waived if the occupational standards are regulated  
8 by the Department of Financial and Professional Regulation, as  
9 designated by the Merit Board and provided for in adopted  
10 rules.

11 (Source: Laws 1951, p. 1289.)

12 (110 ILCS 70/36g) (from Ch. 24 1/2, par. 38b6)

13 Sec. 36g. Appropriate ~~For the granting of appropriate~~  
14 preference in entrance examinations to qualified persons who  
15 have been members of the armed forces of the United States or  
16 to qualified persons who, while citizens of the United States,  
17 were members of the armed forces of allies of the United States  
18 in time of hostilities with a foreign country, and to certain  
19 other persons as set forth in this Section.

20 (a) As used in this Section:

21 (1) "Time of hostilities with a foreign country" means  
22 any period of time in the past, present, or future during  
23 which a declaration of war by the United States Congress  
24 has been or is in effect or during which an emergency  
25 condition has been or is in effect that is recognized by

1 the issuance of a Presidential proclamation or a  
2 Presidential executive order and in which the armed forces  
3 expeditionary medal or other campaign service medals are  
4 awarded according to Presidential executive order.

5 (2) "Armed forces of the United States" means the  
6 United States Army, Navy, Air Force, Marine Corps, Coast  
7 Guard. Service in the Merchant Marine that constitutes  
8 active duty under Section 401 of federal Public Law 95-202  
9 shall also be considered service in the Armed Forces of the  
10 United States for purposes of this Section.

11 (b) The preference granted under this Section shall be in  
12 the form of points added to the final grades of the persons if  
13 they otherwise qualify and are entitled to appear on the list  
14 of those eligible for appointments.

15 (c) A veteran is qualified for a preference of 10 points if  
16 the veteran currently holds proof of a service connected  
17 disability from the United States Department of Veterans  
18 Affairs or an allied country or if the veteran is a recipient  
19 of the Purple Heart.

20 (d) A veteran who has served during a time of hostilities  
21 with a foreign country is qualified for a preference of 5  
22 points if the veteran served under one or more of the following  
23 conditions:

24 (1) The veteran served a total of at least 6 months, or

25 (2) The veteran served for the duration of hostilities  
26 regardless of the length of engagement, or

1           (3) The veteran was discharged on the basis of  
2           hardship, or

3           (4) The veteran was released from active duty because  
4           of a service connected disability and was discharged under  
5           honorable conditions.

6           (e) A person not eligible for a preference under subsection  
7           (c) or (d) is qualified for a preference of 3 points if the  
8           person has served in the armed forces of the United States, the  
9           Illinois National Guard, or any reserve component of the armed  
10          forces of the United States and the person: (1) served for at  
11          least 6 months and has been discharged under honorable  
12          conditions or (2) has been discharged on the ground of hardship  
13          or (3) was released from active duty because of a service  
14          connected disability. An active member of the National Guard or  
15          a reserve component of the armed forces of the United States is  
16          eligible for the preference if the member meets the service  
17          requirements of this subsection (e).

18          (f) The rank order of persons entitled to a preference on  
19          eligible lists shall be determined on the basis of their  
20          augmented ratings. When the Executive Director establishes  
21          eligible lists on the basis of category ratings such as  
22          "superior", "excellent", "well-qualified", and "qualified",  
23          the veteran eligibles in each such category shall be preferred  
24          for appointment before the non-veteran eligibles in the same  
25          category.

26          (g) (Blank). ~~Employees in positions covered by this Act~~

1 ~~who, while in good standing, leave to engage in military~~  
2 ~~service during a period of hostility, shall be given credit for~~  
3 ~~seniority purposes for time served in the armed forces.~~

4 (h) A surviving unremarried spouse of a veteran who  
5 suffered a service connected death or the spouse of a veteran  
6 who suffered a service connected disability that prevents the  
7 veteran from qualifying for civil service employment shall be  
8 entitled to the same preference to which the veteran would have  
9 been entitled under this Section.

10 (i) A preference shall also be given to the following  
11 individuals: 10 points for one parent of an unmarried veteran  
12 who suffered a service connected death or a service connected  
13 disability that prevents the veteran from qualifying for civil  
14 service employment. The first parent to receive a civil service  
15 appointment shall be the parent entitled to the preference.

16 (Source: P.A. 87-796.)

17 (110 ILCS 70/36g-1) (from Ch. 24 1/2, par. 38b6.1)

18 Sec. 36g-1. Active military service. Any employee of any  
19 institution or agency subject to this Act ~~State Community~~  
20 ~~College of East St. Louis (abolished under Section 2-12.1 of~~  
21 ~~the Public Community College Act), Southern Illinois~~  
22 ~~University, the University of Illinois, any university under~~  
23 ~~the jurisdiction of the Board of Regents, or any college or~~  
24 ~~university under the jurisdiction of the Board of Governors of~~  
25 ~~State Colleges and Universities~~ who is a member of any reserve

1 component of the United States Armed Services, including the  
2 Illinois National Guard, and who is mobilized to active  
3 military duty ~~on or after August 1, 1990~~ as a result of an  
4 order of the President of the United States, shall, for each  
5 pay period beginning on or after the date of that mobilization,  
6 ~~August 1, 1990~~ continue to receive the same regular  
7 compensation that he or she receives or was receiving as an  
8 employee of that educational institution or agency at the time  
9 he or she is or was so mobilized to active military duty, plus  
10 any health insurance and other benefits he or she is or was  
11 receiving or accruing at that time, minus the amount of his or  
12 her base pay for military service, and shall be given credit  
13 for seniority purposes for the duration of his or her active  
14 military service.

15 In the event any provision of a collective bargaining  
16 agreement or any policy of the educational institution covering  
17 any employee so ordered to active duty is more generous than  
18 the provisions contained in this Section, that collective  
19 bargaining agreement or policy shall be controlling.

20 (Source: P.A. 97-333, eff. 8-12-11.)

21 (110 ILCS 70/36h) (from Ch. 24 1/2, par. 38b7)

22 Sec. 36h. Appointment.

23 (1) Whenever an employer covered by the University System  
24 has a position which needs to be filled, this employer shall  
25 inform the Executive Director of the Merit Board. The Executive

1 Director shall then certify to the employer the names and  
2 addresses of the persons with the 3 highest scores on the  
3 register for the classification to which the position is  
4 assigned. The employer shall select one of these persons  
5 certified for the position and shall notify the Executive  
6 Director of the Merit Board of the selection. If less than 3  
7 scores appear on the appropriate register, the Executive  
8 Director shall certify the names and addresses of all persons  
9 on the register.

10 (2) All appointments shall be for a probationary period of  
11 no less than 6 months and no longer than 12 months for each  
12 class of positions in the classification plan, the length of  
13 the probationary period for each class having been determined  
14 by the Executive Director, except that persons first appointed  
15 to any police department of any university or college subject  
16 to this Act ~~covered by the University System after the~~  
17 ~~effective date of this amendatory Act of 1979~~ shall be on  
18 probation for one year. The service during the probationary  
19 period shall be deemed to be a part of the examination. During  
20 the probationary period, the employee may be dismissed if the  
21 employer determines that the employee has failed to demonstrate  
22 the ability and the qualifications necessary to furnish  
23 satisfactory service. The employer shall notify the Executive  
24 Director in writing of such dismissal. If an employee is not so  
25 dismissed during his or her probationary period, his or her  
26 appointment shall be deemed complete at the end of the period.



1           (3) No person shall be appointed to any police department  
2 of any university or college covered by the University System  
3 unless he or she possesses a high school diploma or an  
4 equivalent high school education and unless he or she is a  
5 person of good character and is not a person who has been  
6 convicted of a felony or a crime involving moral turpitude.

7           (Source: P.A. 99-72, eff. 1-1-16.)

8           (110 ILCS 70/36j) (from Ch. 24 1/2, par. 38b9)

9           Sec. 36j. Promotions.

10          (a) The Merit Board shall by rules provide for promotions  
11 on the basis of ability and experience and seniority in service  
12 and examination and to provide in all cases where it is  
13 practicable that vacancies will be filled by promotion. For the  
14 purpose of this Section, an advancement in class shall  
15 constitute a promotion.

16          (b) The Merit Board shall by rule fix lines of promotion  
17 from such several offices and places to superior offices or  
18 places in all cases where, in the judgment of the Merit Board,  
19 the duties of such several positions directly tend to fit the  
20 incumbent for a superior position.

21          ~~(c) Employees promoted in the promotional line shall have~~  
22 ~~their seniority for the highest position held on the basis of~~  
23 ~~length of service in that classification. For the next lower~~  
24 ~~classification the employee may add his seniority in the higher~~  
25 ~~classification to that in the lower to determine seniority in~~

1 ~~the lower classification.~~ Whenever a superior position in the  
2 promotional line in the classified civil service under the  
3 University System is to be filled, the Executive Director shall  
4 certify to the employer, in the order of their seniority, the  
5 names and addresses of the persons with the 3 highest scores on  
6 the promotional register for the class or grade to which said  
7 position belongs. The employer shall appoint one of those  
8 persons whose names were certified by the Executive Director.

9 (d) Appointments to superior positions in the promotional  
10 line shall be on probation for a period of no less than 6  
11 months and no longer than 12 months for each class of positions  
12 in the classification plan, the length of the probationary  
13 period having been determined by the Executive Director.  
14 Persons so appointed may be demoted at any time during the  
15 period of probation if, in the opinion of the employer, they  
16 have failed to demonstrate the ability and the qualifications  
17 necessary to furnish satisfactory service, but shall not be  
18 discharged from the superior position if they have previously  
19 completed a probationary period in an inferior position in the  
20 promotional line.

21 (e) Employees promoted in the promotional line shall have  
22 their seniority for the highest position held on the basis of  
23 length of service in that classification. For the next lower  
24 classification, the employee may add his or her seniority in  
25 the higher classification to that in the lower to determine  
26 seniority in the lower classification.

1        (f) Whenever a person is promoted to a superior position in  
2 the promotional line prior to the completion of the  
3 probationary period in any one of the positions in the  
4 classified civil service under the University System, total  
5 service in the inferior position and in all such superior  
6 positions shall be combined to establish certified status and  
7 seniority in the inferior position.

8        (Source: P.A. 99-72, eff. 1-1-16.)

9        (110 ILCS 70/36o) (from Ch. 24 1/2, par. 38b14)

10       Sec. 36o. Demotion, removal, and discharge.

11       (a) After the completion of his or her probationary period,  
12 no employee shall be demoted, removed or discharged except for  
13 just cause, upon written charges, and after an opportunity to  
14 be heard in his or her own defense if he or she makes a written  
15 request for a hearing to the Merit Board within 15 days after  
16 the serving of the written charges upon him or her.

17       (b) Upon the filing of such a request for a hearing, the  
18 Merit Board shall grant such hearing by a hearing board or  
19 hearing officer appointed by the Merit Board to commence ~~be~~  
20 ~~held~~ within 45 days from the date of the service of the  
21 demotion, removal, or discharge notice, which may be continued  
22 from time to time ~~by a hearing board or hearing officer~~  
23 ~~appointed by the Merit Board. The members of the hearing board~~  
24 ~~or the hearing officer shall be selected from among the members~~  
25 ~~of a panel established by the Merit Board after consultation~~

1 ~~with the Advisory Committee provided in Section 36e.~~ The  
2 hearing board or hearing officer shall make and render findings  
3 of facts on the charges and transmit to the Merit Board a  
4 transcript of the evidence along with the hearing board's or  
5 hearing officer's findings of fact. The findings of the hearing  
6 board or hearing officer when approved by the Merit Board shall  
7 be certified to the parties ~~employer~~.

8 (c) If cause for demotion, removal, or discharge is found,  
9 the employee shall be immediately demoted, removed, or  
10 discharged ~~separated~~ from the service. If cause is not found,  
11 the employee shall forthwith be reassigned to perform the  
12 duties of a position in his or her classification without loss  
13 of compensation.

14 (d) In the course of the hearing, the Executive Director of  
15 the Merit Board shall have power to administer oaths and to  
16 secure by subpoena the attendance and testimony of witnesses  
17 and the production of books and papers relevant to the inquiry.

18 (e) The provisions of the Administrative Review Law and all  
19 amendments and modification thereof, and the rules adopted  
20 pursuant thereto, shall apply to and govern all proceedings for  
21 the judicial review of final administrative decisions of the  
22 Merit Board hereby created. The term "administrative decision"  
23 is defined as in Section 3-101 of the Code of Civil Procedure.

24 (Source: P.A. 95-113, eff. 8-13-07.)

1           Sec. 36p. Nondiscrimination. In the administration of the  
2 University System, no applicant shall be denied employment by  
3 the Merit Board or by any employer subject to this Act because  
4 of race, color, sex, national origin, religious or political  
5 affiliations, ancestry, age, marital status, order of  
6 protection status, disability, military status, sexual  
7 orientation, pregnancy, or unfavorable military discharge, as  
8 defined in the Illinois Human Rights Act, except that any  
9 applicant for employment may be required as a condition of  
10 employment, to sign a valid oath attesting his loyalty to the  
11 state and the United States.

12         (Source: P.A. 78-842.)

13           (110 ILCS 70/36s) (from Ch. 24 1/2, par. 38b18)

14           Sec. 36s. Supported employees.

15           (a) The Merit Board shall develop and implement a supported  
16 employment program. ~~It shall be the goal of the program to~~  
17 ~~appoint a minimum of 10 supported employees to State University~~  
18 ~~civil service positions before June 30, 1992.~~

19           (b) The Merit Board shall designate a liaison to work with  
20 State agencies and departments, any funder or provider or both,  
21 and State universities in the implementation of a supported  
22 employment program.

23           (c) As used in this Section:

24                 (1) "Supported employee" means any individual who:

25                     (A) has a severe physical or mental disability

1           which seriously limits functional capacities,  
2           including but not limited to, mobility, communication,  
3           self-care, self-direction, work tolerance or work  
4           skills, in terms of employability as defined,  
5           determined and certified by the Department of Human  
6           Services; and

7           (B) has one or more physical or mental disabilities  
8           resulting from amputation; arthritis; blindness;  
9           cancer; cerebral palsy; cystic fibrosis; deafness;  
10          heart disease; hemiplegia; respiratory or pulmonary  
11          dysfunction; an intellectual disability; mental  
12          illness; multiple sclerosis; muscular dystrophy;  
13          musculoskeletal disorders; neurological disorders,  
14          including stroke and epilepsy; paraplegia;  
15          quadriplegia and other spinal cord conditions; sickle  
16          cell anemia; and end-stage renal disease; or another  
17          disability or combination of disabilities determined  
18          on the basis of an evaluation of rehabilitation  
19          potential to cause comparable substantial functional  
20          limitation.

21          (2) "Supported employment" means competitive work in  
22          integrated work settings:

23                 (A) for individuals with severe disabilities for  
24                 whom competitive employment has not traditionally  
25                 occurred, or

26                 (B) for individuals for whom competitive

1 employment has been interrupted or intermittent as a  
2 result of a severe disability, and who because of their  
3 disability, need on-going support services to perform  
4 such work. The term includes transitional employment  
5 for individuals with chronic mental illness.

6 (3) "Participation in a supported employee program"  
7 means participation as a supported employee that is not  
8 based on the expectation that an individual will have the  
9 skills to perform all the duties in a job class, but on the  
10 assumption that with support and adaptation, or both, a job  
11 can be designed to take advantage of the supported  
12 employee's special strengths.

13 (4) "Funder" means any entity either State, local or  
14 federal, or private not-for-profit or for-profit that  
15 provides monies to programs that provide services related  
16 to supported employment.

17 (5) "Provider" means any entity either public or  
18 private that provides technical support and services to any  
19 department or agency subject to the control of the  
20 Governor, the Secretary of State or the University ~~Civil~~  
21 ~~Service~~ System.

22 (d) The Merit Board shall establish job classifications for  
23 supported employees who may be appointed into the  
24 classifications without open competitive testing requirements.  
25 Supported employees shall serve in a trial employment capacity  
26 for not less than 3 or more than 12 months.

1           (e) The Merit Board shall maintain a record of all  
2 individuals hired as supported employees. The record shall  
3 include:

4           (1) the number of supported employees initially  
5 appointed;

6           (2) the number of supported employees who successfully  
7 complete the trial employment periods; and

8           (3) the number of permanent targeted positions by  
9 titles.

10          (f) The Merit Board shall submit an annual report to the  
11 General Assembly regarding the employment progress of  
12 supported employees, with recommendations for legislative  
13 action.

14          (Source: P.A. 99-143, eff. 7-27-15.)".