

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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
17 University, Eastern Illinois University, Governors State
18 University, Illinois State University, Northeastern Illinois
19 University, Northern Illinois University, Western Illinois
20 University, the University of Illinois, the State Universities
21 Civil Service System, the State Universities Retirement
22 System, the State Scholarship Commission, and the Board of
23 Higher Education. All certificates, appointments and

1 promotions to positions in these agencies and institutions
2 shall be made solely on the basis of merit and fitness, to be
3 ascertained by examination, except as specified in Section 36e.

4 (3) The University ~~State Universities Civil Service~~ System
5 hereby created shall be a separate entity of the State of
6 Illinois and shall be under the control of a Board to be known
7 as the University Civil Service Merit Board, and is hereinafter
8 referred to as the Merit Board.

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

10 (110 ILCS 70/36c) (from Ch. 24 1/2, par. 38b2)

11 Sec. 36c. The merit board. The Merit Board shall be
12 composed of 11 members, 3 of whom shall be members of the Board
13 of Trustees of the University of Illinois, one of whom shall be
14 a member of the Board of Trustees of Southern Illinois
15 University, one of whom shall be a member of the Board of
16 Trustees of Chicago State University, one of whom shall be a
17 member of the Board of Trustees of Eastern Illinois University,
18 one of whom shall be a member of the Board of Trustees of
19 Governors State University, one of whom shall be a member of
20 the Board of Trustees of Illinois State University, one of whom
21 shall be a member of the Board of Trustees of Northeastern
22 Illinois University, one of whom shall be a member of the Board
23 of Trustees of Northern Illinois University, and one of whom
24 shall be a member of the Board of Trustees of Western Illinois
25 University. ~~The 7 new members required to be elected to the~~

1 ~~Merit Board by their respective Boards of Trustees shall~~
2 ~~replace the 2 persons who, until the effective date of this~~
3 ~~amendatory Act of 1995, served as members of the Merit Board~~
4 ~~elected from the Board of Governors of State Colleges and~~
5 ~~Universities and the Board of Regents; and the terms of the~~
6 ~~members elected to the Merit Board from the Board of Governors~~
7 ~~of State Colleges and Universities and the Board of Regents~~
8 ~~shall terminate on the effective date of this amendatory Act of~~
9 ~~1995.~~ The members of the Merit Board shall be elected by the
10 respective Boards in which they hold membership and they shall
11 serve at the pleasure of the electing Boards.

12 All members of the Merit Board shall serve without
13 compensation but shall be reimbursed for any traveling expenses
14 incurred in attending meetings of the Merit Board.

15 The Merit Board shall determine the number necessary for a
16 quorum, elect its own chairperson ~~chairman~~ and set up an
17 Executive Committee of its own members which shall have all of
18 the powers of the Merit Board except as limited by the Merit
19 Board.

20 The Merit Board shall cause to be elected a committee of
21 not less than eleven members to be made up of Civil Service
22 Employees, six of whom shall be nominated by and from the Civil
23 Service Employees of the University of Illinois and one of whom
24 shall be nominated by and from the Civil Service Employees of
25 each of the other institutions specified in Section 36e, who
26 will function in an advisory capacity to the Merit Board on all

1 matters pertaining to the University System. This Advisory
2 Committee shall meet at least quarterly and members of the
3 Committee shall be reimbursed by their respective employers for
4 time lost from work and for expenses incurred in attending
5 meetings of the Committee.

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

7 (110 ILCS 70/36d) (from Ch. 24 1/2, par. 38b3)

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

10 (1) To approve a classification plan prepared under its
11 direction, assigning to each class positions of
12 substantially similar duties. The Merit Board shall have
13 power to delegate to its Executive Director the duty of
14 assigning each position in the classified service to the
15 appropriate class in the classification plan approved by
16 the Merit Board.

17 (2) To prescribe the duties of each class of positions
18 and the qualifications required by employment in that
19 class.

20 (3) To prescribe the range of compensation for each
21 class or to fix a single rate of compensation for employees
22 in a particular class; and to establish other conditions of
23 employment which an employer and employee representatives
24 have agreed upon as fair and equitable. The Merit Board
25 shall direct the payment of the "prevailing rate of wages"

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

17 (4) To recommend to the institutions and agencies
18 specified in Section 36e standards for hours of work,
19 holidays, sick leave, overtime compensation and vacation
20 for the purpose of improving conditions of employment
21 covered therein and for the purpose of insuring conformity
22 with the prevailing rate principal.

23 (5) To prescribe standards of examination for each
24 class, the examinations to be related to the duties of such
25 class. The Merit Board shall have power to delegate to the
26 Executive Director and his or her staff the preparation,

1 conduct and grading of examinations. ~~Examinations may be~~
2 ~~written, oral, by statement of training and experience, in~~
3 ~~the form of tests of knowledge, skill, capacity, intellect,~~
4 ~~aptitude, or, by any other method, which in the judgment of~~
5 ~~the Merit Board is reasonable and practical for any~~
6 ~~particular classification. Different examining procedures~~
7 ~~may be determined for the examinations in different~~
8 ~~classifications but all examinations in the same~~
9 ~~classification shall be uniform.~~

10 (6) To authorize the continuous recruitment of
11 personnel and to that end, to delegate to the Executive
12 Director and his or her staff the power and the duty to
13 conduct open and continuous competitive examinations for
14 all classifications of employment.

15 (7) To cause to be established, from the results of
16 examinations, registers for each class of positions in the
17 classified service of the University ~~State Universities~~
18 ~~Civil Service~~ System, of the persons who shall attain the
19 minimum mark fixed by the Merit Board for the examination;
20 and such persons shall take rank upon the registers as
21 candidates in the order of their relative excellence as
22 determined by examination, without reference to priority
23 of time of examination.

24 (8) To provide by its rules for promotions in the
25 classified service. ~~Vacancies shall be filled by promotion~~
26 ~~whenever practicable. For the purpose of this paragraph, an~~

1 ~~advancement in class shall constitute a promotion.~~

2 (8.5) To issue subpoenas to secure the attendance and
3 testimony of witnesses and the production of books and
4 papers in the course of any investigation or hearing
5 conducted pursuant to the Act.

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

11 (10) To provide by its rules for employment at regular
12 rates of compensation of persons with physical
13 disabilities in positions in which the disability does not
14 prevent the individual from furnishing satisfactory
15 service.

16 (11) To make and publish rules, to carry out the
17 purpose of the University State Universities Civil Service
18 System and for examination, appointments, transfers and
19 removals and for maintaining and keeping records of the
20 efficiency of officers and employees and groups of officers
21 and employees in accordance with the provisions of Sections
22 36b to 36q, inclusive, and said Merit Board may from time
23 to time make changes in such rules.

24 (12) To appoint an Executive a Director who shall
25 appoint staff to ~~and such assistants and other clerical and~~
26 ~~technical~~ help as may be necessary efficiently to

1 administer Sections 36b to 36q, inclusive. To authorize the
2 Executive Director to appoint a Designated Employer
3 Representative ~~an assistant resident~~ at the place of
4 employment of each employer specified in Section 36e, and
5 this Designated Employer Representative ~~assistant~~ may be
6 authorized to give examinations and to certify names from
7 the regional registers provided in Section 36k. The
8 enumeration of specific duties and powers that the Merit
9 Board may delegate to the Executive Director in this
10 Section does not preclude the Merit Board from delegating
11 other duties and powers to the Executive Director.

12 (13) To submit to the Governor of this state on or
13 before November 1 of each year prior to the regular session
14 of the General Assembly a report of the University System's
15 business and an estimate of the amount of appropriation
16 from state funds required for the purpose of administering
17 the University System.

18 (14) To authorize the creation and use of pilot
19 programs to further the goals of the Act, which may be
20 inconsistent with any rules adopted by the Merit Board,
21 provided that such programs are of limited duration and do
22 not reduce any rights or benefits of employees subject to
23 this Act.

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

25 (110 ILCS 70/36e) (from Ch. 24 1/2, par. 38b4)

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

14 (1) The members and officers of the Merit Board and the
15 board of trustees, and the commissioners of the
16 institutions and agencies covered hereunder;

17 (2) The presidents and vice-presidents of each
18 educational institution;

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

21 (4) The teaching, research and extension faculties of
22 each institution and agency;

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

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

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

2 Sec. 36f. Examinations.

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

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

19 (c) Different examining procedures may be determined for
20 the examinations in different classifications, but all
21 examinations in the same classification must be uniform. The
22 examination requirement for the initial appointment, entry
23 level position only, of law enforcement personnel may be waived
24 if an applicant has satisfied all the requirements established
25 by the Illinois Police Training Act for appointment of law
26 enforcement officers and if the Merit Board allows for such a

1 waiver by rule. Additional positions, entry level only, may
2 have the examination requirement waived if the occupational
3 standards are regulated by the Department of Financial and
4 Professional Regulation, as designated by the Merit Board and
5 provided for in adopted rules.

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

7 (110 ILCS 70/36g) (from Ch. 24 1/2, par. 38b6)

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

15 (a) As used in this Section:

16 (1) "Time of hostilities with a foreign country" means
17 any period of time in the past, present, or future during
18 which a declaration of war by the United States Congress
19 has been or is in effect or during which an emergency
20 condition has been or is in effect that is recognized by
21 the issuance of a Presidential proclamation or a
22 Presidential executive order and in which the armed forces
23 expeditionary medal or other campaign service medals are
24 awarded according to Presidential executive order.

25 (2) "Armed forces of the United States" means the

1 United States Army, Navy, Air Force, Marine Corps, Coast
2 Guard. Service in the Merchant Marine that constitutes
3 active duty under Section 401 of federal Public Law 95-202
4 shall also be considered service in the Armed Forces of the
5 United States for purposes of this Section.

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

10 (c) A veteran is qualified for a preference of 10 points if
11 the veteran currently holds proof of a service connected
12 disability from the United States Department of Veterans
13 Affairs or an allied country or if the veteran is a recipient
14 of the Purple Heart.

15 (d) A veteran who has served during a time of hostilities
16 with a foreign country is qualified for a preference of 5
17 points if the veteran served under one or more of the following
18 conditions:

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

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

22 (3) The veteran was discharged on the basis of
23 hardship, or

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

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

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

21 (g) Employees in positions covered by this Act who, while
22 in good standing, leave to engage in military service during a
23 period of hostility, shall be given credit for seniority
24 purposes for time served in the armed forces.

25 (h) A surviving unremarried spouse of a veteran who
26 suffered a service connected death or the spouse of a veteran

1 who suffered a service connected disability that prevents the
2 veteran from qualifying for civil service employment shall be
3 entitled to the same preference to which the veteran would have
4 been entitled under this Section.

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

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

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

13 Sec. 36g-1. Active military service. Any employee of any
14 institution or agency subject to this Act ~~State Community~~
15 ~~College of East St. Louis (abolished under Section 2-12.1 of~~
16 ~~the Public Community College Act), Southern Illinois~~
17 ~~University, the University of Illinois, any university under~~
18 ~~the jurisdiction of the Board of Regents, or any college or~~
19 ~~university under the jurisdiction of the Board of Governors of~~
20 ~~State Colleges and Universities~~ who is a member of any reserve
21 component of the United States Armed Services, including the
22 Illinois National Guard, and who is mobilized to active
23 military duty ~~on or after August 1, 1990~~ as a result of an
24 order of the President of the United States, shall, for each
25 pay period beginning on or after the date of that mobilization,

1 ~~August 1, 1990~~ continue to receive the same regular
2 compensation that he or she receives or was receiving as an
3 employee of that educational institution or agency at the time
4 he or she is or was so mobilized to active military duty, plus
5 any health insurance and other benefits he or she is or was
6 receiving or accruing at that time, minus the amount of his or
7 her base pay for military service, and shall be given credit
8 for seniority purposes for the duration of his or her active
9 military service.

10 In the event any provision of a collective bargaining
11 agreement or any policy of the educational institution covering
12 any employee so ordered to active duty is more generous than
13 the provisions contained in this Section, that collective
14 bargaining agreement or policy shall be controlling.

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

16 (110 ILCS 70/36h) (from Ch. 24 1/2, par. 38b7)

17 Sec. 36h. Appointment.

18 (1) Whenever an employer covered by the University System
19 has a position which needs to be filled, this employer shall
20 inform the Executive Director of the Merit Board. The Executive
21 Director shall then certify to the employer the names and
22 addresses of the persons with the 3 highest scores on the
23 register for the classification to which the position is
24 assigned. The employer shall select one of these persons
25 certified for the position and shall notify the Executive

1 Director of the Merit Board of the selection. If less than 3
2 scores appear on the appropriate register, the Executive
3 Director shall certify the names and addresses of all persons
4 on the register.

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

22 (3) No person shall be appointed to any police department
23 of any university or college covered by the University System
24 unless he or she possesses a high school diploma or an
25 equivalent high school education and unless he or she is a
26 person of good character and is not a person who has been

1 convicted of a felony or a crime involving moral turpitude.

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

3 (110 ILCS 70/36j) (from Ch. 24 1/2, par. 38b9)

4 Sec. 36j. Promotions.

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

11 (b) The Merit Board shall by rule fix lines of promotion
12 from such several offices and places to superior offices or
13 places in all cases where, in the judgment of the Merit Board,
14 the duties of such several positions directly tend to fit the
15 incumbent for a superior position.

16 ~~(c) Employees promoted in the promotional line shall have~~
17 ~~their seniority for the highest position held on the basis of~~
18 ~~length of service in that classification. For the next lower~~
19 ~~classification the employee may add his seniority in the higher~~
20 ~~classification to that in the lower to determine seniority in~~
21 ~~the lower classification.~~ Whenever a superior position in the
22 promotional line in the classified civil service under the
23 University System is to be filled, the Executive Director shall
24 certify to the employer, in the order of their seniority, the
25 names and addresses of the persons with the 3 highest scores on

1 the promotional register for the class or grade to which said
2 position belongs. The employer shall appoint one of those
3 persons whose names were certified by the Executive Director.

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

16 (e) Employees promoted in the promotional line shall have
17 their seniority for the highest position held on the basis of
18 length of service in that classification. For the next lower
19 classification, the employee may add his or her seniority in
20 the higher classification to that in the lower to determine
21 seniority in the lower classification.

22 (f) Whenever a person is promoted to a superior position in
23 the promotional line prior to the completion of the
24 probationary period in any one of the positions in the
25 classified civil service under the University System, total
26 service in the inferior position and in all such superior

1 positions shall be combined to establish certified status and
2 seniority in the inferior position.

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

4 (110 ILCS 70/36o) (from Ch. 24 1/2, par. 38b14)

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

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

12 (b) Upon the filing of such a request for a hearing, the
13 Merit Board shall grant such hearing by a hearing board or
14 hearing officer appointed by the Merit Board to commence ~~be~~
15 ~~held~~ within 45 days from the date of the service of the
16 demotion, removal, or discharge notice, which may be continued
17 from time to time by a hearing board or hearing officer
18 ~~appointed by the Merit Board. The members of the hearing board~~
19 ~~or the hearing officer shall be selected from among the members~~
20 ~~of a panel established by the Merit Board after consultation~~
21 ~~with the Advisory Committee provided in Section 36e.~~ The
22 hearing board or hearing officer shall make and render findings
23 of facts on the charges and transmit to the Merit Board a
24 transcript of the evidence along with the hearing board's or
25 hearing officer's findings of fact. The findings of the hearing

1 board or hearing officer when approved by the Merit Board shall
2 be certified to the parties ~~employer~~.

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

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

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

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

20 (110 ILCS 70/36p) (from Ch. 24 1/2, par. 38b15)

21 Sec. 36p. Nondiscrimination. In the administration of the
22 University System, no applicant shall be denied employment by
23 the Merit Board or by any employer subject to this Act because
24 of race, color, sex, national origin, religious or political
25 affiliations, ancestry, age, marital status, order of

1 protection status, disability, military status, sexual
2 orientation, pregnancy, or unfavorable military discharge, as
3 defined in the Illinois Human Rights Act, except that any
4 applicant for employment may be required as a condition of
5 employment, to sign a valid oath attesting his loyalty to the
6 state and the United States.

7 (Source: P.A. 78-842.)

8 (110 ILCS 70/36s) (from Ch. 24 1/2, par. 38b18)

9 Sec. 36s. Supported employees.

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

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

18 (c) As used in this Section:

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

20 (A) has a severe physical or mental disability
21 which seriously limits functional capacities,
22 including but not limited to, mobility, communication,
23 self-care, self-direction, work tolerance or work
24 skills, in terms of employability as defined,
25 determined and certified by the Department of Human

1 Services; and

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

16 (2) "Supported employment" means competitive work in
17 integrated work settings:

18 (A) for individuals with severe disabilities for
19 whom competitive employment has not traditionally
20 occurred, or

21 (B) for individuals for whom competitive
22 employment has been interrupted or intermittent as a
23 result of a severe disability, and who because of their
24 disability, need on-going support services to perform
25 such work. The term includes transitional employment
26 for individuals with chronic mental illness.

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

8 (4) "Funder" means any entity either State, local or
9 federal, or private not-for-profit or for-profit that
10 provides monies to programs that provide services related
11 to supported employment.

12 (5) "Provider" means any entity either public or
13 private that provides technical support and services to any
14 department or agency subject to the control of the
15 Governor, the Secretary of State or the University ~~Civil~~
16 ~~Service~~ System.

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

22 (e) The Merit Board shall maintain a record of all
23 individuals hired as supported employees. The record shall
24 include:

25 (1) the number of supported employees initially
26 appointed;

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

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

5 (f) The Merit Board shall submit an annual report to the
6 General Assembly regarding the employment progress of
7 supported employees, with recommendations for legislative
8 action.

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