



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5408

Introduced 1/31/2022, by Rep. Carol Ammons

SYNOPSIS AS INTRODUCED:

110 ILCS 70/36d	from Ch. 24 1/2, par. 38b3
110 ILCS 70/36h	from Ch. 24 1/2, par. 38b7
110 ILCS 70/45a	from Ch. 24 1/2, par. 381.1

Amends the State Universities Civil Service Act. Provides that the Merit Board shall have the power and duty to establish minimum requirements (currently, recommend) to the institutions and agencies relating to the public universities in the State, standards for hours of work, holidays, sick leave, overtime compensation and vacation for the purpose of improving conditions of employment covered therein and for the purpose of insuring conformity with the prevailing rate principle. Provides that the Executive Director of the Merit Board is authorized to accept the appointment of each Designated Employer Representative appointed by the institutions and agencies relating to the public universities in the State. Provides that the employer (currently, the Executive Director of the Merit Board) shall certify the names and addresses on the register for employment positions. Provides that officers and employees who work for the institutions and agencies relating to the public universities in the State days shall have Juneteenth National Freedom Day as a holiday. Makes other changes. Effective immediately.

LRB102 25334 RJT 34610 b

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 36d, 36h, and 45a as follows:

6 (110 ILCS 70/36d) (from Ch. 24 1/2, par. 38b3)

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

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

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

19 (3) To prescribe the range of compensation for each
20 class or to fix a single rate of compensation for
21 employees in a particular class; and to establish other
22 conditions of employment which an employer and employee
23 representatives have agreed upon as fair and equitable.

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

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

26 (5) To prescribe standards of examination for each

1 class, the examinations to be related to the duties of
2 such class. The Merit Board shall have power to delegate
3 to the Executive Director and his or her staff the
4 preparation, conduct and grading of examinations.

5 (6) To authorize the continuous recruitment of
6 personnel and to that end, to delegate to the Executive
7 Director and his or her staff the power and the duty to
8 conduct open and continuous competitive examinations for
9 all classifications of employment.

10 (7) To cause to be established, from the results of
11 examinations, registers for each class of positions in the
12 classified service of the University System of the persons
13 who shall attain the minimum mark fixed by the Merit Board
14 for the examination; and such persons shall take rank upon
15 the registers as candidates in the order of their relative
16 excellence as determined by examination, without reference
17 to priority of time of examination.

18 (8) To provide by its rules for promotions in the
19 classified service.

20 (8.5) To issue subpoenas to secure the attendance and
21 testimony of witnesses and the production of books and
22 papers in the course of any investigation or hearing
23 conducted pursuant to the Act.

24 (9) (Blank).

25 (10) To provide by its rules for employment at regular
26 rates of compensation of persons with physical

1 disabilities in positions in which the disability does not
2 prevent the individual from furnishing satisfactory
3 service.

4 (11) To make and publish rules to carry out the
5 purpose of the University System and for examination,
6 appointments, transfers and removals and for maintaining
7 and keeping records of the efficiency of officers and
8 employees and groups of officers and employees in
9 accordance with the provisions of Sections 36b to 36q,
10 inclusive, and said Merit Board may from time to time make
11 changes in such rules.

12 (12) To appoint an Executive Director who shall
13 appoint staff to help as may be necessary efficiently to
14 administer Sections 36b to 36q, inclusive. To authorize
15 the Executive Director to accept the appointment of each
16 ~~appoint a~~ Designated Employer Representative appointed by
17 the institutions and agencies specified in Section 36e. A
18 ~~at the place of employment of each employer specified in~~
19 ~~Section 36e, and this~~ Designated Employer Representative
20 may be authorized to give examinations and to certify
21 names from the regional registers provided in Section 36k.
22 The enumeration of specific duties and powers that the
23 Merit Board may delegate to the Executive Director in this
24 Section does not preclude the Merit Board from delegating
25 other duties and powers to the Executive Director.

26 (13) To submit to the Governor of this state on or

1 before November 1 of each year prior to the regular
2 session of the General Assembly a report of the University
3 System's business and an estimate of the amount of
4 appropriation from state funds required for the purpose of
5 administering the University System.

6 (14) To authorize the creation and use of pilot
7 programs to further the goals of the Act, which may be
8 inconsistent with any rules adopted by the Merit Board,
9 provided that such programs are of limited duration and do
10 not reduce any rights or benefits of employees subject to
11 this Act.

12 (Source: P.A. 99-143, eff. 7-27-15; 100-615, eff. 1-1-19.)

13 (110 ILCS 70/36h) (from Ch. 24 1/2, par. 38b7)
14 Sec. 36h. Appointment.

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

1 all persons on the register.

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

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

24 (Source: P.A. 99-72, eff. 1-1-16; 100-615, eff. 1-1-19.)

25 (110 ILCS 70/45a) (from Ch. 24 1/2, par. 381.1)

1 Sec. 45a. Except as provided in the second sentence of
2 this Section, all officers and employees subject to this Act,
3 shall have the following days as holidays, for which they
4 shall receive their usual compensation: New Year's Day,
5 January 1, Memorial Day, as determined by the law of the State
6 of Illinois, Juneteenth National Freedom Day, as determined by
7 the law of the State of Illinois, Independence Day, July 4,
8 Labor Day, the first Monday in September, Thanksgiving Day,
9 the fourth Thursday of November, Christmas Day, December 25,
10 and five holidays to be designated by each college,
11 university, or agency ~~and community college~~ subject to this
12 Act. Craft and trade employees subject to this Act shall be
13 paid for all paid holidays included in their area agreement,
14 and will be paid for all five holidays designated by their
15 employer pursuant to this Section.

16 Notwithstanding any other provision of State law to the
17 contrary, November 3, 2020 shall be a State holiday known as
18 2020 General Election Day and shall be observed throughout the
19 State pursuant to this amendatory Act of the 101st General
20 Assembly. All government offices, with the exception of
21 election authorities, shall be closed unless authorized to be
22 used as a location for election day services or as a polling
23 place.

24 Notwithstanding any other provision of State law to the
25 contrary, November 8, 2022 shall be a State holiday known as
26 2022 General Election Day and shall be observed throughout the

1 State under this amendatory Act of the 102nd General Assembly.

2 (Source: P.A. 101-642, eff. 6-16-20; 102-15, eff. 6-17-21.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.