

SB0110



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0110

Introduced 1/31/2007, by Sen. Donne E. Trotter

SYNOPSIS AS INTRODUCED:

110 ILCS 70/36o

from Ch. 24 1/2, par. 38b14

Amends the State Universities Civil Service Act. Authorizes a hearing officer (in addition to a hearing board) appointed by the University Civil Service Merit Board to preside over demotion, removal, and discharge hearings. Makes technical changes. Effective immediately.

LRB095 06718 RAS 26831 b

A BILL FOR

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 Section 36o as follows:

6 (110 ILCS 70/36o) (from Ch. 24 1/2, par. 38b14)

7 Sec. 36o. Demotion, removal, and discharge. After the
8 completion of his or her probationary period, no employee shall
9 be demoted, removed or discharged except for just cause, upon
10 written charges, and after an opportunity to be heard in his or
11 her own defense if he or she makes a written request for a
12 hearing to the Merit Board within 15 days after the serving of
13 the written charges upon him or her. Upon the filing of such a
14 request for a hearing, the Merit Board shall grant such hearing
15 to be held within 45 days from the date of the service of the
16 demotion, removal or discharge notice by a hearing board or
17 hearing officer appointed by the Merit Board. The members of
18 the hearing board or the hearing officer shall be selected from
19 among the members of a panel established by the Merit Board
20 after consultation with the Advisory Committee provided in
21 Section 36c. The hearing board or hearing officer shall make
22 and render findings of facts on the charges and transmit to the
23 Merit Board a transcript of the evidence along with the hearing

1 board's or hearing officer's ~~its~~ findings of fact. The findings
2 of the hearing board or hearing officer when approved by the
3 Merit Board shall be certified to the employer. If cause for
4 demotion, removal or discharge is found, the employee shall be
5 immediately 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. In the course of the hearing, the Director of
9 the Merit Board shall have power to administer oaths and to
10 secure by subpoena the attendance and testimony of witnesses
11 and the production of books and papers relevant to the inquiry.

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

18 (Source: P.A. 82-783.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.