



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1760

by Rep. Joseph M. Lyons

#### SYNOPSIS AS INTRODUCED:

70 ILCS 2605/4.10

from Ch. 42, par. 323.10

70 ILCS 2605/4.11

from Ch. 42, par. 323.11

Amends the Metropolitan Water Reclamation District Act. In provisions concerning promotional examinations, authorizes the director of a sanitary district to require candidates to separately pass the efficiency and seniority parts of a promotional examination. Provides that if the director requires candidates to separately pass the efficiency and seniority parts of a promotional examination, then any candidate who does not pass the efficiency and seniority parts of the examination shall fail the entire examination. In provisions concerning certain appointments, adds that the director shall certify the addresses of the candidates from succeeding categories in the order of excellence of the categories only until 5 names are provided to the appointing officer. Effective immediately.

LRB097 05377 RLJ 45434 b

1 AN ACT concerning local government.

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

4 Section 5. The Metropolitan Water Reclamation District Act  
5 is amended by changing Sections 4.10 and 4.11 as follows:

6 (70 ILCS 2605/4.10) (from Ch. 42, par. 323.10)

7 Sec. 4.10. Promotions. The Director shall note of record  
8 the duties (whether imposed by law, official regulation or  
9 practice) of each classification in the classified service, and  
10 shall thereupon by rule fix lines for promotion from lower  
11 classifications to higher classifications in all cases where,  
12 in his or her judgment, the experience gained in the lower  
13 classification may tend to qualify an employee to perform the  
14 duties of a higher classification. In case of vacancy in higher  
15 classifications, which cannot be filled by reinstatement, the  
16 Director shall hold promotional examinations to fill such  
17 vacancy. Incumbents of classifications in lines of promotion  
18 established by the Director shall be solely eligible for such  
19 examination, unless in the judgment of the Director, it is for  
20 the best interests of the service that original examination for  
21 such vacancy be held. In promotional examinations, efficiency  
22 and seniority in service shall form a part of such examination,  
23 but combined shall not carry a weight of more than 25% of the

1 total examination points. Although efficiency and seniority in  
2 service shall not carry a weight of more than 25% of the total  
3 examination points, the Director may require candidates to  
4 separately pass the efficiency and seniority parts of the  
5 examination in order for the candidates to be eligible to take  
6 the subsequent parts of the examination. If the Director  
7 requires candidates to separately pass the efficiency and  
8 seniority parts of the examination, then any candidate who does  
9 not pass the efficiency and seniority parts of the examination  
10 shall fail the entire examination. All examinations for  
11 promotion shall be competitive. The method of examination, the  
12 rules governing the same, and the method of certifying shall be  
13 the same as provided for in the original examination.

14 (Source: P.A. 90-315, eff. 1-1-98.)

15 (70 ILCS 2605/4.11) (from Ch. 42, par. 323.11)

16 Sec. 4.11. Appointments. Whenever a position classified  
17 under this Act is to be filled, except the positions of deputy  
18 director of engineering, deputy director of monitoring and  
19 research, deputy director of maintenance and operations,  
20 assistant director of engineering, assistant director of  
21 maintenance and operations, deputy general counsel, head  
22 assistant attorneys, assistant director of monitoring and  
23 research, assistant director of information technology,  
24 comptroller, assistant treasurer, assistant director of  
25 procurement and materials management, assistant director of

1 human resources, and laborers, the appointing officer shall  
2 make requisition upon the Director, and the Director shall  
3 certify to him or her from the register of eligibles for the  
4 position the names and addresses (a) of the five candidates  
5 standing highest upon the register of eligibles for the  
6 position, or (b) of the candidates within the highest ranking  
7 group upon the register of eligibles if the register is by  
8 categories such as excellent, well qualified, and qualified,  
9 provided, however, that any certification shall consist of at  
10 least 5 names, if available. The Director shall certify all of  
11 the names and addresses of the candidates from succeeding  
12 categories in the order of excellence of the categories only  
13 until ~~at least~~ 5 names are provided to the appointing officer.  
14 The appointing officer shall notify the Director of each  
15 position to be filled separately and shall fill the position by  
16 appointment of one of the persons certified to him by the  
17 Director. Appointments shall be on probation for a period to be  
18 fixed by the rules, not exceeding one year. At any time during  
19 the period of probation, the appointing officer with the  
20 approval of the Director may discharge a person so certified  
21 and shall forthwith notify the civil service board in writing  
22 of this discharge. If a person is not discharged, his or her  
23 appointment shall be deemed complete.

24 When there is no eligible list, the appointing officer may,  
25 with the authority of the Director, make a temporary  
26 appointment to remain in force only until a permanent

1 appointment from an eligible register or list can be made in  
2 the manner specified in the previous provisions of this  
3 Section, and examinations to supply an eligible list therefor  
4 shall be held and an eligible list established therefrom within  
5 one year from the making of such appointment. The acceptance or  
6 refusal by an eligible person of a temporary appointment does  
7 not affect his or her standing on the register for permanent  
8 appointment.

9 In employment of an essentially temporary and transitory  
10 nature, the appointing officer may, with the authority of the  
11 Director of Human Resources make temporary appointments. No  
12 temporary appointment of an essentially temporary and  
13 transitory nature may be granted for a period of more than 119  
14 consecutive or non-consecutive working days per calendar year.  
15 The Director must include in his or her annual report, and if  
16 required by the commissioners, in any special report, a  
17 statement of all temporary authorities granted during the year  
18 or period specified by the commissioners, together with a  
19 statement of the facts in each case because of which the  
20 authority was granted.

21 All laborers shall be appointed by the Executive Director  
22 and shall be on probation for a period to be fixed by the  
23 rules, not exceeding one year.

24 The positions of deputy director of engineering, deputy  
25 director of monitoring and research, deputy director of  
26 maintenance and operations, assistant director of engineering,

1 assistant director of maintenance and operations, deputy  
2 general counsel, head assistant attorneys, assistant director  
3 of monitoring and research, assistant director of information  
4 technology, comptroller, assistant treasurer, assistant  
5 director of procurement and materials management, and  
6 assistant director of human resources shall be appointed by the  
7 Executive Director upon the recommendation of the respective  
8 department head and shall be on probation for a period to be  
9 fixed by the rules, not exceeding two years. At any time during  
10 the period of probation, the Executive Director on the  
11 recommendation of the department head concerned, may discharge  
12 a person so appointed and he or she shall forthwith notify the  
13 Civil Service Board in writing of such discharge. If a person  
14 is not so discharged, his or her appointment shall be deemed  
15 complete under the laws governing the classified civil service.  
16 (Source: P.A. 94-680, eff. 11-3-05; 95-345, eff. 1-1-08;  
17 95-923, eff. 1-1-09.)

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