

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 4.9, 4.10, and 4.11 as follows:

6 (70 ILCS 2605/4.9) (from Ch. 42, par. 323.9)

7 Sec. 4.9. From the return or reports of examiners, or from
8 the examinations which he or she has made, the Director shall
9 prepare a register for each grade or class of positions in the
10 classified service of the sanitary district of the persons who
11 shall attain such minimum mark as may be fixed by the Director
12 for any part of such examination, and whose general average
13 standing upon examination for such grade or class is not less
14 than the minimum fixed by the rules of the Director, and who
15 are otherwise eligible; and such persons shall take rank upon
16 the register as candidates in the order of their relative
17 excellence as determined by examination, without reference to
18 priority of time of examination. The Director may substitute
19 categories designated as A, B, and C ~~such as excellent, well~~
20 ~~qualified, and qualified,~~ for numerical ratings and establish
21 eligible registers accordingly. The notice of examination
22 shall specify the category or categories upon which selection
23 will be made.

1 (Source: P.A. 82-1046.)

2 (70 ILCS 2605/4.10) (from Ch. 42, par. 323.10)

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

1 requires candidates to separately pass the efficiency and
2 seniority parts of the examination, then any candidate who does
3 not pass the efficiency and seniority parts of the examination
4 shall fail the entire examination. All examinations for
5 promotion shall be competitive. The method of examination, the
6 rules governing the same, and the method of certifying shall be
7 the same as provided for in the original examination.

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

9 (70 ILCS 2605/4.11) (from Ch. 42, par. 323.11)

10 Sec. 4.11. Appointments. Whenever a position classified
11 under this Act is to be filled, except the positions of deputy
12 director of engineering, deputy director of monitoring and
13 research, deputy director of maintenance and operations,
14 assistant director of engineering, assistant director of
15 maintenance and operations, deputy general counsel, head
16 assistant attorneys, assistant director of monitoring and
17 research, assistant director of information technology,
18 comptroller, assistant treasurer, assistant director of
19 procurement and materials management, assistant director of
20 human resources, and laborers, the Executive Director
21 ~~appointing officer~~ shall make requisition upon the Director,
22 and the Director shall certify to him or her from the register
23 of eligibles for the position the names ~~and addresses~~ (a) of
24 the five candidates standing highest upon the register of
25 eligibles for the position, or (b) of the candidates within the

1 A category highest ranking group upon the register of eligibles
2 if the register is by categories designated as A, B, and C ~~such~~
3 ~~as excellent, well qualified, and qualified,~~ provided,
4 however, that any certification shall consist of at least 5
5 candidates names, if available. If fewer than 5 candidates are
6 in the A category, then the ~~The~~ Director shall also certify all
7 of the candidates in the B category. If fewer than 5 candidates
8 are in the A and B categories combined, then the Director shall
9 also certify all of the candidates in the C category ~~names from~~
10 ~~succeeding categories in the order of excellence of the~~
11 ~~categories until at least 5 names are provided to the~~
12 ~~appointing officer.~~ The Executive Director ~~appointing officer~~
13 shall notify the Director of each position to be filled
14 separately and shall fill the position by appointment of one of
15 the certified candidates ~~persons certified to him by the~~
16 ~~Director.~~ The Executive Director's appointment decision shall
17 be final and not subject to review. An appointed candidate
18 ~~Appointments~~ shall be a probationary appointee on probation for
19 a period to be fixed by the rules, not exceeding 250 days
20 worked by the probationary appointee in the position of
21 probationary appointment ~~one year~~. At any time during the
22 period of probation, the Executive Director ~~appointing officer~~
23 with the approval of the Director may terminate ~~discharge~~ a
24 probationary appointee ~~person so certified~~ and shall ~~forthwith~~
25 notify the civil service board in writing of the termination;
26 however, the Executive Director's termination of a

1 probationary appointee shall be final and not subject to review
2 ~~this discharge~~. If a probationary appointee ~~person~~ is not
3 terminated discharged, his or her appointment shall be deemed
4 complete.

5 When there is no eligible list, the Executive Director
6 ~~appointing officer~~ may, with the authority of the Director,
7 make a temporary appointment to remain in force only until a
8 permanent appointment from an eligible register or list can be
9 made in the manner specified in the previous provisions of this
10 Section, and examinations to supply an eligible list therefor
11 shall be held and an eligible list established therefrom within
12 one year from the making of such appointment. The acceptance or
13 refusal by an eligible person of a temporary appointment does
14 not affect his or her standing on the register for permanent
15 appointment.

16 In employment of an essentially temporary and transitory
17 nature, the Executive Director ~~appointing officer~~ may, with the
18 authority of the Director of Human Resources make temporary
19 appointments. No temporary appointment of an essentially
20 temporary and transitory nature may be granted for a period of
21 more than 119 consecutive or non-consecutive working days per
22 calendar year. The Director must include in his or her annual
23 report, and if required by the commissioners, in any special
24 report, a statement of all temporary appointments made
25 ~~authorities granted~~ during the year or period specified by the
26 commissioners, together with a statement of the facts in each

1 case because of which the authority was granted.

2 All laborers shall be appointed by the Executive Director
3 and shall be on probation for a period to be fixed by the
4 rules, not exceeding 250 days worked by the laborer in the
5 position of the probationary appointment. At any time during
6 the period of a laborer's probation, the Executive Director
7 with the approval of the Director may terminate a laborer's
8 probationary appointment and shall notify the civil service
9 board in writing of the termination; however, the Executive
10 Director's termination of a laborer's probationary appointment
11 shall be final and not subject to review. If a laborer's
12 probationary appointment is not terminated, the appointment
13 shall be deemed complete ~~one year~~.

14 The positions of deputy director of engineering, deputy
15 director of monitoring and research, deputy director of
16 maintenance and operations, assistant director of engineering,
17 assistant director of maintenance and operations, deputy
18 general counsel, head assistant attorneys, assistant director
19 of monitoring and research, assistant director of information
20 technology, comptroller, assistant treasurer, assistant
21 director of procurement and materials management, and
22 assistant director of human resources shall be appointed by the
23 Executive Director upon the recommendation of the respective
24 department head and shall be on probation for a period to be
25 fixed by the rules, not exceeding two years. At any time during
26 the period of probation, the Executive Director on the

1 recommendation of the department head concerned, may terminate
2 any such probationary appointee ~~discharge a person so appointed~~
3 and he or she shall ~~forthwith~~ notify the Civil Service Board in
4 writing of the termination; however, the Executive Director's
5 termination of a probationary appointee shall be final and not
6 subject to review ~~such discharge~~. If a probationary appointee ~~a~~
7 ~~person~~ is not terminated ~~so discharged~~, his or her appointment
8 shall be deemed complete under the laws governing the
9 classified civil service.

10 (Source: P.A. 94-680, eff. 11-3-05; 95-345, eff. 1-1-08;
11 95-923, eff. 1-1-09.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.