

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.