



Sen. Susan Garrett

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1 AMENDMENT TO SENATE BILL 2933

2 AMENDMENT NO. _____. Amend Senate Bill 2933 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Personnel Code is amended by changing
5 Section 8c as follows:

6 (20 ILCS 415/8c) (from Ch. 127, par. 63b108c)

7 Sec. 8c. Jurisdiction C; conditions of employment. For
8 positions in the ~~the~~ State service subject to the jurisdiction
9 of the Department of Central Management Services with respect
10 to conditions of employment:

11 (1) For establishment of a plan for resolving employee
12 grievances and complaints, excluding compulsory arbitration.

13 (2) For hours of work, holidays, and attendance regulation
14 in the various classes of positions in the State service; for
15 annual, sick and special leaves of absence, with or without pay
16 or with reduced pay; for compensatory time off for overtime or

1 for pay for overtime, and for the rate at which compensatory
2 time off is to be allowed or for the rate which is to be paid
3 for overtime. If the services of an employee in the State
4 service are terminated by reason of his retirement, disability
5 or death, he, or his estate, as the case may be, shall be paid a
6 lump sum, for the number of days for leave for personal
7 business which the employee had accumulated but not used as of
8 the date his services were terminated, in an amount equal to
9 1/2 of his pay per working day times the number of such leave
10 days so accumulated and not used.

11 (3) For the development and operation of programs to
12 improve the work effectiveness and morale of employees in the
13 State service, including training, safety, health, welfare,
14 counseling, recreation, employee relations, a suggestion
15 system, and others.

16 Employees whose tuition and fees are paid by the State,
17 either directly or by reimbursement, shall incur a work
18 commitment to the State. Employees whose State paid training
19 has not led to a postsecondary degree shall be obligated to
20 continue in the employ of the State, but not necessarily in the
21 same agency, for a period of at least 18 months following
22 completion of the most recent course. Employees whose State
23 paid training has led to a postsecondary degree and whose State
24 payments have paid for 50% or more of the required credit hours
25 shall be obligated to continue in the employ of the State, but
26 not necessarily in the same agency, for a minimum of 4 years

1 after receiving the degree.

2 If the employee does not fulfill this work commitment by
3 voluntarily leaving State employment, the State may recover
4 payments in a civil action and may also recover interest at the
5 rate of 1% per month from the time the State makes payment
6 until the time the State recovers the payment. The amount the
7 State may recover under this subsection (3) shall be reduced by
8 25% of the gross amount paid by the State for each year the
9 employee is employed by the State after the employee receives a
10 postsecondary degree, and 1/18th of the gross amount paid by
11 the State for each month the employee is employed by the State
12 after the employee completes the most recent course which has
13 not led to a postsecondary degree.

14 The State shall not recover payments for course work or a
15 training program that was (a) started before the effective date
16 of this Act; (b) completed as a requirement for a grammar
17 school certificate or a high school diploma, to prepare for a
18 high school level General Educational Development Test or to
19 improve literacy or numeracy; (c) specialized training in the
20 form of a conference, seminar, workshop or similar arrangement
21 offered by public or private organizations; (d) provided as
22 part of the Upward Mobility Program administered by the
23 Department of Central Management Services; or (e) a condition
24 of continued employment.

25 Department of State Police employees who are enrolled in an
26 official training program that lasts longer than one year shall

1 incur a work commitment to the State. The work commitment shall
2 be 2 months for each month of completed training. If the
3 employee fails to fulfill this work commitment by voluntarily
4 leaving State employment, the State may recover wages in a
5 civil action and may also recover interest at the rate of 1%
6 per month from the time the State makes payment until the time
7 the State recovers the payment. The amount the State may
8 recover under this subsection (3) shall be reduced by the
9 number of months served after the training is completed times
10 the monthly salary at the time of separation.

11 The Department of Central Management Services shall
12 promulgate rules governing recovery activities to be used by
13 all State agencies paying, whether directly or by
14 reimbursement, for employee tuition and fees. Each such agency
15 shall make necessary efforts, including pursuing appropriate
16 legal action, to recover the actual reimbursements and
17 applicable interest due the State under this subsection (3).

18 (4) For the establishment of a sick pay plan in accordance
19 with Section 36 of the State Finance Act.

20 (5) For the establishment of a family responsibility leave
21 plan under which an employee in the State service may request
22 and receive a leave of absence for up to one year without
23 penalty whenever such leave is requested to enable the employee
24 to meet a bona fide family responsibility of such employee. The
25 procedure for determining and documenting the existence of a
26 bona fide family responsibility shall be as provided by rule,

1 but without limiting the circumstances which shall constitute a
2 bona fide family responsibility under the rules, such
3 circumstances shall include leave incident to the birth of the
4 employee's child and the responsibility thereafter to provide
5 proper care to that child or to a newborn child adopted by the
6 employee, the responsibility to provide regular care to a
7 disabled, incapacitated or bedridden resident of the
8 employee's household or member of the employee's family, and
9 the responsibility to furnish special guidance, care and
10 supervision to a resident of the employee's household or member
11 of the employee's family in need thereof under circumstances
12 temporarily inconsistent with uninterrupted employment in
13 State service. The family responsibility leave plan so
14 established shall provide that any such leave shall be without
15 pay, that the seniority of the employee on such leave shall not
16 be reduced during the period of the leave, that such leave
17 shall not under any circumstance or for any purpose be deemed
18 to cause a break in such employee's State service, that during
19 the period of such leave any coverage of the employee or the
20 employee's dependents which existed at the commencement of the
21 leave under any group health, hospital, medical and life
22 insurance plan provided through the State shall continue so
23 long as the employee pays to the State when due the full
24 premium incident to such coverage, and that upon expiration of
25 the leave the employee shall be returned to the same position
26 and classification which such employee held at the commencement

1 of the leave. The Director of Central Management Services shall
2 prepare proposed rules consistent with this paragraph within 45
3 days after the effective date of this amendatory Act of 1983,
4 shall promptly thereafter cause a public hearing thereon to be
5 held as provided in Section 8 and shall within 120 days after
6 the effective date of this amendatory Act of 1983 cause such
7 proposed rules to be submitted to the Civil Service Commission
8 as provided in Section 8.

9 (6) For the development and operation of a plan for
10 alternative employment for any employee who is able to perform
11 alternative employment after a work related or non-work related
12 disability essentially precludes that employee from performing
13 his or her currently assigned duties. Such a plan shall be
14 voluntary for any employee and nonparticipation shall not be
15 grounds for denial of any benefit to which the employee would
16 otherwise be eligible. Any plan seeking to cover positions for
17 which there is a recognized bargaining agent shall be subject
18 to collective bargaining between the parties.

19 (7) For the development and operation of an Executive
20 Development Program to provide scholarships for the receipt of
21 academic degrees or senior executive training beyond the
22 Bachelor's degree level for as many as 25 employees at any
23 given time:

24 (i) each of whom is nominated for such scholarship by
25 the head of the employee's agency and approved by the
26 Director;

1 (ii) who are subject to Term Appointment under Section
2 8b.18 or who would be subject to such Term Appointment but
3 for Federal funding or who are exempt from Jurisdiction B
4 under subsections (2), (3) or (6) of Section 4d of this
5 Act:

6 (iii) who meet the admission standards established by
7 the institution awarding the advanced degree or conducting
8 the training;

9 (iv) each of whom agrees, as a condition of accepting
10 such scholarship, that the State may recover the
11 scholarship by garnishment, lien or other appropriate
12 legal action if the employee fails to continue in the
13 employ of the State, but not necessarily in the same
14 agency, for a minimum of 4 years following receipt of an
15 advanced degree or training and that the State may charge
16 interest from the time of payment until the time of
17 recovery of such scholarship of no less than 1% per month
18 or 12% per annum on all funds recovered by the State. The
19 amount the State may recover under this Section will be
20 reduced by 25% of the gross amount paid by the State for
21 each year of employment following receipt of the advanced
22 degree or training.

23 The Director shall in approving eligible employees for the
24 Executive Development Program make every attempt to guarantee
25 that at least 1/3 of the employees appointed to the program
26 reflect the ratio of sex, race, and ethnicity of eligible

1 employees.

2 Such scholarships shall not exceed the amount established
3 for tuition and fees for the applicable advanced degree or
4 training at State universities in Illinois whether the employee
5 enrolls at any Illinois public or private institution, and
6 shall not include any textbooks or equipment such as personal
7 computers.

8 The Department of Central Management Services shall make
9 necessary efforts, including appropriate legal action, to
10 recover scholarships and interest thereupon due subject to
11 recovery by the State under Subparagraph (iv) of this
12 Subsection (7).

13 (Source: P.A. 91-357, eff. 7-29-99.)".