

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 Illinois Municipal Code is amended by
5 changing Sections 10-1-7.1, 10-1-7.2, 10-2.1-6.3, and
6 10-2.1-6.4 as follows:

7 (65 ILCS 5/10-1-7.1)

8 Sec. 10-1-7.1. Original appointments; full-time fire
9 department.

10 (a) Applicability. Unless a commission elects to follow the
11 provisions of Section 10-1-7.2, this Section shall apply to all
12 original appointments to an affected full-time fire
13 department. Existing registers of eligibles shall continue to
14 be valid until their expiration dates, or up to a maximum of 2
15 years after the effective date of this amendatory Act of the
16 97th General Assembly.

17 Notwithstanding any statute, ordinance, rule, or other law
18 to the contrary, all original appointments to an affected
19 department to which this Section applies shall be administered
20 in the manner provided for in this Section. Provisions of the
21 Illinois Municipal Code, municipal ordinances, and rules
22 adopted pursuant to such authority and other laws relating to
23 initial hiring of firefighters in affected departments shall

1 continue to apply to the extent they are compatible with this
2 Section, but in the event of a conflict between this Section
3 and any other law, this Section shall control.

4 A home rule or non-home rule municipality may not
5 administer its fire department process for original
6 appointments in a manner that is less stringent than this
7 Section. This Section is a limitation under subsection (i) of
8 Section 6 of Article VII of the Illinois Constitution on the
9 concurrent exercise by home rule units of the powers and
10 functions exercised by the State.

11 A municipality that is operating under a court order or
12 consent decree regarding original appointments to a full-time
13 fire department before the effective date of this amendatory
14 Act of the 97th General Assembly is exempt from the
15 requirements of this Section for the duration of the court
16 order or consent decree.

17 Notwithstanding any other provision of this subsection
18 (a), this Section does not apply to a municipality with more
19 than 1,000,000 inhabitants.

20 (b) Original appointments. All original appointments made
21 to an affected fire department shall be made from a register of
22 eligibles established in accordance with the processes
23 established by this Section. Only persons who meet or exceed
24 the performance standards required by this Section shall be
25 placed on a register of eligibles for original appointment to
26 an affected fire department.

1 Whenever an appointing authority authorizes action to hire
2 a person to perform the duties of a firefighter or to hire a
3 firefighter-paramedic to fill a position that is a new position
4 or vacancy due to resignation, discharge, promotion, death, the
5 granting of a disability or retirement pension, or any other
6 cause, the appointing authority shall appoint to that position
7 the person with the highest ranking on the final eligibility
8 list. If the appointing authority has reason to conclude that
9 the highest ranked person fails to meet the minimum standards
10 for the position or if the appointing authority believes an
11 alternate candidate would better serve the needs of the
12 department, then the appointing authority has the right to pass
13 over the highest ranked person and appoint either: (i) any
14 person who has a ranking in the top 5% of the register of
15 eligibles or (ii) any person who is among the top 5 highest
16 ranked persons on the list of eligibles if the number of people
17 who have a ranking in the top 5% of the register of eligibles
18 is less than 5 people.

19 Any candidate may pass on an appointment once without
20 losing his or her position on the register of eligibles. Any
21 candidate who passes a second time may be removed from the list
22 by the appointing authority provided that such action shall not
23 prejudice a person's opportunities to participate in future
24 examinations, including an examination held during the time a
25 candidate is already on the municipality's register of
26 eligibles.

1 The sole authority to issue certificates of appointment
2 shall be vested in the Civil Service Commission. All
3 certificates of appointment issued to any officer or member of
4 an affected department shall be signed by the chairperson and
5 secretary, respectively, of the commission upon appointment of
6 such officer or member to the affected department by the
7 commission. Each person who accepts a certificate of
8 appointment and successfully completes his or her probationary
9 period shall be enrolled as a firefighter and as a regular
10 member of the fire department.

11 For the purposes of this Section, "firefighter" means any
12 person who has been prior to, on, or after the effective date
13 of this amendatory Act of the 97th General Assembly appointed
14 to a fire department or fire protection district or employed by
15 a State university and sworn or commissioned to perform
16 firefighter duties or paramedic duties, or both, except that
17 the following persons are not included: part-time
18 firefighters; auxiliary, reserve, or voluntary firefighters,
19 including paid-on-call firefighters; clerks and dispatchers or
20 other civilian employees of a fire department or fire
21 protection district who are not routinely expected to perform
22 firefighter duties; and elected officials.

23 (c) Qualification for placement on register of eligibles.
24 The purpose of establishing a register of eligibles is to
25 identify applicants who possess and demonstrate the mental
26 aptitude and physical ability to perform the duties required of

1 members of the fire department in order to provide the highest
2 quality of service to the public. To this end, all applicants
3 for original appointment to an affected fire department shall
4 be subject to examination and testing which shall be public,
5 competitive, and open to all applicants unless the municipality
6 shall by ordinance limit applicants to residents of the
7 municipality, county or counties in which the municipality is
8 located, State, or nation. Any examination and testing
9 procedure utilized under subsection (e) of this Section shall
10 be supported by appropriate validation evidence and shall
11 comply with all applicable state and federal laws.
12 Municipalities may establish educational, emergency medical
13 service licensure, and other pre-requisites for participation
14 in an examination or for hire as a firefighter. Any
15 municipality may charge a fee to cover the costs of the
16 application process.

17 Residency requirements in effect at the time an individual
18 enters the fire service of a municipality cannot be made more
19 restrictive for that individual during his or her period of
20 service for that municipality, or be made a condition of
21 promotion, except for the rank or position of fire chief and
22 for no more than 2 positions that rank immediately below that
23 of the chief rank which are appointed positions pursuant to the
24 Fire Department Promotion Act.

25 No person who is 35 years of age or older shall be eligible
26 to take an examination for a position as a firefighter unless

1 the person has had previous employment status as a firefighter
2 in the regularly constituted fire department of the
3 municipality, except as provided in this Section. The age
4 limitation does not apply to:

5 (1) any person previously employed as a full-time
6 firefighter in a regularly constituted fire department of
7 (i) any municipality or fire protection district located in
8 Illinois, (ii) a fire protection district whose
9 obligations were assumed by a municipality under Section 21
10 of the Fire Protection District Act, or (iii) a
11 municipality whose obligations were taken over by a fire
12 protection district, or

13 (2) any person who has served a municipality as a
14 regularly enrolled volunteer, paid-on-call, or part-time
15 firefighter for the 5 years immediately preceding the time
16 that the municipality begins to use full-time firefighters
17 to provide all or part of its fire protection service.

18 No person who is under 21 years of age shall be eligible
19 for employment as a firefighter.

20 No applicant shall be examined concerning his or her
21 political or religious opinions or affiliations. The
22 examinations shall be conducted by the commissioners of the
23 municipality or their designees and agents.

24 No municipality shall require that any firefighter
25 appointed to the lowest rank serve a probationary employment
26 period of longer than one year of actual active employment,

1 which may exclude periods of training, or injury or illness
2 leaves, including duty related leave, in excess of 30 calendar
3 days. Notwithstanding anything to the contrary in this Section,
4 the probationary employment period limitation may be extended
5 for a firefighter who is required, as a condition of
6 employment, to be a certified paramedic, during which time the
7 sole reason that a firefighter may be discharged without a
8 hearing is for failing to meet the requirements for paramedic
9 certification.

10 In the event that any applicant who has been found eligible
11 for appointment and whose name has been placed upon the final
12 eligibility register provided for in this Division 1 has not
13 been appointed to a firefighter position within one year after
14 the date of his or her physical ability examination, the
15 commission may cause a second examination to be made of that
16 applicant's physical ability prior to his or her appointment.
17 If, after the second examination, the physical ability of the
18 applicant shall be found to be less than the minimum standard
19 fixed by the rules of the commission, the applicant shall not
20 be appointed. The applicant's name may be retained upon the
21 register of candidates eligible for appointment and when next
22 reached for certification and appointment that applicant may be
23 again examined as provided in this Section, and if the physical
24 ability of that applicant is found to be less than the minimum
25 standard fixed by the rules of the commission, the applicant
26 shall not be appointed, and the name of the applicant shall be

1 removed from the register.

2 (d) Notice, examination, and testing components. Notice of
3 the time, place, general scope, merit criteria for any
4 subjective component, and fee of every examination shall be
5 given by the commission, by a publication at least 2 weeks
6 preceding the examination: (i) in one or more newspapers
7 published in the municipality, or if no newspaper is published
8 therein, then in one or more newspapers with a general
9 circulation within the municipality, or (ii) on the
10 municipality's Internet website. Additional notice of the
11 examination may be given as the commission shall prescribe.

12 The examination and qualifying standards for employment of
13 firefighters shall be based on: mental aptitude, physical
14 ability, preferences, moral character, and health. The mental
15 aptitude, physical ability, and preference components shall
16 determine an applicant's qualification for and placement on the
17 final register of eligibles. The examination may also include a
18 subjective component based on merit criteria as determined by
19 the commission. Scores from the examination must be made
20 available to the public.

21 (e) Mental aptitude. No person who does not possess at
22 least a high school diploma or an equivalent high school
23 education shall be placed on a register of eligibles.
24 Examination of an applicant's mental aptitude shall be based
25 upon a written examination. The examination shall be practical
26 in character and relate to those matters that fairly test the

1 capacity of the persons examined to discharge the duties
2 performed by members of a fire department. Written examinations
3 shall be administered in a manner that ensures the security and
4 accuracy of the scores achieved.

5 (f) Physical ability. All candidates shall be required to
6 undergo an examination of their physical ability to perform the
7 essential functions included in the duties they may be called
8 upon to perform as a member of a fire department. For the
9 purposes of this Section, essential functions of the job are
10 functions associated with duties that a firefighter may be
11 called upon to perform in response to emergency calls. The
12 frequency of the occurrence of those duties as part of the fire
13 department's regular routine shall not be a controlling factor
14 in the design of examination criteria or evolutions selected
15 for testing. These physical examinations shall be open,
16 competitive, and based on industry standards designed to test
17 each applicant's physical abilities in the following
18 dimensions:

19 (1) Muscular strength to perform tasks and evolutions
20 that may be required in the performance of duties including
21 grip strength, leg strength, and arm strength. Tests shall
22 be conducted under anaerobic as well as aerobic conditions
23 to test both the candidate's speed and endurance in
24 performing tasks and evolutions. Tasks tested may be based
25 on standards developed, or approved, by the local
26 appointing authority.

1 (2) The ability to climb ladders, operate from heights,
2 walk or crawl in the dark along narrow and uneven surfaces,
3 and operate in proximity to hazardous environments.

4 (3) The ability to carry out critical, time-sensitive,
5 and complex problem solving during physical exertion in
6 stressful and hazardous environments. The testing
7 environment may be hot and dark with tightly enclosed
8 spaces, flashing lights, sirens, and other distractions.

9 The tests utilized to measure each applicant's
10 capabilities in each of these dimensions may be tests based on
11 industry standards currently in use or equivalent tests
12 approved by the Joint Labor-Management Committee of the Office
13 of the State Fire Marshal.

14 Physical ability examinations administered under this
15 Section shall be conducted with a reasonable number of proctors
16 and monitors, open to the public, and subject to reasonable
17 regulations of the commission.

18 (g) Scoring of examination components. Appointing
19 authorities may create a preliminary eligibility register. A
20 person shall be placed on the list based upon his or her
21 passage of the written examination or the passage of the
22 written examination and the physical ability component.
23 Passage of the written examination means attaining the minimum
24 score set by the commission ~~a score that is at or above the~~
25 ~~median score for all applicants participating in the written~~
26 ~~test.~~ Minimum scores should be set by the commission so as to

1 demonstrate a candidate's ability to perform the essential
2 functions of the job. The minimum score set by the commission
3 shall be supported by appropriate validation evidence and shall
4 comply with all applicable state and federal laws. The
5 appointing authority may conduct the physical ability
6 component and any subjective components subsequent to the
7 posting of the preliminary eligibility register.

8 The examination components for an initial eligibility
9 register shall be graded on a 100-point scale. A person's
10 position on the list shall be determined by the following: (i)
11 the person's score on the written examination, (ii) the person
12 successfully passing the physical ability component, and (iii)
13 the person's results on any subjective component as described
14 in subsection (d).

15 In order to qualify for placement on the final eligibility
16 register, an applicant's score on the written examination,
17 before any applicable preference points or subjective points
18 are applied, shall be at or above the minimum score set by the
19 commission ~~be at or above the median score.~~ The local
20 appointing authority may prescribe the score to qualify for
21 placement on the final eligibility register, but the score
22 shall not be less than the minimum score set by the commission
23 ~~median score.~~

24 The commission shall prepare and keep a register of persons
25 whose total score is not less than the minimum score for
26 passage ~~fixed by this Section~~ and who have passed the physical

1 ability examination. These persons shall take rank upon the
2 register as candidates in the order of their relative
3 excellence based on the highest to the lowest total points
4 scored on the mental aptitude, subjective component, and
5 preference components of the test administered in accordance
6 with this Section. No more than 60 days after each examination,
7 an initial eligibility list shall be posted by the commission.
8 The list shall include the final grades of the candidates
9 without reference to priority of the time of examination and
10 subject to claim for preference credit.

11 Commissions may conduct additional examinations, including
12 without limitation a polygraph test, after a final eligibility
13 register is established and before it expires with the
14 candidates ranked by total score without regard to date of
15 examination. No more than 60 days after each examination, an
16 initial eligibility list shall be posted by the commission
17 showing the final grades of the candidates without reference to
18 priority of time of examination and subject to claim for
19 preference credit.

20 (h) Preferences. The following are preferences:

21 (1) Veteran preference. Persons who were engaged in the
22 military service of the United States for a period of at
23 least one year of active duty and who were honorably
24 discharged therefrom, or who are now or have been members
25 on inactive or reserve duty in such military or naval
26 service, shall be preferred for appointment to and

1 employment with the fire department of an affected
2 department.

3 (2) Fire cadet preference. Persons who have
4 successfully completed 2 years of study in fire techniques
5 or cadet training within a cadet program established under
6 the rules of the Joint Labor and Management Committee
7 (JLMC), as defined in Section 50 of the Fire Department
8 Promotion Act, may be preferred for appointment to and
9 employment with the fire department.

10 (3) Educational preference. Persons who have
11 successfully obtained an associate's degree in the field of
12 fire service or emergency medical services, or a bachelor's
13 degree from an accredited college or university may be
14 preferred for appointment to and employment with the fire
15 department.

16 (4) Paramedic preference. Persons who have obtained
17 certification as an Emergency Medical Technician-Paramedic
18 (EMT-P) may be preferred for appointment to and employment
19 with the fire department of an affected department
20 providing emergency medical services.

21 (5) Experience preference. All persons employed by a
22 municipality who have been paid-on-call or part-time
23 certified Firefighter II, certified Firefighter III, State
24 of Illinois or nationally licensed EMT-B or EMT-I, licensed
25 paramedic, or any combination of those capacities may be
26 awarded up to a maximum of 5 points. However, the applicant

1 may not be awarded more than 0.5 points for each complete
2 year of paid-on-call or part-time service. Applicants from
3 outside the municipality who were employed as full-time
4 firefighters or firefighter-paramedics by a fire
5 protection district or another municipality may be awarded
6 up to 5 experience preference points. However, the
7 applicant may not be awarded more than one point for each
8 complete year of full-time service.

9 Upon request by the commission, the governing body of
10 the municipality or in the case of applicants from outside
11 the municipality the governing body of any fire protection
12 district or any other municipality shall certify to the
13 commission, within 10 days after the request, the number of
14 years of successful paid-on-call, part-time, or full-time
15 service of any person. A candidate may not receive the full
16 amount of preference points under this subsection if the
17 amount of points awarded would place the candidate before a
18 veteran on the eligibility list. If more than one candidate
19 receiving experience preference points is prevented from
20 receiving all of their points due to not being allowed to
21 pass a veteran, the candidates shall be placed on the list
22 below the veteran in rank order based on the totals
23 received if all points under this subsection were to be
24 awarded. Any remaining ties on the list shall be determined
25 by lot.

26 (6) Residency preference. Applicants whose principal

1 residence is located within the fire department's
2 jurisdiction may be preferred for appointment to and
3 employment with the fire department.

4 (7) Additional preferences. Up to 5 additional
5 preference points may be awarded for unique categories
6 based on an applicant's experience or background as
7 identified by the commission.

8 (8) Scoring of preferences. The commission shall give
9 preference for original appointment to persons designated
10 in item (1) by adding to the final grade that they receive
11 5 points for the recognized preference achieved. The
12 commission shall determine the number of preference points
13 for each category except (1). The number of preference
14 points for each category shall range from 0 to 5. In
15 determining the number of preference points, the
16 commission shall prescribe that if a candidate earns the
17 maximum number of preference points in all categories, that
18 number may not be less than 10 nor more than 30. The
19 commission shall give preference for original appointment
20 to persons designated in items (2) through (7) by adding
21 the requisite number of points to the final grade for each
22 recognized preference achieved. The numerical result thus
23 attained shall be applied by the commission in determining
24 the final eligibility list and appointment from the
25 eligibility list. The local appointing authority may
26 prescribe the total number of preference points awarded

1 under this Section, but the total number of preference
2 points shall not be less than 10 points or more than 30
3 points.

4 No person entitled to any preference shall be required to
5 claim the credit before any examination held under the
6 provisions of this Section, but the preference shall be given
7 after the posting or publication of the initial eligibility
8 list or register at the request of a person entitled to a
9 credit before any certification or appointments are made from
10 the eligibility register, upon the furnishing of verifiable
11 evidence and proof of qualifying preference credit. Candidates
12 who are eligible for preference credit shall make a claim in
13 writing within 10 days after the posting of the initial
14 eligibility list, or the claim shall be deemed waived. Final
15 eligibility registers shall be established after the awarding
16 of verified preference points. All employment shall be subject
17 to the commission's initial hire background review including,
18 but not limited to, criminal history, employment history, moral
19 character, oral examination, and medical and psychological
20 examinations, all on a pass-fail basis. The medical and
21 psychological examinations must be conducted last, and may only
22 be performed after a conditional offer of employment has been
23 extended.

24 Any person placed on an eligibility list who exceeds the
25 age requirement before being appointed to a fire department
26 shall remain eligible for appointment until the list is

1 abolished, or his or her name has been on the list for a period
2 of 2 years. No person who has attained the age of 35 years
3 shall be inducted into a fire department, except as otherwise
4 provided in this Section.

5 The commission shall strike off the names of candidates for
6 original appointment after the names have been on the list for
7 more than 2 years.

8 (i) Moral character. No person shall be appointed to a fire
9 department unless he or she is a person of good character; not
10 a habitual drunkard, a gambler, or a person who has been
11 convicted of a felony or a crime involving moral turpitude.
12 However, no person shall be disqualified from appointment to
13 the fire department because of the person's record of
14 misdemeanor convictions except those under Sections 11-6,
15 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6,
16 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1,
17 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and subsections
18 1, 6, and 8 of Section 24-1 of the Criminal Code of 1961 or the
19 Criminal Code of 2012, or arrest for any cause without
20 conviction thereon. Any such person who is in the department
21 may be removed on charges brought for violating this subsection
22 and after a trial as hereinafter provided.

23 A classifiable set of the fingerprints of every person who
24 is offered employment as a certificated member of an affected
25 fire department whether with or without compensation, shall be
26 furnished to the Illinois Department of State Police and to the

1 Federal Bureau of Investigation by the commission.

2 Whenever a commission is authorized or required by law to
3 consider some aspect of criminal history record information for
4 the purpose of carrying out its statutory powers and
5 responsibilities, then, upon request and payment of fees in
6 conformance with the requirements of Section 2605-400 of the
7 State Police Law of the Civil Administrative Code of Illinois,
8 the Department of State Police is authorized to furnish,
9 pursuant to positive identification, the information contained
10 in State files as is necessary to fulfill the request.

11 (j) Temporary appointments. In order to prevent a stoppage
12 of public business, to meet extraordinary exigencies, or to
13 prevent material impairment of the fire department, the
14 commission may make temporary appointments, to remain in force
15 only until regular appointments are made under the provisions
16 of this Division, but never to exceed 60 days. No temporary
17 appointment of any one person shall be made more than twice in
18 any calendar year.

19 (k) A person who knowingly divulges or receives test
20 questions or answers before a written examination, or otherwise
21 knowingly violates or subverts any requirement of this Section,
22 commits a violation of this Section and may be subject to
23 charges for official misconduct.

24 A person who is the knowing recipient of test information
25 in advance of the examination shall be disqualified from the
26 examination or discharged from the position to which he or she

1 was appointed, as applicable, and otherwise subjected to
2 disciplinary actions.

3 (Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12;
4 97-1150, eff. 1-25-13.)

5 (65 ILCS 5/10-1-7.2)

6 Sec. 10-1-7.2. Alternative procedure; original
7 appointment; full-time firefighter.

8 (a) Authority. The Joint Labor and Management Committee
9 (JLMC), as defined in Section 50 of the Fire Department
10 Promotion Act, may establish a community outreach program to
11 market the profession of firefighter and firefighter-paramedic
12 so as to ensure the pool of applicants recruited is of broad
13 diversity and the highest quality.

14 For the purposes of this Section, "firefighter" means any
15 person who has been prior to, on, or after the effective date
16 of this amendatory Act of the 97th General Assembly appointed
17 to a fire department or fire protection district or employed by
18 a State university and sworn or commissioned to perform
19 firefighter duties or paramedic duties, or both, except that
20 the following persons are not included: part-time
21 firefighters; auxiliary, reserve, or voluntary firefighters,
22 including paid-on-call firefighters; clerks and dispatchers or
23 other civilian employees of a fire department or fire
24 protection district who are not routinely expected to perform
25 firefighter duties; and elected officials.

1 (b) Eligibility. Persons eligible for placement on the
2 master register of eligibles shall consist of the following:

3 Persons who have participated in and received a passing
4 total score on the mental aptitude, physical ability, and
5 preference components of a regionally administered test
6 based on the standards described in this Section. The
7 standards for administering these tests and the minimum
8 passing score required for placement on this list shall be
9 as is set forth in this Section.

10 Qualified candidates shall be listed on the master
11 register of eligibles in highest to lowest rank order based
12 upon their test scores without regard to their date of
13 examination. Candidates listed on the master register of
14 eligibles shall be eligible for appointment for 2 years
15 after the date of the certification of their final score on
16 the register without regard to the date of their
17 examination. After 2 years, the candidate's name shall be
18 struck from the list.

19 Any person currently employed as a full-time member of
20 a fire department or any person who has experienced a
21 non-voluntary (and non-disciplinary) separation from the
22 active workforce due to a reduction in the number of
23 departmental officers, who was appointed pursuant to this
24 Division, Division 2.1 of Article 10 of the Illinois
25 Municipal Code, or the Fire Protection District Act, and
26 who during the previous 24 months participated in and

1 received a passing score on the physical ability and mental
2 aptitude components of the test may request that his or her
3 name be added to the master register. Any eligible person
4 may be offered employment by a local commission under the
5 same procedures as provided by this Section except that the
6 apprenticeship period may be waived and the applicant may
7 be immediately issued a certificate of original
8 appointment by the local commission.

9 (c) Qualifications for placement on register of eligibles.

10 The purpose for establishing a master register of eligibles
11 shall be to identify applicants who possess and demonstrate the
12 mental aptitude and physical ability to perform the duties
13 required of members of the fire department in order to provide
14 the highest quality of service to the public. To this end, all
15 applicants for original appointment to an affected fire
16 department through examination conducted by the Joint Labor and
17 Management Committee (JLMC) shall be subject to examination and
18 testing which shall be public, competitive, and open to all
19 applicants. Any examination and testing procedure utilized
20 under subsection (e) of this Section shall be supported by
21 appropriate validation evidence and shall comply with all
22 applicable state and federal laws. Any subjective component of
23 the testing must be administered by certified assessors. All
24 qualifying and disqualifying factors applicable to examination
25 processes for local commissions in this amendatory Act of the
26 97th General Assembly shall be applicable to persons

1 participating in Joint Labor and Management Committee
2 examinations unless specifically provided otherwise in this
3 Section.

4 Notice of the time, place, general scope, and fee of every
5 JLMC examination shall be given by the JLMC or designated
6 testing agency, as applicable, by publication at least 30 days
7 preceding the examination, in one or more newspapers published
8 in the region, or if no newspaper is published therein, then in
9 one or more newspapers with a general circulation within the
10 region. The JLMC may publish the notice on the JLMC's Internet
11 website. Additional notice of the examination may be given as
12 the JLMC shall prescribe.

13 (d) Examination and testing components for placement on
14 register of eligibles. The examination and qualifying
15 standards for placement on the master register of eligibles and
16 employment shall be based on the following components: mental
17 aptitude, physical ability, preferences, moral character, and
18 health. The mental aptitude, physical ability, and preference
19 components shall determine an applicant's qualification for
20 and placement on the master register of eligibles. The
21 consideration of an applicant's general moral character and
22 health shall be administered on a pass-fail basis after a
23 conditional offer of employment is made by a local commission.

24 (e) Mental aptitude. Examination of an applicant's mental
25 aptitude shall be based upon written examination and an
26 applicant's prior experience demonstrating an aptitude for and

1 commitment to service as a member of a fire department. Written
2 examinations shall be practical in character and relate to
3 those matters that fairly test the capacity of the persons
4 examined to discharge the duties performed by members of a fire
5 department. Written examinations shall be administered in a
6 manner that ensures the security and accuracy of the scores
7 achieved. Any subjective component of the testing must be
8 administered by certified assessors. No person who does not
9 possess a high school diploma or an equivalent high school
10 education shall be placed on a register of eligibles. Local
11 commissions may establish educational, emergency medical
12 service licensure, and other pre-requisites for hire within
13 their jurisdiction.

14 (f) Physical ability. All candidates shall be required to
15 undergo an examination of their physical ability to perform the
16 essential functions included in the duties they may be called
17 upon to perform as a member of a fire department. For the
18 purposes of this Section, essential functions of the job are
19 functions associated with duties that a firefighter may be
20 called upon to perform in response to emergency calls. The
21 frequency of the occurrence of those duties as part of the fire
22 department's regular routine shall not be a controlling factor
23 in the design of examination criteria or evolutions selected
24 for testing. These physical examinations shall be open,
25 competitive, and based on industry standards designed to test
26 each applicant's physical abilities in each of the following

1 dimensions:

2 (1) Muscular strength to perform tasks and evolutions
3 that may be required in the performance of duties including
4 grip strength, leg strength, and arm strength. Tests shall
5 be conducted under anaerobic as well as aerobic conditions
6 to test both the candidate's speed and endurance in
7 performing tasks and evolutions. Tasks tested are to be
8 based on industry standards developed by the JLMC by rule.

9 (2) The ability to climb ladders, operate from heights,
10 walk or crawl in the dark along narrow and uneven surfaces,
11 and operate in proximity to hazardous environments.

12 (3) The ability to carry out critical, time-sensitive,
13 and complex problem solving during physical exertion in
14 stressful and hazardous environments. The testing
15 environment may be hot and dark with tightly enclosed
16 spaces, flashing lights, sirens, and other distractions.

17 The tests utilized to measure each applicant's
18 capabilities in each of these dimensions may be tests based on
19 industry standards currently in use or equivalent tests
20 approved by the Joint Labor-Management Committee of the Office
21 of the State Fire Marshal.

22 (g) Scoring of examination components. The examination
23 components shall be graded on a 100-point scale. A person's
24 position on the master register of eligibles shall be
25 determined by the person's score on the written examination,
26 the person successfully passing the physical ability

1 component, and the addition of any applicable preference
2 points.

3 Applicants who have achieved at least the minimum median
4 score on ~~of all applicants participating in~~ the written
5 examination, as set by the JLMC at the same time, and who
6 successfully pass the physical ability examination shall be
7 placed on the initial eligibility register. Minimum scores
8 should be set by the JLMC so as to demonstrate a candidate's
9 ability to perform the essential functions of the job. The
10 minimum score set by the JLMC shall be supported by appropriate
11 validation evidence and shall comply with all applicable state
12 and federal laws. Applicable preference points shall be added
13 to the written examination scores for all applicants who
14 qualify for the initial eligibility register. Applicants who
15 score at or above the minimum passing score as set by the JLMC
16 ~~in the top 70th percentile or higher~~, including any applicable
17 preference points, shall be placed on the master register of
18 eligibles by the JLMC.

19 These persons shall take rank upon the register as
20 candidates in the order of their relative excellence based on
21 the highest to the lowest total points scored on the mental
22 aptitude and physical ability components, plus any applicable
23 preference points requested and verified by the JLMC, or
24 approved testing agency.

25 No more than 60 days after each examination, a revised
26 master register of eligibles shall be posted by the JLMC

1 showing the final grades of the candidates without reference to
2 priority of time of examination.

3 (h) Preferences. The board shall give military, education,
4 and experience preference points to those who qualify for
5 placement on the master register of eligibles, on the same
6 basis as provided for examinations administered by a local
7 commission.

8 No person entitled to preference or credit shall be
9 required to claim the credit before any examination held under
10 the provisions of this Section. The preference shall be given
11 after the posting or publication of the applicant's initial
12 score at the request of the person before finalizing the scores
13 from all applicants taking part in a JLMC examination.
14 Candidates who are eligible for preference credit shall make a
15 claim in writing within 10 days after the posting of the
16 initial scores from any JLMC test or the claim shall be deemed
17 waived. Once preference points are awarded, the candidates
18 shall be certified to the master register in accordance with
19 their final score including preference points.

20 (i) Firefighter apprentice and firefighter-paramedic
21 apprentice. The employment of an applicant to an apprentice
22 position (including a currently employed full-time member of a
23 fire department whose apprenticeship may be reduced or waived)
24 shall be subject to the applicant passing the moral character
25 standards and health examinations of the local commission. In
26 addition, a local commission may require as a condition of

1 employment that the applicant demonstrate current physical
2 ability by either passing the local commission's approved
3 physical ability examination, or by presenting proof of
4 participating in and receiving a passing score on the physical
5 ability component of a JLMC test within a period of up to 12
6 months before the date of the conditional offer of employment.
7 Applicants shall be subject to the local commission's initial
8 hire background review including criminal history, employment
9 history, moral character, oral examination, and medical
10 examinations which may include polygraph, psychological, and
11 drug screening components, all on a pass-fail basis. The
12 medical examinations must be conducted last, and may only be
13 performed after a conditional offer of employment has been
14 extended.

15 (j) Selection from list. Any municipality or fire
16 protection district that is a party to an intergovernmental
17 agreement under the terms of which persons have been tested for
18 placement on the master register of eligibles shall be entitled
19 to offer employment to any person on the list irrespective of
20 their ranking on the list. The offer of employment shall be to
21 the position of firefighter apprentice or
22 firefighter-paramedic apprentice.

23 Applicants passing these tests may be employed as a
24 firefighter apprentice or a firefighter-paramedic apprentice
25 who shall serve an apprenticeship period of 12 months or less
26 according to the terms and conditions of employment as the

1 employing municipality or district offers, or as provided for
2 under the terms of any collective bargaining agreement then in
3 effect. The apprenticeship period is separate from the
4 probationary period.

5 Service during the apprenticeship period shall be on a
6 probationary basis. During the apprenticeship period, the
7 apprentice's training and performance shall be monitored and
8 evaluated by a Joint Apprenticeship Committee.

9 The Joint Apprenticeship Committee shall consist of 4
10 members who shall be regular members of the fire department
11 with at least 10 years of full-time work experience as a
12 firefighter or firefighter-paramedic. The fire chief and the
13 president of the exclusive bargaining representative
14 recognized by the employer shall each appoint 2 members to the
15 Joint Apprenticeship Committee. In the absence of an exclusive
16 collective bargaining representative, the chief shall appoint
17 the remaining 2 members who shall be from the ranks of company
18 officer and firefighter with at least 10 years of work
19 experience as a firefighter or firefighter-paramedic. In the
20 absence of a sufficient number of qualified firefighters, the
21 Joint Apprenticeship Committee members shall have the amount of
22 experience and the type of qualifications as is reasonable
23 given the circumstances of the fire department. In the absence
24 of a full-time member in a rank between chief and the highest
25 rank in a bargaining unit, the Joint Apprenticeship Committee
26 shall be reduced to 2 members, one to be appointed by the chief

1 and one by the union president, if any. If there is no
2 exclusive bargaining representative, the chief shall appoint
3 the second member of the Joint Apprenticeship Committee from
4 among qualified members in the ranks of company officer and
5 below. Before the conclusion of the apprenticeship period, the
6 Joint Apprenticeship Committee shall meet to consider the
7 apprentice's progress and performance and vote to retain the
8 apprentice as a member of the fire department or to terminate
9 the apprenticeship. If 3 of the 4 members of the Joint
10 Apprenticeship Committee affirmatively vote to retain the
11 apprentice (if a 2 member Joint Apprenticeship Committee
12 exists, then both members must affirmatively vote to retain the
13 apprentice), the local commission shall issue the apprentice a
14 certificate of original appointment to the fire department.

15 (k) A person who knowingly divulges or receives test
16 questions or answers before a written examination, or otherwise
17 knowingly violates or subverts any requirement of this Section,
18 commits a violation of this Section and may be subject to
19 charges for official misconduct.

20 A person who is the knowing recipient of test information
21 in advance of the examination shall be disqualified from the
22 examination or discharged from the position to which he or she
23 was appointed, as applicable, and otherwise subjected to
24 disciplinary actions.

25 (l) Applicability. This Section does not apply to a
26 municipality with more than 1,000,000 inhabitants.

1 (Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12.)

2 (65 ILCS 5/10-2.1-6.3)

3 Sec. 10-2.1-6.3. Original appointments; full-time fire
4 department.

5 (a) Applicability. Unless a commission elects to follow the
6 provisions of Section 10-2.1-6.4, this Section shall apply to
7 all original appointments to an affected full-time fire
8 department. Existing registers of eligibles shall continue to
9 be valid until their expiration dates, or up to a maximum of 2
10 years after the effective date of this amendatory Act of the
11 97th General Assembly.

12 Notwithstanding any statute, ordinance, rule, or other law
13 to the contrary, all original appointments to an affected
14 department to which this Section applies shall be administered
15 in the manner provided for in this Section. Provisions of the
16 Illinois Municipal Code, municipal ordinances, and rules
17 adopted pursuant to such authority and other laws relating to
18 initial hiring of firefighters in affected departments shall
19 continue to apply to the extent they are compatible with this
20 Section, but in the event of a conflict between this Section
21 and any other law, this Section shall control.

22 A home rule or non-home rule municipality may not
23 administer its fire department process for original
24 appointments in a manner that is less stringent than this
25 Section. This Section is a limitation under subsection (i) of

1 Section 6 of Article VII of the Illinois Constitution on the
2 concurrent exercise by home rule units of the powers and
3 functions exercised by the State.

4 A municipality that is operating under a court order or
5 consent decree regarding original appointments to a full-time
6 fire department before the effective date of this amendatory
7 Act of the 97th General Assembly is exempt from the
8 requirements of this Section for the duration of the court
9 order or consent decree.

10 Notwithstanding any other provision of this subsection
11 (a), this Section does not apply to a municipality with more
12 than 1,000,000 inhabitants.

13 (b) Original appointments. All original appointments made
14 to an affected fire department shall be made from a register of
15 eligibles established in accordance with the processes
16 established by this Section. Only persons who meet or exceed
17 the performance standards required by this Section shall be
18 placed on a register of eligibles for original appointment to
19 an affected fire department.

20 Whenever an appointing authority authorizes action to hire
21 a person to perform the duties of a firefighter or to hire a
22 firefighter-paramedic to fill a position that is a new position
23 or vacancy due to resignation, discharge, promotion, death, the
24 granting of a disability or retirement pension, or any other
25 cause, the appointing authority shall appoint to that position
26 the person with the highest ranking on the final eligibility

1 list. If the appointing authority has reason to conclude that
2 the highest ranked person fails to meet the minimum standards
3 for the position or if the appointing authority believes an
4 alternate candidate would better serve the needs of the
5 department, then the appointing authority has the right to pass
6 over the highest ranked person and appoint either: (i) any
7 person who has a ranking in the top 5% of the register of
8 eligibles or (ii) any person who is among the top 5 highest
9 ranked persons on the list of eligibles if the number of people
10 who have a ranking in the top 5% of the register of eligibles
11 is less than 5 people.

12 Any candidate may pass on an appointment once without
13 losing his or her position on the register of eligibles. Any
14 candidate who passes a second time may be removed from the list
15 by the appointing authority provided that such action shall not
16 prejudice a person's opportunities to participate in future
17 examinations, including an examination held during the time a
18 candidate is already on the municipality's register of
19 eligibles.

20 The sole authority to issue certificates of appointment
21 shall be vested in the board of fire and police commissioners.
22 All certificates of appointment issued to any officer or member
23 of an affected department shall be signed by the chairperson
24 and secretary, respectively, of the board upon appointment of
25 such officer or member to the affected department by action of
26 the board. Each person who accepts a certificate of appointment

1 and successfully completes his or her probationary period shall
2 be enrolled as a firefighter and as a regular member of the
3 fire department.

4 For the purposes of this Section, "firefighter" means any
5 person who has been prior to, on, or after the effective date
6 of this amendatory Act of the 97th General Assembly appointed
7 to a fire department or fire protection district or employed by
8 a State university and sworn or commissioned to perform
9 firefighter duties or paramedic duties, or both, except that
10 the following persons are not included: part-time
11 firefighters; auxiliary, reserve, or voluntary firefighters,
12 including paid-on-call firefighters; clerks and dispatchers or
13 other civilian employees of a fire department or fire
14 protection district who are not routinely expected to perform
15 firefighter duties; and elected officials.

16 (c) Qualification for placement on register of eligibles.
17 The purpose of establishing a register of eligibles is to
18 identify applicants who possess and demonstrate the mental
19 aptitude and physical ability to perform the duties required of
20 members of the fire department in order to provide the highest
21 quality of service to the public. To this end, all applicants
22 for original appointment to an affected fire department shall
23 be subject to examination and testing which shall be public,
24 competitive, and open to all applicants unless the municipality
25 shall by ordinance limit applicants to residents of the
26 municipality, county or counties in which the municipality is

1 located, State, or nation. Any examination and testing
2 procedure utilized under subsection (e) of this Section shall
3 be supported by appropriate validation evidence and shall
4 comply with all applicable state and federal laws.

5 Municipalities may establish educational, emergency medical
6 service licensure, and other pre-requisites for participation
7 in an examination or for hire as a firefighter. Any
8 municipality may charge a fee to cover the costs of the
9 application process.

10 Residency requirements in effect at the time an individual
11 enters the fire service of a municipality cannot be made more
12 restrictive for that individual during his or her period of
13 service for that municipality, or be made a condition of
14 promotion, except for the rank or position of fire chief and
15 for no more than 2 positions that rank immediately below that
16 of the chief rank which are appointed positions pursuant to the
17 Fire Department Promotion Act.

18 No person who is 35 years of age or older shall be eligible
19 to take an examination for a position as a firefighter unless
20 the person has had previous employment status as a firefighter
21 in the regularly constituted fire department of the
22 municipality, except as provided in this Section. The age
23 limitation does not apply to:

- 24 (1) any person previously employed as a full-time
25 firefighter in a regularly constituted fire department of
26 (i) any municipality or fire protection district located in

1 Illinois, (ii) a fire protection district whose
2 obligations were assumed by a municipality under Section 21
3 of the Fire Protection District Act, or (iii) a
4 municipality whose obligations were taken over by a fire
5 protection district, or

6 (2) any person who has served a municipality as a
7 regularly enrolled volunteer, paid-on-call, or part-time
8 firefighter for the 5 years immediately preceding the time
9 that the municipality begins to use full-time firefighters
10 to provide all or part of its fire protection service.

11 No person who is under 21 years of age shall be eligible
12 for employment as a firefighter.

13 No applicant shall be examined concerning his or her
14 political or religious opinions or affiliations. The
15 examinations shall be conducted by the commissioners of the
16 municipality or their designees and agents.

17 No municipality shall require that any firefighter
18 appointed to the lowest rank serve a probationary employment
19 period of longer than one year of actual active employment,
20 which may exclude periods of training, or injury or illness
21 leaves, including duty related leave, in excess of 30 calendar
22 days. Notwithstanding anything to the contrary in this Section,
23 the probationary employment period limitation may be extended
24 for a firefighter who is required, as a condition of
25 employment, to be a certified paramedic, during which time the
26 sole reason that a firefighter may be discharged without a

1 hearing is for failing to meet the requirements for paramedic
2 certification.

3 In the event that any applicant who has been found eligible
4 for appointment and whose name has been placed upon the final
5 eligibility register provided for in this Section has not been
6 appointed to a firefighter position within one year after the
7 date of his or her physical ability examination, the commission
8 may cause a second examination to be made of that applicant's
9 physical ability prior to his or her appointment. If, after the
10 second examination, the physical ability of the applicant shall
11 be found to be less than the minimum standard fixed by the
12 rules of the commission, the applicant shall not be appointed.
13 The applicant's name may be retained upon the register of
14 candidates eligible for appointment and when next reached for
15 certification and appointment that applicant may be again
16 examined as provided in this Section, and if the physical
17 ability of that applicant is found to be less than the minimum
18 standard fixed by the rules of the commission, the applicant
19 shall not be appointed, and the name of the applicant shall be
20 removed from the register.

21 (d) Notice, examination, and testing components. Notice of
22 the time, place, general scope, merit criteria for any
23 subjective component, and fee of every examination shall be
24 given by the commission, by a publication at least 2 weeks
25 preceding the examination: (i) in one or more newspapers
26 published in the municipality, or if no newspaper is published

1 therein, then in one or more newspapers with a general
2 circulation within the municipality, or (ii) on the
3 municipality's Internet website. Additional notice of the
4 examination may be given as the commission shall prescribe.

5 The examination and qualifying standards for employment of
6 firefighters shall be based on: mental aptitude, physical
7 ability, preferences, moral character, and health. The mental
8 aptitude, physical ability, and preference components shall
9 determine an applicant's qualification for and placement on the
10 final register of eligibles. The examination may also include a
11 subjective component based on merit criteria as determined by
12 the commission. Scores from the examination must be made
13 available to the public.

14 (e) Mental aptitude. No person who does not possess at
15 least a high school diploma or an equivalent high school
16 education shall be placed on a register of eligibles.
17 Examination of an applicant's mental aptitude shall be based
18 upon a written examination. The examination shall be practical
19 in character and relate to those matters that fairly test the
20 capacity of the persons examined to discharge the duties
21 performed by members of a fire department. Written examinations
22 shall be administered in a manner that ensures the security and
23 accuracy of the scores achieved.

24 (f) Physical ability. All candidates shall be required to
25 undergo an examination of their physical ability to perform the
26 essential functions included in the duties they may be called

1 upon to perform as a member of a fire department. For the
2 purposes of this Section, essential functions of the job are
3 functions associated with duties that a firefighter may be
4 called upon to perform in response to emergency calls. The
5 frequency of the occurrence of those duties as part of the fire
6 department's regular routine shall not be a controlling factor
7 in the design of examination criteria or evolutions selected
8 for testing. These physical examinations shall be open,
9 competitive, and based on industry standards designed to test
10 each applicant's physical abilities in the following
11 dimensions:

12 (1) Muscular strength to perform tasks and evolutions
13 that may be required in the performance of duties including
14 grip strength, leg strength, and arm strength. Tests shall
15 be conducted under anaerobic as well as aerobic conditions
16 to test both the candidate's speed and endurance in
17 performing tasks and evolutions. Tasks tested may be based
18 on standards developed, or approved, by the local
19 appointing authority.

20 (2) The ability to climb ladders, operate from heights,
21 walk or crawl in the dark along narrow and uneven surfaces,
22 and operate in proximity to hazardous environments.

23 (3) The ability to carry out critical, time-sensitive,
24 and complex problem solving during physical exertion in
25 stressful and hazardous environments. The testing
26 environment may be hot and dark with tightly enclosed

1 spaces, flashing lights, sirens, and other distractions.

2 The tests utilized to measure each applicant's
3 capabilities in each of these dimensions may be tests based on
4 industry standards currently in use or equivalent tests
5 approved by the Joint Labor-Management Committee of the Office
6 of the State Fire Marshal.

7 Physical ability examinations administered under this
8 Section shall be conducted with a reasonable number of proctors
9 and monitors, open to the public, and subject to reasonable
10 regulations of the commission.

11 (g) Scoring of examination components. Appointing
12 authorities may create a preliminary eligibility register. A
13 person shall be placed on the list based upon his or her
14 passage of the written examination or the passage of the
15 written examination and the physical ability component.
16 Passage of the written examination means attaining the minimum
17 score set by the commission ~~a score that is at or above the~~
18 ~~median score for all applicants participating in the written~~
19 ~~test.~~ Minimum scores should be set by the commission so as to
20 demonstrate a candidate's ability to perform the essential
21 functions of the job. The minimum score set by the commission
22 shall be supported by appropriate validation evidence and shall
23 comply with all applicable state and federal laws. The
24 appointing authority may conduct the physical ability
25 component and any subjective components subsequent to the
26 posting of the preliminary eligibility register.

1 The examination components for an initial eligibility
2 register shall be graded on a 100-point scale. A person's
3 position on the list shall be determined by the following: (i)
4 the person's score on the written examination, (ii) the person
5 successfully passing the physical ability component, and (iii)
6 the person's results on any subjective component as described
7 in subsection (d).

8 In order to qualify for placement on the final eligibility
9 register, an applicant's score on the written examination,
10 before any applicable preference points or subjective points
11 are applied, shall be at or above the minimum score as set by
12 the commission ~~median score~~. The local appointing authority may
13 prescribe the score to qualify for placement on the final
14 eligibility register, but the score shall not be less than the
15 minimum score set by the commission ~~median score~~.

16 The commission shall prepare and keep a register of persons
17 whose total score is not less than the minimum score for
18 passage ~~fixed by this Section~~ and who have passed the physical
19 ability examination. These persons shall take rank upon the
20 register as candidates in the order of their relative
21 excellence based on the highest to the lowest total points
22 scored on the mental aptitude, subjective component, and
23 preference components of the test administered in accordance
24 with this Section. No more than 60 days after each examination,
25 an initial eligibility list shall be posted by the commission.
26 The list shall include the final grades of the candidates

1 without reference to priority of the time of examination and
2 subject to claim for preference credit.

3 Commissions may conduct additional examinations, including
4 without limitation a polygraph test, after a final eligibility
5 register is established and before it expires with the
6 candidates ranked by total score without regard to date of
7 examination. No more than 60 days after each examination, an
8 initial eligibility list shall be posted by the commission
9 showing the final grades of the candidates without reference to
10 priority of time of examination and subject to claim for
11 preference credit.

12 (h) Preferences. The following are preferences:

13 (1) Veteran preference. Persons who were engaged in the
14 military service of the United States for a period of at
15 least one year of active duty and who were honorably
16 discharged therefrom, or who are now or have been members
17 on inactive or reserve duty in such military or naval
18 service, shall be preferred for appointment to and
19 employment with the fire department of an affected
20 department.

21 (2) Fire cadet preference. Persons who have
22 successfully completed 2 years of study in fire techniques
23 or cadet training within a cadet program established under
24 the rules of the Joint Labor and Management Committee
25 (JLMC), as defined in Section 50 of the Fire Department
26 Promotion Act, may be preferred for appointment to and

1 employment with the fire department.

2 (3) Educational preference. Persons who have
3 successfully obtained an associate's degree in the field of
4 fire service or emergency medical services, or a bachelor's
5 degree from an accredited college or university may be
6 preferred for appointment to and employment with the fire
7 department.

8 (4) Paramedic preference. Persons who have obtained
9 certification as an Emergency Medical Technician-Paramedic
10 (EMT-P) shall be preferred for appointment to and
11 employment with the fire department of an affected
12 department providing emergency medical services.

13 (5) Experience preference. All persons employed by a
14 municipality who have been paid-on-call or part-time
15 certified Firefighter II, State of Illinois or nationally
16 licensed EMT-B or EMT-I, or any combination of those
17 capacities shall be awarded 0.5 point for each year of
18 successful service in one or more of those capacities, up
19 to a maximum of 5 points. Certified Firefighter III and
20 State of Illinois or nationally licensed paramedics shall
21 be awarded one point per year up to a maximum of 5 points.
22 Applicants from outside the municipality who were employed
23 as full-time firefighters or firefighter-paramedics by a
24 fire protection district or another municipality for at
25 least 2 years shall be awarded 5 experience preference
26 points. These additional points presuppose a rating scale

1 totaling 100 points available for the eligibility list. If
2 more or fewer points are used in the rating scale for the
3 eligibility list, the points awarded under this subsection
4 shall be increased or decreased by a factor equal to the
5 total possible points available for the examination
6 divided by 100.

7 Upon request by the commission, the governing body of
8 the municipality or in the case of applicants from outside
9 the municipality the governing body of any fire protection
10 district or any other municipality shall certify to the
11 commission, within 10 days after the request, the number of
12 years of successful paid-on-call, part-time, or full-time
13 service of any person. A candidate may not receive the full
14 amount of preference points under this subsection if the
15 amount of points awarded would place the candidate before a
16 veteran on the eligibility list. If more than one candidate
17 receiving experience preference points is prevented from
18 receiving all of their points due to not being allowed to
19 pass a veteran, the candidates shall be placed on the list
20 below the veteran in rank order based on the totals
21 received if all points under this subsection were to be
22 awarded. Any remaining ties on the list shall be determined
23 by lot.

24 (6) Residency preference. Applicants whose principal
25 residence is located within the fire department's
26 jurisdiction shall be preferred for appointment to and

1 employment with the fire department.

2 (7) Additional preferences. Up to 5 additional
3 preference points may be awarded for unique categories
4 based on an applicant's experience or background as
5 identified by the commission.

6 (8) Scoring of preferences. The commission shall give
7 preference for original appointment to persons designated
8 in item (1) by adding to the final grade that they receive
9 5 points for the recognized preference achieved. The
10 commission shall determine the number of preference points
11 for each category except (1). The number of preference
12 points for each category shall range from 0 to 5. In
13 determining the number of preference points, the
14 commission shall prescribe that if a candidate earns the
15 maximum number of preference points in all categories, that
16 number may not be less than 10 nor more than 30. The
17 commission shall give preference for original appointment
18 to persons designated in items (2) through (7) by adding
19 the requisite number of points to the final grade for each
20 recognized preference achieved. The numerical result thus
21 attained shall be applied by the commission in determining
22 the final eligibility list and appointment from the
23 eligibility list. The local appointing authority may
24 prescribe the total number of preference points awarded
25 under this Section, but the total number of preference
26 points shall not be less than 10 points or more than 30

1 points.

2 No person entitled to any preference shall be required to
3 claim the credit before any examination held under the
4 provisions of this Section, but the preference shall be given
5 after the posting or publication of the initial eligibility
6 list or register at the request of a person entitled to a
7 credit before any certification or appointments are made from
8 the eligibility register, upon the furnishing of verifiable
9 evidence and proof of qualifying preference credit. Candidates
10 who are eligible for preference credit shall make a claim in
11 writing within 10 days after the posting of the initial
12 eligibility list, or the claim shall be deemed waived. Final
13 eligibility registers shall be established after the awarding
14 of verified preference points. All employment shall be subject
15 to the commission's initial hire background review including,
16 but not limited to, criminal history, employment history, moral
17 character, oral examination, and medical and psychological
18 examinations, all on a pass-fail basis. The medical and
19 psychological examinations must be conducted last, and may only
20 be performed after a conditional offer of employment has been
21 extended.

22 Any person placed on an eligibility list who exceeds the
23 age requirement before being appointed to a fire department
24 shall remain eligible for appointment until the list is
25 abolished, or his or her name has been on the list for a period
26 of 2 years. No person who has attained the age of 35 years

1 shall be inducted into a fire department, except as otherwise
2 provided in this Section.

3 The commission shall strike off the names of candidates for
4 original appointment after the names have been on the list for
5 more than 2 years.

6 (i) Moral character. No person shall be appointed to a fire
7 department unless he or she is a person of good character; not
8 a habitual drunkard, a gambler, or a person who has been
9 convicted of a felony or a crime involving moral turpitude.
10 However, no person shall be disqualified from appointment to
11 the fire department because of the person's record of
12 misdemeanor convictions except those under Sections 11-6,
13 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6,
14 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1,
15 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and subsections
16 1, 6, and 8 of Section 24-1 of the Criminal Code of 1961 or the
17 Criminal Code of 2012, or arrest for any cause without
18 conviction thereon. Any such person who is in the department
19 may be removed on charges brought for violating this subsection
20 and after a trial as hereinafter provided.

21 A classifiable set of the fingerprints of every person who
22 is offered employment as a certificated member of an affected
23 fire department whether with or without compensation, shall be
24 furnished to the Illinois Department of State Police and to the
25 Federal Bureau of Investigation by the commission.

26 Whenever a commission is authorized or required by law to

1 consider some aspect of criminal history record information for
2 the purpose of carrying out its statutory powers and
3 responsibilities, then, upon request and payment of fees in
4 conformance with the requirements of Section 2605-400 of the
5 State Police Law of the Civil Administrative Code of Illinois,
6 the Department of State Police is authorized to furnish,
7 pursuant to positive identification, the information contained
8 in State files as is necessary to fulfill the request.

9 (j) Temporary appointments. In order to prevent a stoppage
10 of public business, to meet extraordinary exigencies, or to
11 prevent material impairment of the fire department, the
12 commission may make temporary appointments, to remain in force
13 only until regular appointments are made under the provisions
14 of this Division, but never to exceed 60 days. No temporary
15 appointment of any one person shall be made more than twice in
16 any calendar year.

17 (k) A person who knowingly divulges or receives test
18 questions or answers before a written examination, or otherwise
19 knowingly violates or subverts any requirement of this Section,
20 commits a violation of this Section and may be subject to
21 charges for official misconduct.

22 A person who is the knowing recipient of test information
23 in advance of the examination shall be disqualified from the
24 examination or discharged from the position to which he or she
25 was appointed, as applicable, and otherwise subjected to
26 disciplinary actions.

1 (Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12;
2 97-1150, eff. 1-25-13.)

3 (65 ILCS 5/10-2.1-6.4)

4 Sec. 10-2.1-6.4. Alternative procedure; original
5 appointment; full-time firefighter.

6 (a) Authority. The Joint Labor and Management Committee
7 (JLMC), as defined in Section 50 of the Fire Department
8 Promotion Act, may establish a community outreach program to
9 market the profession of firefighter and firefighter-paramedic
10 so as to ensure the pool of applicants recruited is of broad
11 diversity and the highest quality.

12 For the purposes of this Section, "firefighter" means any
13 person who has been prior to, on, or after the effective date
14 of this amendatory Act of the 97th General Assembly appointed
15 to a fire department or fire protection district or employed by
16 a State university and sworn or commissioned to perform
17 firefighter duties or paramedic duties, or both, except that
18 the following persons are not included: part-time
19 firefighters; auxiliary, reserve, or voluntary firefighters,
20 including paid-on-call firefighters; clerks and dispatchers or
21 other civilian employees of a fire department or fire
22 protection district who are not routinely expected to perform
23 firefighter duties; and elected officials.

24 (b) Eligibility. Persons eligible for placement on the
25 master register of eligibles shall consist of the following:

1 Persons who have participated in and received a passing
2 total score on the mental aptitude, physical ability, and
3 preference components of a regionally administered test
4 based on the standards described in this Section. The
5 standards for administering these tests and the minimum
6 passing score required for placement on this list shall be
7 as is set forth in this Section.

8 Qualified candidates shall be listed on the master
9 register of eligibles in highest to lowest rank order based
10 upon their test scores without regard to their date of
11 examination. Candidates listed on the master register of
12 eligibles shall be eligible for appointment for 2 years
13 after the date of the certification of their final score on
14 the register without regard to the date of their
15 examination. After 2 years, the candidate's name shall be
16 struck from the list.

17 Any person currently employed as a full-time member of
18 a fire department or any person who has experienced a
19 non-voluntary (and non-disciplinary) separation from the
20 active workforce due to a reduction in the number of
21 departmental officers, who was appointed pursuant to
22 Division 1 of Article 10 of the Illinois Municipal Code,
23 Division 2.1 of Article 10 of the Illinois Municipal Code,
24 or the Fire Protection District Act, and who during the
25 previous 24 months participated in and received a passing
26 score on the physical ability and mental aptitude

1 components of the test may request that his or her name be
2 added to the master register. Any eligible person may be
3 offered employment by a local commission under the same
4 procedures as provided by this Section except that the
5 apprenticeship period may be waived and the applicant may
6 be immediately issued a certificate of original
7 appointment by the local commission.

8 (c) Qualifications for placement on register of eligibles.
9 The purpose for establishing a master register of eligibles
10 shall be to identify applicants who possess and demonstrate the
11 mental aptitude and physical ability to perform the duties
12 required of members of the fire department in order to provide
13 the highest quality of service to the public. To this end, all
14 applicants for original appointment to an affected fire
15 department through examination conducted by the Joint Labor and
16 Management Committee (JLMC) shall be subject to examination and
17 testing which shall be public, competitive, and open to all
18 applicants. Any examination and testing procedure utilized
19 under subsection (e) of this Section shall be supported by
20 appropriate validation evidence and shall comply with all
21 applicable state and federal laws. Any subjective component of
22 the testing must be administered by certified assessors. All
23 qualifying and disqualifying factors applicable to examination
24 processes for local commissions in this amendatory Act of the
25 97th General Assembly shall be applicable to persons
26 participating in Joint Labor and Management Committee

1 examinations unless specifically provided otherwise in this
2 Section.

3 Notice of the time, place, general scope, and fee of every
4 JLMC examination shall be given by the JLMC or designated
5 testing agency, as applicable, by a publication at least 30
6 days preceding the examination, in one or more newspapers
7 published in the region, or if no newspaper is published
8 therein, then in one or more newspapers with a general
9 circulation within the region. The JLMC may publish the notice
10 on the JLMC's Internet website. Additional notice of the
11 examination may be given as the JLMC shall prescribe.

12 (d) Examination and testing components for placement on
13 register of eligibles. The examination and qualifying
14 standards for placement on the master register of eligibles and
15 employment shall be based on the following components: mental
16 aptitude, physical ability, preferences, moral character, and
17 health. The mental aptitude, physical ability, and preference
18 components shall determine an applicant's qualification for
19 and placement on the master register of eligibles. The
20 consideration of an applicant's general moral character and
21 health shall be administered on a pass-fail basis after a
22 conditional offer of employment is made by a local commission.

23 (e) Mental aptitude. Examination of an applicant's mental
24 aptitude shall be based upon written examination and an
25 applicant's prior experience demonstrating an aptitude for and
26 commitment to service as a member of a fire department. Written

1 examinations shall be practical in character and relate to
2 those matters that fairly test the capacity of the persons
3 examined to discharge the duties performed by members of a fire
4 department. Written examinations shall be administered in a
5 manner that ensures the security and accuracy of the scores
6 achieved. Any subjective component of the testing must be
7 administered by certified assessors. No person who does not
8 possess a high school diploma or an equivalent high school
9 education shall be placed on a register of eligibles. Local
10 commissions may establish educational, emergency medical
11 service licensure, and other pre-requisites for hire within
12 their jurisdiction.

13 (f) Physical ability. All candidates shall be required to
14 undergo an examination of their physical ability to perform the
15 essential functions included in the duties they may be called
16 upon to perform as a member of a fire department. For the
17 purposes of this Section, essential functions of the job are
18 functions associated with duties that a firefighter may be
19 called upon to perform in response to emergency calls. The
20 frequency of the occurrence of those duties as part of the fire
21 department's regular routine shall not be a controlling factor
22 in the design of examination criteria or evolutions selected
23 for testing. These physical examinations shall be open,
24 competitive, and based on industry standards designed to test
25 each applicant's physical abilities in each of the following
26 dimensions:

1 (1) Muscular strength to perform tasks and evolutions
2 that may be required in the performance of duties including
3 grip strength, leg strength, and arm strength. Tests shall
4 be conducted under anaerobic as well as aerobic conditions
5 to test both the candidate's speed and endurance in
6 performing tasks and evolutions. Tasks tested are to be
7 based on industry standards developed by the JLMC by rule.

8 (2) The ability to climb ladders, operate from heights,
9 walk or crawl in the dark along narrow and uneven surfaces,
10 and operate in proximity to hazardous environments.

11 (3) The ability to carry out critical, time-sensitive,
12 and complex problem solving during physical exertion in
13 stressful and hazardous environments. The testing
14 environment may be hot and dark with tightly enclosed
15 spaces, flashing lights, sirens, and other distractions.

16 The tests utilized to measure each applicant's
17 capabilities in each of these dimensions may be tests based on
18 industry standards currently in use or equivalent tests
19 approved by the Joint Labor-Management Committee of the Office
20 of the State Fire Marshal.

21 (g) Scoring of examination components. The examination
22 components shall be graded on a 100-point scale. A person's
23 position on the master register of eligibles shall be
24 determined by the person's score on the written examination,
25 the person successfully passing the physical ability
26 component, and the addition of any applicable preference

1 points.

2 Applicants who have achieved at least the minimum score as
3 set by the JLMC ~~median score of all applicants participating in~~
4 ~~the written examination at the same time,~~ and who successfully
5 pass the physical ability examination shall be placed on the
6 initial eligibility register. Minimum scores should be set by
7 the commission so as to demonstrate a candidate's ability to
8 perform the essential functions of the job. The minimum score
9 set by the commission shall be supported by appropriate
10 validation evidence and shall comply with all applicable state
11 and federal laws. Applicable preference points shall be added
12 to the written examination scores for all applicants who
13 qualify for the initial eligibility register. Applicants who
14 score at or above the minimum passing score as set by the JLMC
15 ~~in the top 70th percentile or higher,~~ including any applicable
16 preference points, shall be placed on the master register of
17 eligibles by the JLMC.

18 These persons shall take rank upon the register as
19 candidates in the order of their relative excellence based on
20 the highest to the lowest total points scored on the mental
21 aptitude and physical ability components, plus any applicable
22 preference points requested and verified by the JLMC, or
23 approved testing agency.

24 No more than 60 days after each examination, a revised
25 master register of eligibles shall be posted by the JLMC
26 showing the final grades of the candidates without reference to

1 priority of time of examination.

2 (h) Preferences. The board shall give military, education,
3 and experience preference points to those who qualify for
4 placement on the master register of eligibles, on the same
5 basis as provided for examinations administered by a local
6 commission.

7 No person entitled to preference or credit shall be
8 required to claim the credit before any examination held under
9 the provisions of this Section. The preference shall be given
10 after the posting or publication of the applicant's initial
11 score at the request of the person before finalizing the scores
12 from all applicants taking part in a JLMC examination.
13 Candidates who are eligible for preference credit shall make a
14 claim in writing within 10 days after the posting of the
15 initial scores from any JLMC test or the claim shall be deemed
16 waived. Once preference points are awarded, the candidates
17 shall be certified to the master register in accordance with
18 their final score including preference points.

19 (i) Firefighter apprentice and firefighter-paramedic
20 apprentice. The employment of an applicant to an apprentice
21 position (including a currently employed full-time member of a
22 fire department whose apprenticeship may be reduced or waived)
23 shall be subject to the applicant passing the moral character
24 standards and health examinations of the local commission. In
25 addition, a local commission may require as a condition of
26 employment that the applicant demonstrate current physical

1 ability by either passing the local commission's approved
2 physical ability examination, or by presenting proof of
3 participating in and receiving a passing score on the physical
4 ability component of a JLMC test within a period of up to 12
5 months before the date of the conditional offer of employment.
6 Applicants shall be subject to the local commission's initial
7 hire background review including criminal history, employment
8 history, moral character, oral examination, and medical
9 examinations which may include polygraph, psychological, and
10 drug screening components, all on a pass-fail basis. The
11 medical examinations must be conducted last, and may only be
12 performed after a conditional offer of employment has been
13 extended.

14 (j) Selection from list. Any municipality or fire
15 protection district that is a party to an intergovernmental
16 agreement under the terms of which persons have been tested for
17 placement on the master register of eligibles shall be entitled
18 to offer employment to any person on the list irrespective of
19 their ranking on the list. The offer of employment shall be to
20 the position of firefighter apprentice or
21 firefighter-paramedic apprentice.

22 Applicants passing these tests may be employed as a
23 firefighter apprentice or a firefighter-paramedic apprentice
24 who shall serve an apprenticeship period of 12 months or less
25 according to the terms and conditions of employment as the
26 employing municipality or district offers, or as provided for

1 under the terms of any collective bargaining agreement then in
2 effect. The apprenticeship period is separate from the
3 probationary period.

4 Service during the apprenticeship period shall be on a
5 probationary basis. During the apprenticeship period, the
6 apprentice's training and performance shall be monitored and
7 evaluated by a Joint Apprenticeship Committee.

8 The Joint Apprenticeship Committee shall consist of 4
9 members who shall be regular members of the fire department
10 with at least 10 years of full-time work experience as a
11 firefighter or firefighter-paramedic. The fire chief and the
12 president of the exclusive bargaining representative
13 recognized by the employer shall each appoint 2 members to the
14 Joint Apprenticeship Committee. In the absence of an exclusive
15 collective bargaining representative, the chief shall appoint
16 the remaining 2 members who shall be from the ranks of company
17 officer and firefighter with at least 10 years of work
18 experience as a firefighter or firefighter-paramedic. In the
19 absence of a sufficient number of qualified firefighters, the
20 Joint Apprenticeship Committee members shall have the amount of
21 experience and the type of qualifications as is reasonable
22 given the circumstances of the fire department. In the absence
23 of a full-time member in a rank between chief and the highest
24 rank in a bargaining unit, the Joint Apprenticeship Committee
25 shall be reduced to 2 members, one to be appointed by the chief
26 and one by the union president, if any. If there is no

1 exclusive bargaining representative, the chief shall appoint
2 the second member of the Joint Apprenticeship Committee from
3 among qualified members in the ranks of company officer and
4 below. Before the conclusion of the apprenticeship period, the
5 Joint Apprenticeship Committee shall meet to consider the
6 apprentice's progress and performance and vote to retain the
7 apprentice as a member of the fire department or to terminate
8 the apprenticeship. If 3 of the 4 members of the Joint
9 Apprenticeship Committee affirmatively vote to retain the
10 apprentice (if a 2 member Joint Apprenticeship Committee
11 exists, then both members must affirmatively vote to retain the
12 apprentice), the local commission shall issue the apprentice a
13 certificate of original appointment to the fire department.

14 (k) A person who knowingly divulges or receives test
15 questions or answers before a written examination, or otherwise
16 knowingly violates or subverts any requirement of this Section,
17 commits a violation of this Section and may be subject to
18 charges for official misconduct.

19 A person who is the knowing recipient of test information
20 in advance of the examination shall be disqualified from the
21 examination or discharged from the position to which he or she
22 was appointed, as applicable, and otherwise subjected to
23 disciplinary actions.

24 (l) Applicability. This Section does not apply to a
25 municipality with more than 1,000,000 inhabitants.

26 (Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12.)

1 Section 10. The Fire Protection District Act is amended by
2 changing Sections 16.06b and 16.06c as follows:

3 (70 ILCS 705/16.06b)

4 Sec. 16.06b. Original appointments; full-time fire
5 department.

6 (a) Applicability. Unless a commission elects to follow the
7 provisions of Section 16.06c, this Section shall apply to all
8 original appointments to an affected full-time fire
9 department. Existing registers of eligibles shall continue to
10 be valid until their expiration dates, or up to a maximum of 2
11 years after the effective date of this amendatory Act of the
12 97th General Assembly.

13 Notwithstanding any statute, ordinance, rule, or other law
14 to the contrary, all original appointments to an affected
15 department to which this Section applies shall be administered
16 in a no less stringent manner than the manner provided for in
17 this Section. Provisions of the Illinois Municipal Code, Fire
18 Protection District Act, fire district ordinances, and rules
19 adopted pursuant to such authority and other laws relating to
20 initial hiring of firefighters in affected departments shall
21 continue to apply to the extent they are compatible with this
22 Section, but in the event of a conflict between this Section
23 and any other law, this Section shall control.

24 A fire protection district that is operating under a court

1 order or consent decree regarding original appointments to a
2 full-time fire department before the effective date of this
3 amendatory Act of the 97th General Assembly is exempt from the
4 requirements of this Section for the duration of the court
5 order or consent decree.

6 (b) Original appointments. All original appointments made
7 to an affected fire department shall be made from a register of
8 eligibles established in accordance with the processes
9 required by this Section. Only persons who meet or exceed the
10 performance standards required by the Section shall be placed
11 on a register of eligibles for original appointment to an
12 affected fire department.

13 Whenever an appointing authority authorizes action to hire
14 a person to perform the duties of a firefighter or to hire a
15 firefighter-paramedic to fill a position that is a new position
16 or vacancy due to resignation, discharge, promotion, death, the
17 granting of a disability or retirement pension, or any other
18 cause, the appointing authority shall appoint to that position
19 the person with the highest ranking on the final eligibility
20 list. If the appointing authority has reason to conclude that
21 the highest ranked person fails to meet the minimum standards
22 for the position or if the appointing authority believes an
23 alternate candidate would better serve the needs of the
24 department, then the appointing authority has the right to pass
25 over the highest ranked person and appoint either: (i) any
26 person who has a ranking in the top 5% of the register of

1 eligibles or (ii) any person who is among the top 5 highest
2 ranked persons on the list of eligibles if the number of people
3 who have a ranking in the top 5% of the register of eligibles
4 is less than 5 people.

5 Any candidate may pass on an appointment once without
6 losing his or her position on the register of eligibles. Any
7 candidate who passes a second time may be removed from the list
8 by the appointing authority provided that such action shall not
9 prejudice a person's opportunities to participate in future
10 examinations, including an examination held during the time a
11 candidate is already on the fire district's register of
12 eligibles.

13 The sole authority to issue certificates of appointment
14 shall be vested in the board of fire commissioners, or board of
15 trustees serving in the capacity of a board of fire
16 commissioners. All certificates of appointment issued to any
17 officer or member of an affected department shall be signed by
18 the chairperson and secretary, respectively, of the commission
19 upon appointment of such officer or member to the affected
20 department by action of the commission. Each person who accepts
21 a certificate of appointment and successfully completes his or
22 her probationary period shall be enrolled as a firefighter and
23 as a regular member of the fire department.

24 For the purposes of this Section, "firefighter" means any
25 person who has been prior to, on, or after the effective date
26 of this amendatory Act of the 97th General Assembly appointed

1 to a fire department or fire protection district or employed by
2 a State university and sworn or commissioned to perform
3 firefighter duties or paramedic duties, or both, except that
4 the following persons are not included: part-time
5 firefighters; auxiliary, reserve, or voluntary firefighters,
6 including paid-on-call firefighters; clerks and dispatchers or
7 other civilian employees of a fire department or fire
8 protection district who are not routinely expected to perform
9 firefighter duties; and elected officials.

10 (c) Qualification for placement on register of eligibles.
11 The purpose of establishing a register of eligibles is to
12 identify applicants who possess and demonstrate the mental
13 aptitude and physical ability to perform the duties required of
14 members of the fire department in order to provide the highest
15 quality of service to the public. To this end, all applicants
16 for original appointment to an affected fire department shall
17 be subject to examination and testing which shall be public,
18 competitive, and open to all applicants unless the district
19 shall by ordinance limit applicants to residents of the
20 district, county or counties in which the district is located,
21 State, or nation. Any examination and testing procedure
22 utilized under subsection (e) of this Section shall be
23 supported by appropriate validation evidence and shall comply
24 with all applicable state and federal laws. Districts may
25 establish educational, emergency medical service licensure,
26 and other pre-requisites for participation in an examination or

1 for hire as a firefighter. Any fire protection district may
2 charge a fee to cover the costs of the application process.

3 Residency requirements in effect at the time an individual
4 enters the fire service of a district cannot be made more
5 restrictive for that individual during his or her period of
6 service for that district, or be made a condition of promotion,
7 except for the rank or position of fire chief and for no more
8 than 2 positions that rank immediately below that of the chief
9 rank which are appointed positions pursuant to the Fire
10 Department Promotion Act.

11 No person who is 35 years of age or older shall be eligible
12 to take an examination for a position as a firefighter unless
13 the person has had previous employment status as a firefighter
14 in the regularly constituted fire department of the district,
15 except as provided in this Section. The age limitation does not
16 apply to:

17 (1) any person previously employed as a full-time
18 firefighter in a regularly constituted fire department of
19 (i) any municipality or fire protection district located in
20 Illinois, (ii) a fire protection district whose
21 obligations were assumed by a municipality under Section 21
22 of the Fire Protection District Act, or (iii) a
23 municipality whose obligations were taken over by a fire
24 protection district, or

25 (2) any person who has served a fire district as a
26 regularly enrolled volunteer, paid-on-call, or part-time

1 firefighter for the 5 years immediately preceding the time
2 that the district begins to use full-time firefighters to
3 provide all or part of its fire protection service.

4 No person who is under 21 years of age shall be eligible
5 for employment as a firefighter.

6 No applicant shall be examined concerning his or her
7 political or religious opinions or affiliations. The
8 examinations shall be conducted by the commissioners of the
9 district or their designees and agents.

10 No district shall require that any firefighter appointed to
11 the lowest rank serve a probationary employment period of
12 longer than one year of actual active employment, which may
13 exclude periods of training, or injury or illness leaves,
14 including duty related leave, in excess of 30 calendar days.
15 Notwithstanding anything to the contrary in this Section, the
16 probationary employment period limitation may be extended for a
17 firefighter who is required, as a condition of employment, to
18 be a certified paramedic, during which time the sole reason
19 that a firefighter may be discharged without a hearing is for
20 failing to meet the requirements for paramedic certification.

21 In the event that any applicant who has been found eligible
22 for appointment and whose name has been placed upon the final
23 eligibility register provided for in this Section has not been
24 appointed to a firefighter position within one year after the
25 date of his or her physical ability examination, the commission
26 may cause a second examination to be made of that applicant's

1 physical ability prior to his or her appointment. If, after the
2 second examination, the physical ability of the applicant shall
3 be found to be less than the minimum standard fixed by the
4 rules of the commission, the applicant shall not be appointed.
5 The applicant's name may be retained upon the register of
6 candidates eligible for appointment and when next reached for
7 certification and appointment that applicant may be again
8 examined as provided in this Section, and if the physical
9 ability of that applicant is found to be less than the minimum
10 standard fixed by the rules of the commission, the applicant
11 shall not be appointed, and the name of the applicant shall be
12 removed from the register.

13 (d) Notice, examination, and testing components. Notice of
14 the time, place, general scope, merit criteria for any
15 subjective component, and fee of every examination shall be
16 given by the commission, by a publication at least 2 weeks
17 preceding the examination: (i) in one or more newspapers
18 published in the district, or if no newspaper is published
19 therein, then in one or more newspapers with a general
20 circulation within the district, or (ii) on the fire protection
21 district's Internet website. Additional notice of the
22 examination may be given as the commission shall prescribe.

23 The examination and qualifying standards for employment of
24 firefighters shall be based on: mental aptitude, physical
25 ability, preferences, moral character, and health. The mental
26 aptitude, physical ability, and preference components shall

1 determine an applicant's qualification for and placement on the
2 final register of eligibles. The examination may also include a
3 subjective component based on merit criteria as determined by
4 the commission. Scores from the examination must be made
5 available to the public.

6 (e) Mental aptitude. No person who does not possess at
7 least a high school diploma or an equivalent high school
8 education shall be placed on a register of eligibles.
9 Examination of an applicant's mental aptitude shall be based
10 upon a written examination. The examination shall be practical
11 in character and relate to those matters that fairly test the
12 capacity of the persons examined to discharge the duties
13 performed by members of a fire department. Written examinations
14 shall be administered in a manner that ensures the security and
15 accuracy of the scores achieved.

16 (f) Physical ability. All candidates shall be required to
17 undergo an examination of their physical ability to perform the
18 essential functions included in the duties they may be called
19 upon to perform as a member of a fire department. For the
20 purposes of this Section, essential functions of the job are
21 functions associated with duties that a firefighter may be
22 called upon to perform in response to emergency calls. The
23 frequency of the occurrence of those duties as part of the fire
24 department's regular routine shall not be a controlling factor
25 in the design of examination criteria or evolutions selected
26 for testing. These physical examinations shall be open,

1 competitive, and based on industry standards designed to test
2 each applicant's physical abilities in the following
3 dimensions:

4 (1) Muscular strength to perform tasks and evolutions
5 that may be required in the performance of duties including
6 grip strength, leg strength, and arm strength. Tests shall
7 be conducted under anaerobic as well as aerobic conditions
8 to test both the candidate's speed and endurance in
9 performing tasks and evolutions. Tasks tested may be based
10 on standards developed, or approved, by the local
11 appointing authority.

12 (2) The ability to climb ladders, operate from heights,
13 walk or crawl in the dark along narrow and uneven surfaces,
14 and operate in proximity to hazardous environments.

15 (3) The ability to carry out critical, time-sensitive,
16 and complex problem solving during physical exertion in
17 stressful and hazardous environments. The testing
18 environment may be hot and dark with tightly enclosed
19 spaces, flashing lights, sirens, and other distractions.

20 The tests utilized to measure each applicant's
21 capabilities in each of these dimensions may be tests based on
22 industry standards currently in use or equivalent tests
23 approved by the Joint Labor-Management Committee of the Office
24 of the State Fire Marshal.

25 Physical ability examinations administered under this
26 Section shall be conducted with a reasonable number of proctors

1 and monitors, open to the public, and subject to reasonable
2 regulations of the commission.

3 (g) Scoring of examination components. Appointing
4 authorities may create a preliminary eligibility register. A
5 person shall be placed on the list based upon his or her
6 passage of the written examination or the passage of the
7 written examination and the physical ability component.
8 Passage of the written examination means attaining the minimum
9 score set by the commission ~~a score that is at or above the~~
10 ~~median score for all applicants participating in the written~~
11 ~~test.~~ Minimum scores should be set by the appointing
12 authorities so as to demonstrate a candidate's ability to
13 perform the essential functions of the job. The minimum score
14 set by the commission shall be supported by appropriate
15 validation evidence and shall comply with all applicable state
16 and federal laws. The appointing authority may conduct the
17 physical ability component and any subjective components
18 subsequent to the posting of the preliminary eligibility
19 register.

20 The examination components for an initial eligibility
21 register shall be graded on a 100-point scale. A person's
22 position on the list shall be determined by the following: (i)
23 the person's score on the written examination, (ii) the person
24 successfully passing the physical ability component, and (iii)
25 the person's results on any subjective component as described
26 in subsection (d).

1 In order to qualify for placement on the final eligibility
2 register, an applicant's score on the written examination,
3 before any applicable preference points or subjective points
4 are applied, shall be at or above the minimum score set by the
5 commission ~~be at or above the median score~~. The local
6 appointing authority may prescribe the score to qualify for
7 placement on the final eligibility register, but the score
8 shall not be less than the minimum score set by the commission
9 ~~median score~~.

10 The commission shall prepare and keep a register of persons
11 whose total score is not less than the minimum score for
12 passage ~~fixed by this Section~~ and who have passed the physical
13 ability examination. These persons shall take rank upon the
14 register as candidates in the order of their relative
15 excellence based on the highest to the lowest total points
16 scored on the mental aptitude, subjective component, and
17 preference components of the test administered in accordance
18 with this Section. No more than 60 days after each examination,
19 an initial eligibility list shall be posted by the commission.
20 The list shall include the final grades of the candidates
21 without reference to priority of the time of examination and
22 subject to claim for preference credit.

23 Commissions may conduct additional examinations, including
24 without limitation a polygraph test, after a final eligibility
25 register is established and before it expires with the
26 candidates ranked by total score without regard to date of

1 examination. No more than 60 days after each examination, an
2 initial eligibility list shall be posted by the commission
3 showing the final grades of the candidates without reference to
4 priority of time of examination and subject to claim for
5 preference credit.

6 (h) Preferences. The following are preferences:

7 (1) Veteran preference. Persons who were engaged in the
8 military service of the United States for a period of at
9 least one year of active duty and who were honorably
10 discharged therefrom, or who are now or have been members
11 on inactive or reserve duty in such military or naval
12 service, shall be preferred for appointment to and
13 employment with the fire department of an affected
14 department.

15 (2) Fire cadet preference. Persons who have
16 successfully completed 2 years of study in fire techniques
17 or cadet training within a cadet program established under
18 the rules of the Joint Labor and Management Committee
19 (JLMC), as defined in Section 50 of the Fire Department
20 Promotion Act, may be preferred for appointment to and
21 employment with the fire department.

22 (3) Educational preference. Persons who have
23 successfully obtained an associate's degree in the field of
24 fire service or emergency medical services, or a bachelor's
25 degree from an accredited college or university may be
26 preferred for appointment to and employment with the fire

1 department.

2 (4) Paramedic preference. Persons who have obtained
3 certification as an Emergency Medical Technician-Paramedic
4 (EMT-P) may be preferred for appointment to and employment
5 with the fire department of an affected department
6 providing emergency medical services.

7 (5) Experience preference. All persons employed by a
8 district who have been paid-on-call or part-time certified
9 Firefighter II, certified Firefighter III, State of
10 Illinois or nationally licensed EMT-B or EMT-I, licensed
11 paramedic, or any combination of those capacities may be
12 awarded up to a maximum of 5 points. However, the applicant
13 may not be awarded more than 0.5 points for each complete
14 year of paid-on-call or part-time service. Applicants from
15 outside the district who were employed as full-time
16 firefighters or firefighter-paramedics by a fire
17 protection district or municipality for at least 2 years
18 may be awarded up to 5 experience preference points.
19 However, the applicant may not be awarded more than one
20 point for each complete year of full-time service.

21 Upon request by the commission, the governing body of
22 the district or in the case of applicants from outside the
23 district the governing body of any other fire protection
24 district or any municipality shall certify to the
25 commission, within 10 days after the request, the number of
26 years of successful paid-on-call, part-time, or full-time

1 service of any person. A candidate may not receive the full
2 amount of preference points under this subsection if the
3 amount of points awarded would place the candidate before a
4 veteran on the eligibility list. If more than one candidate
5 receiving experience preference points is prevented from
6 receiving all of their points due to not being allowed to
7 pass a veteran, the candidates shall be placed on the list
8 below the veteran in rank order based on the totals
9 received if all points under this subsection were to be
10 awarded. Any remaining ties on the list shall be determined
11 by lot.

12 (6) Residency preference. Applicants whose principal
13 residence is located within the fire department's
14 jurisdiction may be preferred for appointment to and
15 employment with the fire department.

16 (7) Additional preferences. Up to 5 additional
17 preference points may be awarded for unique categories
18 based on an applicant's experience or background as
19 identified by the commission.

20 (8) Scoring of preferences. The commission shall give
21 preference for original appointment to persons designated
22 in item (1) by adding to the final grade that they receive
23 5 points for the recognized preference achieved. The
24 commission shall determine the number of preference points
25 for each category except (1). The number of preference
26 points for each category shall range from 0 to 5. In

1 determining the number of preference points, the
2 commission shall prescribe that if a candidate earns the
3 maximum number of preference points in all categories, that
4 number may not be less than 10 nor more than 30. The
5 commission shall give preference for original appointment
6 to persons designated in items (2) through (7) by adding
7 the requisite number of points to the final grade for each
8 recognized preference achieved. The numerical result thus
9 attained shall be applied by the commission in determining
10 the final eligibility list and appointment from the
11 eligibility list. The local appointing authority may
12 prescribe the total number of preference points awarded
13 under this Section, but the total number of preference
14 points shall not be less than 10 points or more than 30
15 points.

16 No person entitled to any preference shall be required to
17 claim the credit before any examination held under the
18 provisions of this Section, but the preference shall be given
19 after the posting or publication of the initial eligibility
20 list or register at the request of a person entitled to a
21 credit before any certification or appointments are made from
22 the eligibility register, upon the furnishing of verifiable
23 evidence and proof of qualifying preference credit. Candidates
24 who are eligible for preference credit shall make a claim in
25 writing within 10 days after the posting of the initial
26 eligibility list, or the claim shall be deemed waived. Final

1 eligibility registers shall be established after the awarding
2 of verified preference points. All employment shall be subject
3 to the commission's initial hire background review including,
4 but not limited to, criminal history, employment history, moral
5 character, oral examination, and medical and psychological
6 examinations, all on a pass-fail basis. The medical and
7 psychological examinations must be conducted last, and may only
8 be performed after a conditional offer of employment has been
9 extended.

10 Any person placed on an eligibility list who exceeds the
11 age requirement before being appointed to a fire department
12 shall remain eligible for appointment until the list is
13 abolished, or his or her name has been on the list for a period
14 of 2 years. No person who has attained the age of 35 years
15 shall be inducted into a fire department, except as otherwise
16 provided in this Section.

17 The commission shall strike off the names of candidates for
18 original appointment after the names have been on the list for
19 more than 2 years.

20 (i) Moral character. No person shall be appointed to a fire
21 department unless he or she is a person of good character; not
22 a habitual drunkard, a gambler, or a person who has been
23 convicted of a felony or a crime involving moral turpitude.
24 However, no person shall be disqualified from appointment to
25 the fire department because of the person's record of
26 misdemeanor convictions except those under Sections 11-6,

1 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6,
2 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1,
3 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and subsections
4 1, 6, and 8 of Section 24-1 of the Criminal Code of 1961 or the
5 Criminal Code of 2012, or arrest for any cause without
6 conviction thereon. Any such person who is in the department
7 may be removed on charges brought for violating this subsection
8 and after a trial as hereinafter provided.

9 A classifiable set of the fingerprints of every person who
10 is offered employment as a certificated member of an affected
11 fire department whether with or without compensation, shall be
12 furnished to the Illinois Department of State Police and to the
13 Federal Bureau of Investigation by the commission.

14 Whenever a commission is authorized or required by law to
15 consider some aspect of criminal history record information for
16 the purpose of carrying out its statutory powers and
17 responsibilities, then, upon request and payment of fees in
18 conformance with the requirements of Section 2605-400 of the
19 State Police Law of the Civil Administrative Code of Illinois,
20 the Department of State Police is authorized to furnish,
21 pursuant to positive identification, the information contained
22 in State files as is necessary to fulfill the request.

23 (j) Temporary appointments. In order to prevent a stoppage
24 of public business, to meet extraordinary exigencies, or to
25 prevent material impairment of the fire department, the
26 commission may make temporary appointments, to remain in force

1 only until regular appointments are made under the provisions
2 of this Section, but never to exceed 60 days. No temporary
3 appointment of any one person shall be made more than twice in
4 any calendar year.

5 (k) A person who knowingly divulges or receives test
6 questions or answers before a written examination, or otherwise
7 knowingly violates or subverts any requirement of this Section,
8 commits a violation of this Section and may be subject to
9 charges for official misconduct.

10 A person who is the knowing recipient of test information
11 in advance of the examination shall be disqualified from the
12 examination or discharged from the position to which he or she
13 was appointed, as applicable, and otherwise subjected to
14 disciplinary actions.

15 (Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12;
16 97-1150, eff. 1-25-13.)

17 (70 ILCS 705/16.06c)

18 Sec. 16.06c. Alternative procedure; original appointment;
19 full-time firefighter.

20 (a) Authority. The Joint Labor and Management Committee
21 (JLMC), as defined in Section 50 of the Fire Department
22 Promotion Act, may establish a community outreach program to
23 market the profession of firefighter and firefighter-paramedic
24 so as to ensure the pool of applicants recruited is of broad
25 diversity and the highest quality.

1 For the purposes of this Section, "firefighter" means any
2 person who has been prior to, on, or after the effective date
3 of this amendatory Act of the 97th General Assembly appointed
4 to a fire department or fire protection district or employed by
5 a State university and sworn or commissioned to perform
6 firefighter duties or paramedic duties, or both, except that
7 the following persons are not included: part-time
8 firefighters; auxiliary, reserve, or voluntary firefighters,
9 including paid-on-call firefighters; clerks and dispatchers or
10 other civilian employees of a fire department or fire
11 protection district who are not routinely expected to perform
12 firefighter duties; and elected officials.

13 (b) Eligibility. Persons eligible for placement on the
14 master register of eligibles shall consist of the following:

15 Persons who have participated in and received a passing
16 total score on the mental aptitude, physical ability, and
17 preference components of a regionally administered test
18 based on the standards described in this Section. The
19 standards for administering these tests and the minimum
20 passing score required for placement on this list shall be
21 as is set forth in this Section.

22 Qualified candidates shall be listed on the master
23 register of eligibles in highest to lowest rank order based
24 upon their test scores without regard to their date of
25 examination. Candidates listed on the master register of
26 eligibles shall be eligible for appointment for 2 years

1 after the date of the certification of their final score on
2 the register without regard to the date of their
3 examination. After 2 years, the candidate's name shall be
4 struck from the list.

5 Any person currently employed as a full-time member of
6 a fire department or any person who has experienced a
7 non-voluntary (and non-disciplinary) separation from the
8 active workforce due to a reduction in the number of
9 departmental officers, who was appointed pursuant to
10 Division 1 of Article 10 of the Illinois Municipal Code,
11 Division 2.1 of Article 10 of the Illinois Municipal Code,
12 or the Fire Protection District Act, and who during the
13 previous 24 months participated in and received a passing
14 score on the physical ability and mental aptitude
15 components of the test may request that his or her name be
16 added to the master register. Any eligible person may be
17 offered employment by a local commission under the same
18 procedures as provided by this Section except that the
19 apprenticeship period may be waived and the applicant may
20 be immediately issued a certificate of original
21 appointment by the local commission.

22 (c) Qualifications for placement on register of eligibles.
23 The purpose for establishing a master register of eligibles
24 shall be to identify applicants who possess and demonstrate the
25 mental aptitude and physical ability to perform the duties
26 required of members of the fire department in order to provide

1 the highest quality of service to the public. To this end, all
2 applicants for original appointment to an affected fire
3 department through examination conducted by the Joint Labor and
4 Management Committee (JLMC) shall be subject to examination and
5 testing which shall be public, competitive, and open to all
6 applicants. Any examination and testing procedure utilized
7 under subsection (e) of this Section shall be supported by
8 appropriate validation evidence and shall comply with all
9 applicable state and federal laws. Any subjective component of
10 the testing must be administered by certified assessors. All
11 qualifying and disqualifying factors applicable to examination
12 processes for local commissions in this amendatory Act of the
13 97th General Assembly shall be applicable to persons
14 participating in Joint Labor and Management Committee
15 examinations unless specifically provided otherwise in this
16 Section.

17 Notice of the time, place, general scope, and fee of every
18 JLMC examination shall be given by the JLMC or designated
19 testing agency, as applicable, by a publication at least 30
20 days preceding the examination, in one or more newspapers
21 published in the region, or if no newspaper is published
22 therein, then in one or more newspapers with a general
23 circulation within the region. The JLMC may publish the notice
24 on the JLMC's Internet website. Additional notice of the
25 examination may be given as the JLMC shall prescribe.

26 (d) Examination and testing components for placement on

1 register of eligibles. The examination and qualifying
2 standards for placement on the master register of eligibles and
3 employment shall be based on the following components: mental
4 aptitude, physical ability, preferences, moral character, and
5 health. The mental aptitude, physical ability, and preference
6 components shall determine an applicant's qualification for
7 and placement on the master register of eligibles. The
8 consideration of an applicant's general moral character and
9 health shall be administered on a pass-fail basis after a
10 conditional offer of employment is made by a local commission.

11 (e) Mental aptitude. Examination of an applicant's mental
12 aptitude shall be based upon written examination and an
13 applicant's prior experience demonstrating an aptitude for and
14 commitment to service as a member of a fire department. Written
15 examinations shall be practical in character and relate to
16 those matters that fairly test the capacity of the persons
17 examined to discharge the duties performed by members of a fire
18 department. Written examinations shall be administered in a
19 manner that ensures the security and accuracy of the scores
20 achieved. Any subjective component of the testing must be
21 administered by certified assessors. No person who does not
22 possess a high school diploma or an equivalent high school
23 education shall be placed on a register of eligibles. Local
24 commissions may establish educational, emergency medical
25 service licensure, and other pre-requisites for hire within
26 their jurisdiction.

1 (f) Physical ability. All candidates shall be required to
2 undergo an examination of their physical ability to perform the
3 essential functions included in the duties they may be called
4 upon to perform as a member of a fire department. For the
5 purposes of this Section, essential functions of the job are
6 functions associated with duties that a firefighter may be
7 called upon to perform in response to emergency calls. The
8 frequency of the occurrence of those duties as part of the fire
9 department's regular routine shall not be a controlling factor
10 in the design of examination criteria or evolutions selected
11 for testing. These physical examinations shall be open,
12 competitive, and based on industry standards designed to test
13 each applicant's physical abilities in each of the following
14 dimensions:

15 (1) Muscular strength to perform tasks and evolutions
16 that may be required in the performance of duties including
17 grip strength, leg strength, and arm strength. Tests shall
18 be conducted under anaerobic as well as aerobic conditions
19 to test both the candidate's speed and endurance in
20 performing tasks and evolutions. Tasks tested are to be
21 based on industry standards developed by the JLMC by rule.

22 (2) The ability to climb ladders, operate from heights,
23 walk or crawl in the dark along narrow and uneven surfaces,
24 and operate in proximity to hazardous environments.

25 (3) The ability to carry out critical, time-sensitive,
26 and complex problem solving during physical exertion in

1 stressful and hazardous environments. The testing
2 environment may be hot and dark with tightly enclosed
3 spaces, flashing lights, sirens, and other distractions.

4 The tests utilized to measure each applicant's
5 capabilities in each of these dimensions may be tests based on
6 industry standards currently in use or equivalent tests
7 approved by the Joint Labor-Management Committee of the Office
8 of the State Fire Marshal.

9 (g) Scoring of examination components. The examination
10 components shall be graded on a 100-point scale. A person's
11 position on the master register of eligibles shall be
12 determined by the person's score on the written examination,
13 the person successfully passing the physical ability
14 component, and the addition of any applicable preference
15 points.

16 Applicants who have achieved at least the minimum score as
17 set by the JLMC on ~~median score of all applicants participating~~
18 ~~in~~ the written examination ~~at the same time~~, and who
19 successfully pass the physical ability examination shall be
20 placed on the initial eligibility register. Minimum scores
21 should be set by the JLMC so as to demonstrate a candidate's
22 ability to perform the essential functions of the job. The
23 minimum score set by the JLMC shall be supported by appropriate
24 validation evidence and shall comply with all applicable state
25 and federal laws. Applicable preference points shall be added
26 to the written examination scores for all applicants who

1 qualify for the initial eligibility register. Applicants who
2 score at or above the minimum passing score as set by the JLMC
3 ~~in the top 70th percentile or higher~~, including any applicable
4 preference points, shall be placed on the master register of
5 eligibles by the JLMC.

6 These persons shall take rank upon the register as
7 candidates in the order of their relative excellence based on
8 the highest to the lowest total points scored on the mental
9 aptitude and physical ability components, plus any applicable
10 preference points requested and verified by the JLMC, or
11 approved testing agency.

12 No more than 60 days after each examination, a revised
13 master register of eligibles shall be posted by the JLMC
14 showing the final grades of the candidates without reference to
15 priority of time of examination.

16 (h) Preferences. The board shall give military, education,
17 and experience preference points to those who qualify for
18 placement on the master register of eligibles, on the same
19 basis as provided for examinations administered by a local
20 commission.

21 No person entitled to preference or credit shall be
22 required to claim the credit before any examination held under
23 the provisions of this Section. The preference shall be given
24 after the posting or publication of the applicant's initial
25 score at the request of the person before finalizing the scores
26 from all applicants taking part in a JLMC examination.

1 Candidates who are eligible for preference credit shall make a
2 claim in writing within 10 days after the posting of the
3 initial scores from any JLMC test or the claim shall be deemed
4 waived. Once preference points are awarded, the candidates
5 shall be certified to the master register in accordance with
6 their final score including preference points.

7 (i) Firefighter apprentice and firefighter-paramedic
8 apprentice. The employment of an applicant to an apprentice
9 position (including a currently employed full-time member of a
10 fire department whose apprenticeship may be reduced or waived)
11 shall be subject to the applicant passing the moral character
12 standards and health examinations of the local commission. In
13 addition, a local commission may require as a condition of
14 employment that the applicant demonstrate current physical
15 ability by either passing the local commission's approved
16 physical ability examination, or by presenting proof of
17 participating in and receiving a passing score on the physical
18 ability component of a JLMC test within a period of up to 12
19 months before the date of the conditional offer of employment.
20 Applicants shall be subject to the local commission's initial
21 hire background review including criminal history, employment
22 history, moral character, oral examination, and medical
23 examinations which may include polygraph, psychological, and
24 drug screening components, all on a pass-fail basis. The
25 medical examinations must be conducted last, and may only be
26 performed after a conditional offer of employment has been

1 extended.

2 (j) Selection from list. Any municipality or fire
3 protection district that is a party to an intergovernmental
4 agreement under the terms of which persons have been tested for
5 placement on the master register of eligibles shall be entitled
6 to offer employment to any person on the list irrespective of
7 their ranking on the list. The offer of employment shall be to
8 the position of firefighter apprentice or
9 firefighter-paramedic apprentice.

10 Applicants passing these tests may be employed as a
11 firefighter apprentice or a firefighter-paramedic apprentice
12 who shall serve an apprenticeship period of 12 months or less
13 according to the terms and conditions of employment as the
14 employing municipality or district offers, or as provided for
15 under the terms of any collective bargaining agreement then in
16 effect. The apprenticeship period is separate from the
17 probationary period.

18 Service during the apprenticeship period shall be on a
19 probationary basis. During the apprenticeship period, the
20 apprentice's training and performance shall be monitored and
21 evaluated by a Joint Apprenticeship Committee.

22 The Joint Apprenticeship Committee shall consist of 4
23 members who shall be regular members of the fire department
24 with at least 10 years of full-time work experience as a
25 firefighter or firefighter-paramedic. The fire chief and the
26 president of the exclusive bargaining representative

1 recognized by the employer shall each appoint 2 members to the
2 Joint Apprenticeship Committee. In the absence of an exclusive
3 collective bargaining representative, the chief shall appoint
4 the remaining 2 members who shall be from the ranks of company
5 officer and firefighter with at least 10 years of work
6 experience as a firefighter or firefighter-paramedic. In the
7 absence of a sufficient number of qualified firefighters, the
8 Joint Apprenticeship Committee members shall have the amount of
9 experience and the type of qualifications as is reasonable
10 given the circumstances of the fire department. In the absence
11 of a full-time member in a rank between chief and the highest
12 rank in a bargaining unit, the Joint Apprenticeship Committee
13 shall be reduced to 2 members, one to be appointed by the chief
14 and one by the union president, if any. If there is no
15 exclusive bargaining representative, the chief shall appoint
16 the second member of the Joint Apprenticeship Committee from
17 among qualified members in the ranks of company officer and
18 below. Before the conclusion of the apprenticeship period, the
19 Joint Apprenticeship Committee shall meet to consider the
20 apprentice's progress and performance and vote to retain the
21 apprentice as a member of the fire department or to terminate
22 the apprenticeship. If 3 of the 4 members of the Joint
23 Apprenticeship Committee affirmatively vote to retain the
24 apprentice (if a 2 member Joint Apprenticeship Committee
25 exists, then both members must affirmatively vote to retain the
26 apprentice), the local commission shall issue the apprentice a

1 certificate of original appointment to the fire department.

2 (k) A person who knowingly divulges or receives test
3 questions or answers before a written examination, or otherwise
4 knowingly violates or subverts any requirement of this Section,
5 commits a violation of this Section and may be subject to
6 charges for official misconduct.

7 A person who is the knowing recipient of test information
8 in advance of the examination shall be disqualified from the
9 examination or discharged from the position to which he or she
10 was appointed, as applicable, and otherwise subjected to
11 disciplinary actions.

12 (Source: P.A. 97-251, eff. 8-4-11; 97-898, eff. 8-6-12.)

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