



Civil Service Commission
Rules and Regulations Governing
Examinations, Appointments, Promotions, and Removal
in the Classified Civil Service

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Chapter 1: Administration

Section 1: Source of Authority

The Civil Service Commission of the Village of Gurnee derives its power and authority from Article 10, Division 1 of the Illinois Municipal Code, 65 ILCS 5/10-1-1 *et seq.*, as well as the Village's home rule powers under Article VII of the Illinois Constitution.

Section 2: Definitions; Usage Rules

A. Definitions. For the purposes of these Rules, the following terms shall have meanings herein ascribed to them:

1. Act: The Civil Service in Cities Act, 65 ILCS 5/10-1-1 *et seq.*, as well as any amendments thereto, or any successor acts of the State of Illinois
2. Classified Position: The following offices and places of employment shall constitute the classified civil service of the Village, except for those offices and places excluded by Section 10-1-17:
 - a. Public Works Department
 1. Maintenance Worker I
 - b. Fire Department
 1. Firefighter / Paramedic
 2. Fire Lieutenant
 3. Fire Captain
 - c. Police Department
 1. Police Officer
 2. Police Sergeant
 3. Police Lieutenant
3. Commission: The Civil Service Commissioners of the Village.
4. Corporate Authorities: The Mayor and Board of Trustees of the Village.
5. Eligible Register: A ranking of employable applicants based on various elements of the examination process for new applicants for the Public Works, Fire or Police Department. There shall be a separate ranking for each Department.
6. Minutes: The official record of business conducted by the Commission as required by the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*
7. Promotional Eligible Register: A ranking of qualified applicants for promotion to a higher rank with the Fire or Police Department based on various elements of the examination process for promotional applicants. There shall be a separate ranking for the Fire Department and for the Police Department.
8. Rules: These rules and regulations of the Commission.

9. Village: The Village of Gurnee, County of Lake, State of Illinois being a home rule Illinois municipal corporation.

B. Usage. The masculine noun or pronoun includes the feminine. The singular includes the plural and the plural includes the singular.

Section 3. Officers of the Commission

The Commission shall be composed of three members, to be appointed as provided by law. After original appointments, one member of the Commission shall be appointed each year. The terms of the members of the Commission shall be three years. In the case of a vacancy in the membership of the Commission, the successor shall be appointed as provided by law.

Section 4. Meetings

A. Regular Meetings: Meetings of the Commission shall be held at such times as the Commission may determine.

B. Special Meetings: Special meetings of the Commission may be called by the Chairperson upon filing of a notice which shall contain an agenda for such special meeting and shall set forth the time and place of such special meeting. No business other than the business stated on such agenda shall be considered at such special meeting.

C. Compliance with Open Meetings Act: The scheduling, notice, and conduct of all meetings of the Commission shall comply with the requirements of the Illinois Open Meetings Act.

D. Procedural Rules: To the extent not otherwise provided in these Rules or otherwise determined by the Commission, the parliamentary procedures prescribed in the most recently revised edition of Robert's "Rules of Order" shall apply to the Commission as far as applicable and practicable.

Section 5. Quorum

Two members of the Commission shall constitute a quorum for the conduct of all business.

Section 6. Authority of the Commission

These Rules shall apply only to the conduct of examinations for original appointments in the Public Works, Police or Fire Department; to promotional appointment in the Police or Fire Department; and to the conduct of hearings on charges brought against a member of the Fire Department or Police Department.

Section 7. Amendments to Rules

An amendment to these Rules may be made at any meeting of the Commission. All amendments shall be printed for distribution, and notice thereof shall be given of the places where the Rules, including such amendments, may be obtained. Such notice shall be published in a newspaper of general circulation in the Village. Such notice shall

specify the date, not less than 10 days subsequent to the date of such publication, when the Rules, as amended, shall become effective.

Section 8. Administrative Personnel Rules

Nothing in these Rules shall be construed to limit the authority of the Village Administrator or the head of the Fire, Police or Public Works Department to issue and enforce policies and procedures in carrying out the day-to-day operations of the Department. Regulations, rules, general orders and standards of conduct of the respective Departments, personnel policies and procedures of the Village, and any collective bargaining agreements ratified by the Corporate Authorities, and as may be amended from time to time, shall be in addition to and supplementary of these Rules, except for those provisions in conflict with the applicable provisions of the Act, or other applicable laws, or the Rules. In the event of any conflict between the Rules and either the Act or an applicable provision of a collective bargaining agreement, the Act or the collective bargaining agreement shall control. Notwithstanding the foregoing, nothing herein shall be construed as modifying the procedures set forth in the Act providing for review of the Commission's actions under the Administrative Review Law.

Section 9. Governing Law

These Rules, and any actions taken pursuant to such Rules, shall be governed by Illinois law. Any provision of these Rules in conflict with any applicable federal, State of Illinois or Village constitution, charter, statute, ordinance, or regulation shall be null and void.

Section 10. Severability

Several provisions of these Rules shall be severable in accordance with the following rules:

1. Conflict: If any provision of these Rules is rendered invalid due to a conflict with other applicable law, such fact shall not affect any other provision of these Rules.
2. Facial invalidity: If any court of competent jurisdiction shall adjudge any provision of these Rules to be invalid, such judgment shall not affect any other provision of these Rules.
3. Invalidity as applied: If any court of competent jurisdiction shall adjudge invalid the application of any provision of these Rules to a particular case, such judgment shall not affect the application of that same provision to any other particular case having different facts or circumstances.

Section 11. Annual Reports

The Commission shall submit an annual report of its activities as required by Section 10-1-21 of the Act, which report shall include:

1. A report of the Commission's actions, rules in force, and practical effect thereof; and
2. Any suggestions of the Commission for the greater efficiency of the Fire, Police, or Public Works Department.

Chapter 2: Application and Examinations (General)

Section 1: Citizenship

No person shall be admitted to examination for any position in the classified civil service who is not a citizen of the United States.

Section 2: Age

No person will be admitted to an examination for the Police or Fire Departments who has attained his/her thirty-fifth (35) birthday as of the date of the examination unless the person has had previous employment status as a police officer or firefighter in the regularly constituted police or fire department of the municipality. Applicants for the Police Department who are twenty (20) years of age and who have successfully completed two (2) years of law enforcement studies at an accredited college or university may be considered for appointment to active duty. Such applicant shall not have the power of arrest nor shall be permitted to carry firearms until he/she reaches twenty-one (21) years of age. No person will be admitted to an examination for the Public Works Department who is less than eighteen (18) years of age or the Fire Department who is less than twenty one (21) years of age.

With respect to the Police Department, a Veteran shall be allowed to exceed the maximum age provision of this Section by the number of years served on active military duty, but by no more than 10 years of active military duty.

With respect to the Police Department, the maximum age limitation does not apply to applicants for lateral appointment as a Police Officer, provided all requirements and other qualifications for lateral appointment as established by the Commission are met.

With respect to the Fire Department, the maximum age limitation does not apply to any person previously employed as a full-time firefighter in a regularly constituted fire department of any municipality or fire protection district located in Illinois; a fire protection district whose obligations were assumed by a municipality under Section 21 of the Fire Protection District Act; or a municipality whose obligations were assumed by a fire protection district.

Section 3. Education

Persons admitted to an examination for any position in the classified civil service must meet the minimum education requirements as required by the position. Proof of education or other requirements must be provided to the Commission.

Section 4: Application Documents

- A. Forms: Every application for an entry level position shall be filed on forms furnished by the Commission. Every applicant must comply with the requirements of said form in every respect.
- B. False Statements: All applications must be signed by the applicant and the applicant shall acknowledge the truthfulness of the application. Any false statement knowingly made by a person in an application for examination, connivance in any false statement made in any certificate which may accompany such application, or

complicity in any fraud touching any examination shall be regarded as good cause for rejection of the application and exclusion from the examination.

- C. Character and Fitness of Applicants: Every applicant must exhibit high standards of personal integrity, morals, and habits for the position applied for, and be physically able to perform the duties of the position. The burden of establishing these facts rests upon the applicant.
- D. Testing Consortium: The Commission may elect to participate in a testing consortium, in which event the procedures of the consortium shall be followed.

Section 5. Disqualification

The Commission may refuse either to examine an applicant, or after examination, to refuse to certify him as eligible:

1. who is found lacking in any of the established requirements for the position for which he applies; or
2. who is currently using narcotics or drugs or who is addicted to the use of narcotics or drugs, or intoxicating beverages and is not currently in or has not successfully completed a rehabilitation program for such addiction; or
3. who has been convicted of a felony; or
4. who is attempting to qualify for a position in the Police Department and is ineligible for reasons described in Section 10-1-7(c); or
5. who is attempting to qualify for a position on the Fire Department and is a habitual drunkard, a gambler, or a person who has been convicted of a felony, a crime involving moral turpitude, or any misdemeanor described in Section 10-1-7.1(i) of the Act; or
6. who has been dismissed from any public service for good cause; or
7. who has attempted to practice any deception or fraud in his or her application, examination, or other submissions to or dealings with the Commission; or
8. who has failed to abide by the rules and procedures governing the application and examination process; or
9. whose character or employment references are unsatisfactory; or
10. who has not successfully completed any portion of the examination process.

Section 6. Notice of Examinations

Examinations shall be held on the dates fixed by the Commission. Notice of the time and place of such examination and the general scope of the examination, merit criteria for any subjective component of the examination, and any fee for such examination shall be published at least two weeks preceding the examination in a newspaper published in the Village in accordance with the Act, on the Village's website, in a conspicuous place in the office of the Commission, and in other such publications as the Commission may deem appropriate.

Section 7. General Scope

The examinations shall be practical in their character, and shall relate to those matters that will fairly test the relative capacity of the persons examined to discharge the duties of the positions to which they seek to be appointed. The examinations shall include tests of physical qualifications, health, and (when appropriate) manual skill. The subject of examination may include duties of positions; education tests; practical tests; personality tests; courtesy and discipline test; reports, discussions or thesis; statements of experience; tests of knowledge of civil government; tests of knowledge of the Village of Gurnee; tests of knowledge of laws and ordinances; ascertained merit or efficiency; seniority or service; medical examinations; physical tests; agility tests; polygraph tests; psychological examinations; or any or all of them, and such subjects may be given in the form of a written test, an oral examination, an ocular demonstration, assessment center, or any or all of them, according to the schedules of subjects set forth in the published notices of examinations. No questions in any examination shall relate to political or religious opinions or affiliations.

Section 8. Test Procedures

- A. In General: Examinations will be conducted by the Commission or by agents or consultants directed by the Commission to preserve the integrity of the examination. All instructions relating to the duration of any element of the examination and information required to complete such element will be explained prior to the start of that element of the examination.
- B. Examination Papers: Upon completion of any element of the examination, all applicants will return all papers to the Commission or designee. All applicants will be notified within a reasonable length of time as to their scores on the respective examination element. All examination papers shall be and shall remain property of the Commission.
- C. Finality: The grading of each and every element of the examination shall be determined by the Commission, and such grading shall be final and conclusive and not subject to review by any other Commission, Board, or tribunal.

Section 9: Physical Requirements

All applicants shall be physically and medically qualified to sustain the labors and exposures of the position sought, as determined by the medical examiner appointed by the Commission or its designee, for the purposes of making such examination.

Section 10: Injury in Service

No applicant in an examination shall be disqualified by reason of wounds or injury received in the military or naval service of the United States, provided that the Commission finds the appointment of such applicant will not be prejudicial to the service in which such appointment is sought. In all cases, the applicant must substantiate to the satisfaction of the Commission his claims as to the manner and character of his wounds or injury.

Section 11: Second Examination for Appointment

In the event any applicant for an office or place in the civil service (who has been found eligible for appointment and whose name has been placed upon the register provided for in this Division 1) has not been appointed to such office or place within 60 days from the date of his examination as to physical qualifications and health, the Commission shall cause a second examination to be made of such applicant prior to his appointment and within 60 days of such appointment, which second examination shall be practical in character and shall relate to the cardiac, pulmonary, arterial, renal, and sane condition of the applicant. If, upon such second examination, the physical, or mental condition of the applicant shall be found to be less than the minimum standard fixed by the rules of such Commission, the applicant shall not be appointed. The name of such applicant shall be retained upon the register of applicants eligible for appointment and when again reached for certification and appointment such applicant shall again be examined as herein provided, and if the physical or mental condition of the said applicant shall again be found to be less than the minimum standard fixed by the rules of the Commission, such applicant shall not be appointed and the name of such applicant shall be removed from the register.

Section 12: Change in Contact Information

In the event any applicant for an office or place in the civil service or any applicant placed upon an eligible register has a change in contact information, including but not limited to name, address, or phone number, the applicant is required to notify the Commission of the change in information.

In sending notice of matters affecting any applicant, the Commission assumes no responsibility beyond the information last recorded with the Commission. Failure to respond to notices sent by the Commission shall result in disqualification.

Section 13: Residency Requirements

An applicant appointed to fill a vacancy from an eligible register shall reside within a twenty (20) mile living radius as measured from the intersection of Route 132 and Illinois 94 Tollway within one (1) year after being given permanent appointment. An applicant appointed to fill a vacancy from a promotion register shall reside within the 20 mile living radius at the time of appointment.

Notwithstanding any provision to the contrary in this Section 13, the living radius for job positions covered by a collective bargaining agreement shall be as provided in the applicable collective bargaining agreement.

Chapter 3: Examinations for Entry Level Positions

Part A: Maintenance Worker I Positions

Section 1: Examination Elements and Grading

Examinations for the position of Maintenance Worker I shall consist of multiple sequential elements. The failure to achieve the minimum passing grade for any element of any examination shall disqualify the applicant from any further participation in the examination process. Examinations shall include the following elements and minimum passing grades:

<u>Examination Element</u>	<u>Minimum Passing Grade</u>
Application Review	Pass or Fail
Orientation Session	Pass or Fail
Oral Interview	7 of 10 points
Establishment of Preference Points	As provided in Act
Detailed Character and Background Investigation	Pass or Fail
Medical Examination and Drug Screening	Pass or Fail

Determination of Each Step in the Selection Process

- A. Application Review: The application provides relevant information about the applicant and applicable knowledge, skills, and experience as related to the position. Applicants with skills and experience at or above the minimum requirements and qualifications, which most closely meet the needs of the position, in the Commission's or its agent's sole determination, shall pass this element of the examination.
- B. Orientation Session: All applicants passing the application review shall attend any mandatory orientation session designed to explain the responsibilities of the position they seek and pertinent information about the department. Failure to attend shall result in a Fail grade.
- C. Oral Interview: Applicants who have successfully passed all prior elements of the examination shall submit himself for an oral interview when so directed by the Commission. At least one member of the Commission shall be present to conduct the oral interview, in addition to any other Village official, invited by the Commission. Failure to attain a minimum score of 7 of 10 points shall result in a Fail grade.
- D. Establishment of Preference Points: Following the scoring of the oral interview element of the examination, composite numeric scores of all applicants for the position who have successfully passed all prior elements of the examination shall be calculated and posted as an initial eligible register of entry level applicants. Applicants who are eligible for military credit shall make a claim in writing on forms as prescribed by the Commission within 10 calendar days after posting of the initial

eligible register or such claim shall be deemed waived. Applicants eligible to apply for Veterans' preference must meet the requirements for such preference as set forth in 65 ILCS 5/10-1-16. A credit of 5 points shall be given to qualified Veterans whose names appear on the initial eligible register, with a final eligible register created after application of points.

- E. Detailed Character and Background Investigation: A detailed character and background investigation shall be conducted of each applicant who has successfully passed all prior elements of the examination process and has been given a conditional offer of employment. The investigation shall review the applicant's employment history, references, educational background, military record (if applicable), driving record, criminal history, and such other data and information pertinent to a proper review and analysis of the applicant. The results of such investigation shall be submitted to the Commission for evaluation. Failure of the applicant to receive an evaluation satisfactory to the Commission shall be grounds for disqualification as a Fail grade.
- F. Medical Examination and Drug Screening: An applicant extended a conditional offer of employment shall submit to a medical examination including drug screening by a licensed medical practitioner designated by the Commission. Failure of the applicant to pass the required medical examination(s) shall be grounds for disqualification as a Fail grade.

Section 2. Eligible Registers

With sixty (60) days after examination, the Commission shall establish an initial eligible register for the position of Maintenance Worker I. The initial eligible register shall rank all applicants who have passed all examinations (except those listed in Section 1 above as examinations that shall be given after an applicant is extended a conditional offer of employment) in order of the applicants' relative excellence as determined by examination but without reference to priority of time of examination. The oral interview score shall be converted to a percentage using a 100-point scale; a minimum score of 70% is required to be placed on the initial eligible register.

The rankings of the applicants placed conditionally on an initial eligible register are subject to change based on the application of preference points.

Section 3. Final Registers

After application of preference points, the Commission shall establish a final eligible register for the position of Maintenance Worker I.

Whenever two or more applicants shall have the same final grade after application of preference points, priority in time of filing of the application shall determine their respective standing. If, however, the application of military credit results in a Veteran applicant receiving the same final grade as a non-Veteran applicant, the Veteran applicant shall receive the higher standing on the final eligible / promotion register, regardless of whether the Veteran was the first to file his application.

Section 4. Appointments

Maintenance Worker I vacancies shall be filled by the Commission by the candidate(s) with the highest standing on the final eligible register. No applicant shall be eligible for appointment unless he has met all requirements previously listed.

An applicant may waive consideration for a vacancy one time without losing his place upon the final eligible register. A request for waiver, including the reason for such request, must be presented to the Commission in writing within five (5) days of receiving notice of consideration for a vacancy. Failure to submit a request within the time limit with reason(s) satisfactory to the Commission or refusal by the applicant to accept an appointment shall result in the removal of the applicant from the eligible register.

Section 5. Probationary Period

The probationary period for any applicant appointed as a Maintenance Worker I, any extension thereof, and discharge of such applicant during the period of probation or extension thereof, as the case may be, shall be as provided in the applicable collective bargaining agreement covering Maintenance Worker I.

Section 6. Removal of Names from Final Eligible Register

The Commission shall strike from the final eligible register for the position of Maintenance Worker I the name of:

1. any applicant who may be disqualified pursuant to Chapter II, Section 5 of these Rules; or
2. any applicant who has been on the final eligible register for more than two (2) years; or
3. any applicant who fails to accept an offer of employment within the time set by the Commission for acceptance; or
4. any applicant who fails any element of the conditional offer screening process or otherwise ceases to meet the qualifications for the position of Maintenance Worker I to be filled from the final eligible register.

Chapter 3: cont.

Part B: Entry Level Police Officer Positions

Section 1: Examination Elements and Grading

Examinations for the position of entry level Police Officer shall consist of multiple sequential elements. The failure to achieve the minimum passing grade for any element of any examination shall disqualify the applicant from any further participation in the examination process. Examinations shall include the following elements and minimum passing grades:

<u>Examination Element</u>	<u>Minimum Passing Grade</u>	<u>Weight</u>
Application Review	Pass or Fail	
Orientation Session	Pass or Fail	
Written Examination–Multiple Choice	70 of 100 points	60% of total score
Essay Examination	Minimum Pass Score of 7	
Oral Interview	7 of 10 points	40% of total score
Establishment of Preference Points	As provided in Act	
Pre-screening Review	Pass or Fail	
Psychological Examination	Pass or Fail	
Polygraph Examination	Pass or Fail	
Detailed Character & Background Investigation	Pass or Fail	
Medical Examination & Drug Screening	Pass or Fail	

Determination of Each Step in the Selection Process

- A. Application Review: The application provides basic contact and other relevant information about the applicant. Applicants must submit all required forms and documentation, including the Peace Officer Wellness Evaluation Report (POWER) identification card. Unless an applicant is not qualified based on the information provided, the applicant shall pass this element of the examination.
- B. Orientation Session: All applicants passing the application review shall attend any mandatory orientation session designed to explain the responsibilities of the position they seek and pertinent information about the department. Failure to attend shall result in a Fail grade.
- C. Written Examination – Multiple Choice: Each applicant for an entry level position who has successfully passed all prior elements of the examination shall submit himself for a written test. The written test shall be graded by the test administrator or other individual so designated by the Commission. The results of the written test shall be submitted to the Commission.

- D. Essay Examination: Each applicant for an entry level position who has successfully passed all prior elements of the examination shall submit himself for an essay examination. The essay examination shall be graded by the test administrator or other individual so designated by the Commission. The results of the essay examination shall be submitted to the Commission.
- E. Oral Interview: Applicants who have successfully passed all prior elements of the examination shall submit himself for an oral interview when so directed by the Commission. At least one member of the Commission shall be present to conduct the oral interview, in addition to any other Village official invited by the Commission.
- F. Establishment of Preference Points: Within sixty (60) days after the scoring of the oral interview element of the examination, composite numeric scores of all applicants for the position who have successfully passed all prior elements of the examination shall be calculated and posted as an initial eligible register of entry level applicants. Applicants who are eligible for military credit shall make a claim in writing on forms as prescribed by the Commission within 10 calendar days after posting of the initial eligible register or such claim shall be deemed waived. Applicants eligible to apply for Veterans' preference must meet the requirements for such preference as set forth in 65 ILCS 5/10-1-16. A credit of 5 points shall be given to qualified Veterans whose name appear on the initial eligible register, with a final eligible register created after application of points.
- G. Pre-Screening Review: Applicants who have successfully passed all prior elements of the examination shall submit himself for a pre-screening review to be performed by the Police Chief and Department Command staff. The pre-screening review will consist of a structured interview and preliminary background investigation. Failure of the applicant to receive a satisfactory evaluation shall be grounds for disqualification as a Fail grade.
- H. Psychological Examination: Each applicant for an entry level position who has received a conditional offer of employment shall submit himself for a psychological examination to be given by a qualified examiner selected by the Commission. Such examination shall be given solely to determine an applicant's suitability for the position for which he is applying. The examiner shall prepare and submit a report of the examination to the Commission for its evaluation. Failure of the applicant to receive an evaluation satisfactory to the Commission shall be grounds for disqualification as a Fail grade.
- I. Polygraph Examination: Each applicant for an entry level position who has received a conditional offer of employment shall submit himself for a polygraph test from a licensed examiner selected by the Commission. The examiner shall prepare and submit a report of the examination to the Commission for its evaluation. In order to pass the polygraph examination, the applicant must receive a finding of truthful on all examination questions and have made no disqualifying pre-examination admissions. Failure to do so shall be grounds for disqualification as a Fail grade.
- J. Detailed Character and Background Investigation: A detailed character and background investigation of each applicant who has successfully passed all prior elements of the examination shall be conducted. The investigation shall review the

applicant's employment history, references, educational background, military record (if applicable), driving record, criminal history, and such other data and information pertinent to a proper review and analysis of the applicant. The results of such investigation shall be submitted to the Commission for evaluation. Failure of the applicant to receive an evaluation satisfactory to the Commission shall be grounds for disqualification as a Fail grade.

- K. Medical Examination and Drug Screening: An applicant extended a conditional offer of employment shall submit to a medical examination including drug screening by a licensed medical practitioner designated by the Commission. Failure of the applicant to pass the required medical examination(s) shall be grounds for disqualification as a Fail grade.

Section 2. Eligible Registers

Within sixty (60) days after examination, the Commission shall establish an initial eligible register for the position of entry level Police Officer. The initial eligible register shall rank all applicants who have passed all examinations (except those listed in Section 1 above as examinations that shall be given after an applicant is extended a conditional offer of employment) in order of the applicants' relative excellence as determined by examination but without reference to priority of time of examination.

The rankings of the applicants placed conditionally on an initial eligible register are subject to change based on the application of preference points.

Section 3. Final Registers

After application of preference points, the Commission shall establish a final eligible register for the position of entry level Police Officer.

Whenever two or more applicants shall have the same final grade after application of preference points, priority in time of filing of the application shall determine their respective standing. If, however, the application of military credit results in a Veteran applicant receiving the same final grade as a non-Veteran applicant, the Veteran applicant shall receive the higher standing on the final eligible register, regardless of whether the Veteran was first to file his application.

Section 4. Appointments

Police Officer vacancies shall be filled by the Commission by the candidate(s) with the highest standing on the final eligible register. No applicant shall be eligible for appointment unless he has met all requirements previously listed.

An applicant may waive consideration for a vacancy one time without losing his place upon the final eligible register. A request for waiver, including the reason for such request, must be presented to the Commission in writing within five (5) days of receiving notice of consideration for a vacancy. Failure to submit a request within the time limit with reason(s) satisfactory to the Commission or refusal by the applicant to accept an appointment shall result in the removal of the applicant from the eligible register.

Section 5. Probationary Period

The probationary period for any applicant appointed as a Police Officer, any extension thereof, and discharge of such applicant during the period of probation or extension thereof, as the case may be, shall be as provided in the applicable collective bargaining agreement covering Police Officers. Any applicant appointed as a Police Officer and discharged during the period of probation or extension thereof, shall not be entitled to the procedures set forth in Chapter 5 of these Rules prior to discharge.

Section 6. Removal of Names from Final Eligible Register

The Commission shall strike from the final eligible register for the position of Police Officer the name of:

- a. any applicant who may be disqualified pursuant to Chapter II, Section 5 of these Rules; or
- b. any applicant who has been on the final eligible register for more than two (2) years; or
- c. any applicant who fails to accept an offer of employment within the time set by the Commission for acceptance; or
- d. any applicant who fails any element of the conditional offer screening process or otherwise ceases to meet the qualifications for the position of Police Officer to be filled from the final eligible register.

Chapter 3: cont.

Part C: Lateral Entry Police Officer Positions

Section 1: Purpose; Scope; Applicability

- A. The Village of Gurnee recognizes the need to expand the pool of eligible applicants for appointment as Police Officers to include trained individuals whose knowledge, skills, abilities, and level of experience meet specific and defined needs of the Police Department.
- B. When the Police Chief identifies a need for lateral appointment due to special or unique circumstances that are not addressed by the rank order of applicants on the eligible register established by the Commission pursuant to Chapter 3, Part B of these Rules, the Police Chief may request the Commission to solicit applications for lateral appointment to the position of Police Officer.
- C. In such circumstances that the Police Chief has requested, and the Commission has determined, to solicit applications for lateral appointment, the provisions of this Part C shall apply and shall supersede the examination and appointment provisions in Part B of this Chapter.
- D. It is intended that the call for, evaluation of, and ultimate appointment of a lateral applicant having particular knowledge, skills, abilities, and level of experience will be a more streamlined process that will enable the Police Department to address critical functional and staffing needs expeditiously.

Section 2: Application Documents

Every application for lateral appointment shall be filed on forms furnished by the Commission. Every applicant must comply with the requirements of said forms in every respect.

Section 3: Applicant Qualifications

Applicants for lateral appointment as a Police Officer must meet the following minimum requirements in addition to other qualifications and requirements as established by the Commission [the Commission reserves the right to make changes to the minimum requirements as it deems appropriate]:

1. State of Illinois Law Enforcement Certification from the Illinois Law Enforcement Training and Standards Board as a law enforcement officer (part time certification as a law enforcement officer does not meet this requirement); and
2. At least 2 years' experience as a full time sworn, certified law enforcement officer within the 3 years preceding the date of application. The Commission reserves the right to consider equivalent education and experience; and
3. Possess the particular knowledge, skills, abilities, and level of experience required pursuant to the call for qualified lateral appointment applicants.

A person currently ranked on an eligible register for entry level Police Officer may apply for a lateral appointment.

Section 4. Examination and Selection Process for Lateral Appointment

- A. General Qualifications: Applicants for lateral appointment must meet the minimum requirements as set forth in Chapter 3, Part C of these Rules.
- B. Initial Assessment of Applications: All applications for lateral appointment will be filed with the Police Chief. The Police Chief or the Chief's designee will review the applications to identify applicants having the requisite knowledge, skills, abilities, or level of experience needed to address special or unique circumstances within the Police Department. Those applicants will be requested to appear for a pre-screening review.
- C. Pre-Screening Review: Upon request, selected applicants will participate in a pre-screening review performed by the Police Chief. The pre-screening review will consist of a structured interview, preliminary background investigation, and an assessment of the knowledge, skills, abilities, and level of experience, education, and training.
 - 1. Structured Interview: A staff interview panel comprised of a number of Command Staff of the Police Department and Village staff selected by the Police Chief to conduct the structured interview. Interview questions will enable the staff interview panel to evaluate the applicant's knowledge, skills, abilities, and level of experience, education, and training, as well as the previous duties of the applicant. Following the conclusion of the interview, the staff interview panel will assess the applicant's qualifications in light of the particular knowledge, skills, abilities, and level of experience needed for the position to be filled. This shall be a pass/fail examination element.
 - 2. Preliminary Background Investigation: Those applicants that are recommended for continuation based on the results of the structured interview will be asked to provide further evidence of their background and work history, as well as their knowledge, skills, abilities, and experience. Requested evidence may include without limitation the applicant's birth certificate, high school and college transcripts, training certificates, military discharge papers, resume, documents confirming work experience, and employee evaluations. This shall be a pass/fail examination element.
- D. Psychological Examination: Each applicant for lateral appointment who has received a conditional offer of employment shall submit himself for a psychological examination to be given by a qualified examiner selected by the Commission. Such examination shall be given solely to determine an applicant's suitability for the position for which he is applying. The examiner shall prepare and submit a report of the examination to the Commission for its evaluation. This shall be a pass/fail examination element.
- E. Polygraph Examination: Each applicant for lateral appointment who has received a conditional offer of employment shall submit himself for a polygraph test from a licensed examiner selected by the Commission. The examiner shall prepare and submit a report of the examination to the Commission for its evaluation. In order to pass the polygraph examination, the applicant must receive a finding of truthful on all examination questions and have made no disqualifying pre-examination admissions. Failure to do so shall be grounds for disqualification as a Fail grade.

- F. Detailed Character and Background Investigation: A detailed character and background investigation of each applicant who has successfully passed all prior elements of the examination shall be conducted. The investigation shall review the applicant's employment history, references, educational background, military record (if applicable), driving record, criminal history, and such other data and information pertinent to a proper review and analysis of the applicant. The results of such investigation shall be submitted to the Commission for evaluation. This shall be a pass/fail examination element.
- G. Oral Interview: Applicants who have successfully passed all prior elements of the examination shall submit himself for an oral interview when so directed by the Commission. At least one member of the Commission shall be present to conduct the oral interview, in addition to the Police Chief or the Police Chief's designee. This oral interview will involve questions intended to assist the Commission in evaluating the applicant's qualifications, training, and previous experience as they pertain to the duties of the position sought. Based on the oral interview and the recommendation of the Police Chief or designee, the Commission will grade the applicant on a pass/fail basis.
- H. Medical Examination and Drug Screening: An applicant extended a conditional offer of employment and who has successfully passed all prior elements of the examination process shall submit to a medical examination including drug screening by a licensed medical practitioner designated by the Commission. Failure of the applicant to pass the required medical examination(s) shall be grounds for disqualification as a Fail grade.

Section 5. Appointments

Vacancies shall be filled by the Commission in the manner that it deems to be in the best interest of the Village. No applicant shall be eligible for appointment unless he has met all requirements previously listed.

Section 6. Probationary Period

The probationary period for any applicant appointed as a Police Officer, any extension thereof, and discharge of such applicant during the period of probation or extension thereof, as the case may be, shall be as provided in the applicable collective bargaining agreement covering Police Officers. Any applicant appointed as a Police Officer and discharged during the period of probation or extension thereof, shall not be entitled to the procedures set forth in Chapter 5 of these Rules prior to discharge.

Section 7. Rescinding an Offer of Employment

The Commission shall rescind any offer of employment made for the position of Lateral Police Officer the name of:

1. any applicant who may be disqualified pursuant to Chapter II, Section 5 of these Rules; or
2. any applicant who fails to accept an offer of employment within the time set by the Commission for acceptance; or
3. any applicant who fails any element of the conditional offer screening process or otherwise ceases to meet the qualifications for the position of Lateral Police Officer.

Chapter 3: cont.

Part D: Entry Level Firefighter / Paramedic Positions

Section 1: Examination Elements and Grading

Examinations for the position of entry level Firefighter / Paramedic shall consist of multiple sequential elements. The failure to achieve the minimum passing grade for any element of any examination shall disqualify the applicant from any further participation in the examination process. Examinations shall include the following elements and minimum passing grades:

<u>Examination Element</u>	<u>Minimum Passing Grade</u>	<u>Weight</u>
Application Review	Pass or Fail	
Written Examination	As provided in Act	60% of total score
Subjective Component	0 to 10 points awarded	40% of total score
Establishment of Preference Points	As provided in Act	
Psychological Examination	Pass or Fail	
Polygraph Examination	Pass or Fail	
Detailed Character & Background Investigation	Pass or Fail	
Medical Examination & Drug Screening	Pass or Fail	

Determination of Each Step in the Selection Process

- A. Application Review: The application provides basic contact and other relevant information about the applicant. Applicants must submit all required forms and documentation, including the Candidate Physical Ability Test (CPAT) certificate, with Ladder Climb. Applicants must have at least a high school diploma or the equivalent level of education. Unless an applicant is not qualified for appointment based on the information provided, the applicant shall pass this element of the examination.
- B. Written Examination: Each applicant for an entry level position who has successfully passed all prior elements of the examination shall submit himself for a written test. The written test shall be graded by the test administrator or other individual so designated by the Commission. The results of the written test shall be submitted to the Commission.
- C. Subjective Component: Applicants who have successfully passed all prior elements of the examination shall submit himself for an oral interview when so directed by the Commission. At least one member of the Commission shall be present to conduct the oral interview, in addition to any other Village official, invited by the Commission.

D. Establishment of Preference Points:

1. In General: Following the scoring of the oral interview element of the examination, composite numeric scores of all applicants for the position who have successfully passed all prior elements of the examination shall be calculated and posted as an initial eligible register of entry level applicants. Applicants who are eligible for preference points shall make a claim in writing on forms as prescribed by the Commission within 10 calendar days after posting of the initial eligible register or such claim shall be deemed waived.
2. Authorized Preference Points: Preference points for applicants for an entry level position are as follows:
 - a. Veterans' Preference: Applicants eligible to apply for Veterans' preference must meet the requirements for such preference as set forth in 65 ILCS 5/10-1-16. A credit of 5 points shall be given to qualified veterans whose name appears on the initial eligible register, with a final eligible register created after application of points.
 - b. Education Preference: An applicant who fully satisfies the criteria for one or more of the categories below may receive preference points for education, with the amount of points dependent on the category so satisfied. An applicant may receive preference points only once per category. A maximum of five (5) points may be received.
 - 1) Associates degree (in fire service or emergency medical services): two and one-half (2.5) points
 - 2) Bachelors degree (any curriculum): an additional two and one-half (2.5) points

E. Psychological Examination: Each applicant for an entry level position who has received a conditional offer of employment shall submit himself for a psychological examination to be given by a qualified examiner selected by the Commission. Such examination shall be given solely to determine an applicant's suitability for the position for which he is applying. The examiner shall prepare and submit a report of the examination to the Commission for its evaluation. Failure of the applicant to receive an evaluation satisfactory to the Commission shall be grounds for disqualification as a Fail grade.

F. Polygraph Examination: Each applicant for an entry level position who has received a conditional offer of employment shall submit himself for a polygraph test from a licensed examiner selected by the Commission. The examiner shall prepare and submit a report of the examination to the Commission for its evaluation. In order to pass the polygraph examination, the applicant must receive a finding of truthful on all examination questions and have made no disqualifying pre-examination admissions. Failure to do so shall be grounds for disqualification as a Fail grade.

G. Detailed Character and Background Investigation: A detailed character and background investigation of each applicant who has successfully passed all prior elements of the examination shall be conducted. The investigation shall review the

applicant's employment history, references, educational background, military record (if applicable), driving record, criminal history, and such other data and information pertinent to a proper review and analysis of the applicant. The results of such investigation shall be submitted to the Commission for evaluation. Failure of the applicant to receive an evaluation satisfactory to the Commission shall be grounds for disqualification as a Fail grade.

H. Medical Examination and Drug Screening: An applicant extended a conditional offer of employment shall submit to a medical examination including drug screening by a licensed medical practitioner designated by the Commission. Failure of the applicant to pass the required medical examination(s) shall be grounds for disqualification as a Fail grade.

Section 2. Eligible Registers

Within sixty (60) days after examination, the Commission shall establish an initial eligible register for the position of entry level Firefighter / Paramedic. The initial eligible register shall rank all applicants who have passed all examinations (except those listed in Section 1 above as examinations that shall be given after an applicant is extended a conditional offer of employment) in order of the applicants' relative excellence as determined by examination but without reference to priority of time of examination.

The rankings of the applicants placed conditionally on an initial eligible register are subject to change based on the application of preference points.

Section 3. Final Registers

After application of preference points, the Commission shall establish a final eligible register for the position of entry level Firefighter / Paramedic.

Whenever two or more applicants shall have the same final grade after application of preference points, priority in time of filing of the application shall determine their respective standing. If, however, the application of military credit results in a Veteran applicant receiving the same final grade as a non-Veteran applicant, the Veteran applicant shall receive the higher standing on the final eligible register, regardless of whether the Veteran was first to file his application.

Section 4. Appointments

Firefighter / Paramedic vacancies shall be filled by the Commission based upon the applicant with the highest ranking on the final eligible register. If the Commission has reason to conclude that the highest ranked person fails to meet the minimum standards for the position or if the Commission believes an alternate candidate would better serve the needs of the department, then the Commission has the right to pass over the highest ranked person and appoint either: (i) any person who has a ranking in the top 5% of the eligible register or (ii) any person who is among the top 5 highest ranked persons on the eligible register if the number of people who have a ranking in the top 5% of the eligible register is less than 5 people. No applicant shall be eligible for appointment unless he has met all requirements previously listed.

An applicant for the position of Firefighter / Paramedic may decline a conditional offer or a final appointment one time without losing his position on the final eligible register.

Section 5. Probationary Period

The probationary period for any applicant appointed as a Firefighter / Paramedic, any extension thereof, and discharge of such employee during the period of probation or extension thereof, as the case may be, shall be as provided in the applicable collective bargaining agreement covering Firefighter / Paramedics. Any applicant appointed as a Firefighter / Paramedic and discharged during the period of probation or extension thereof, shall not be entitled to the procedures set forth in Chapter 5 of these Rules prior to discharge.

Section 6. Removal of Names from Final Eligible Register

The Commission shall strike from the final eligible register for the position of Firefighter / Paramedic the name of:

1. any applicant who may be disqualified pursuant to Chapter II, Section 5 of these Rules; or
2. any applicant who has been on the final eligible register for more than two (2) years; or
3. any applicant who refuses to accept a conditional offer or a final appointment after the applicant has previously refused either a conditional offer or a final appointment; or
4. any applicant who fails any element of the conditional offer screening process or otherwise ceases to meet the qualifications for the position of Firefighter / Paramedic to be filled from the final eligible register.

Chapter 4: Promotional Examinations

The Commission shall provide for promotion in the Police and Fire Department on the basis of ascertained merit and seniority in service and examination and shall provide, in all cases where it is practicable, that vacancies shall be filled by promotion. All examinations for promotion shall be competitive among such members of the next lower rank who are qualified for the position and who desire to submit themselves to such examinations.

Part A: Police Sergeant

Section 1: Examination Elements and Grading

Testing is announced 3-4 months in advance of the process. The notice includes testing dates and a list of reading material to prepare for the written test. Copies of books are provided by the Police Department as well as information on how applicants can purchase copies of their own. Two (2) years of service as a Police Officer with the Gurnee Police Department is required and a letter of interest is sought from each applicant submitting themselves for examination for promotion to Police Sergeant.

All applicants who submit themselves to examination shall complete the examination process prescribed by these Rules, including a written test and an oral test which may include an assessment by outside assessors as deemed appropriate by the Commission and an evaluation according to merit and efficiency. The Commission may establish for any examination that, to be eligible for further evaluation, each applicant is required to achieve a minimum number of examination points including points for merit and efficiency, seniority, and the written test. In computing the final grade for each applicant, the various portions of the testing procedures shall be graded and weighted as follows:

<u>Examination Element</u>	<u>Minimum Passing Grade</u>	<u>Weight</u>
Written Examination	70 of 100 points	20% of total score
Assessment Center	Points as earned	40% of total score
Oral Interview	7 of 10 points	20% of total score
Administrative Points	As provided by Rules	20% of total score
Seniority Points	As provided by Rules	
Preference Points	As provided by Act and Rules	

- A. Written Examination: Each applicant for a promotional level position shall submit himself for a written test. The written test shall be administered and graded by the test administrator or other individual so designated by the Commission. The results of the written test shall be submitted to the Commission.
- B. Assessment Center: Each applicant for a promotional level position who has successfully passed the written examination shall submit himself for participation in an assessment center. Performance in the assessment center shall be graded by

the administrator or other individual so designated by the Commission. The results of the assessment center shall be submitted to the Commission.

- C. Oral Interview: Applicants who have successfully passed all prior elements of the examination shall submit himself for an oral interview when so directed by the Commission. At least one member of the Commission shall be present to conduct the oral interview, in addition to any other Village official, invited by the Commission.
- D. Administrative Points: Each applicant for promotion shall be awarded administrative points based on a personal fact sheet submitted by the applicant, the last two years performance evaluations, commendations, recognition, appreciation and thank you letters, and disciplinary matters. A review from the applicant's most recent supervisor is given and a round table discussion is held with all staff currently in the rank of Sergeant and above.

Staff members rate each applicant on a scale of 0-10 in four categories: Crime Prevention; Crime Control; Community Involvement; and Team Building / Leadership. The scores awarded by the Sergeants and Commanders shall be averaged together. The scores awarded by the Deputy Chief(s) shall be averaged together and combined with the average score of the Sergeants and Commanders. The resulting average score shall be added to the score awarded by the Police Chief for a preliminary score. The final score shall be calculated by dividing the preliminary score by 2.

- E. Seniority Points: Credit for seniority shall be given for actual service only in the rank or grade from which promotion is sought, whether such service has been continuous or not. Leaves of absence resulting from military service or from injuries received in the performance of duties, and leaves of absence to take another position in the Public Works, Fire, or Police Departments of the Village of Gurnee shall constitute actual service within the meaning of this section and will not cause a breach in the period of seniority. All suspensions shall be deducted from the period of seniority. Seniority shall be computed as of the date of the written examination. Seniority credit shall be added to the applicant's final passing score as follows:

- 1) from five (5) to ten (10) years of service: 1 point
- 2) more than ten (10) years of service: 2 points

- F. Establishment of Preference Points:

- 1. In General: Following the final scoring and weighting of all elements of the examination process and placement of promotional applicants in rank order on an initial promotional eligible register, promotional applicants who are eligible for preference points shall make a claim in writing on forms as prescribed by the Commission within 10 calendar days after posting of the initial promotional eligible register or such claim shall be deemed waived.
- 2. Authorized Preference Points: Preference points for applicants for a promotional level position are as follows:
 - a. Veterans' Preference: Applicants eligible to apply for Veterans' preference must meet the requirements for such preference as set forth in 65 ILCS 5 /

10-1-16 and Village of Gurnee Ordinance 2005-47. A credit of 5 points shall be given to qualified Veterans whose name appear on the initial promotional eligible register.

- b. Education Preference: An applicant may receive education points in only one (1) education level category and may only receive points in an education level category one time, regardless of the number of degrees obtained in a particular category.
 - 1) Associates degree (any curriculum): two and one-half (2.5) points
 - 2) Bachelor's degree (any curriculum): five (5) points

Veterans' preference and education credit may be combined for eligible applicants and are not mutually exclusive. No person shall receive Veterans' preference for a promotional appointment after he has received one promotion from an eligible list on which he was allowed such preference.

Section 2. Promotion Registers

The Commission shall establish an initial promotion register for the position of Police Sergeant. The initial promotion register shall rank all applicants who have passed all examinations in order of their relative excellence as determined by examination but without reference to priority of time of examination.

The rankings of the applicants placed conditionally on an initial promotion register are subject to change based on the application of preference points.

Section 3. Final Registers

After application of preference points, the Commission shall establish a final promotion register for the position of Police Sergeant.

Whenever two or more applicants shall have the same final grade after application of preference points, seniority in the position from which the applicant(s) seek promotion shall determine their respective standing.

Section 4. Appointments

Police Sergeant vacancies shall be filled by the Commission in the manner that it deems to be in the best interest of the Village. Selection shall be made from the three applicants having the highest ranking on the final promotion register, or such fewer number if there are fewer than three applicants on the register, at the time of the promotion. In making the selection of the applicant, the Commission shall not pass over the person having the highest rating on the final promotion register more than once and shall not pass over the person having the second highest rating more than twice. No applicant shall be eligible for appointment unless he has met all requirements previously listed.

An applicant may waive consideration for a vacancy one time without losing his place upon the final promotion register. A request for waiver, including the reason for such request, must be presented to the Commission in writing within five (5) days of receiving notice of consideration for a vacancy. Failure to submit a request within the time limit

with reason(s) satisfactory to the Commission or refusal by the applicant to accept an appointment shall result in the removal of the applicant from the final promotion register.

Section 5. Probationary Period

An applicant appointed as a Police Sergeant shall be on probation for a period not to exceed twelve (12) months from the day of his appointment.

Notwithstanding any provision to the contrary in this Section 5, the probationary period for Sergeants shall be as provided in the applicable collective bargaining agreement covering Police Sergeants.

Section 6. Removal of Names from Final Promotion Register

The Commission shall strike from the final promotion register for the position of Police Sergeant the name of:

1. any applicant who may be disqualified pursuant to Chapter II, Section 5 of these Rules; or
2. any applicant who has been on the final promotion register for more than two (2) years; or
3. any applicant who fails to accept an offer of employment within the time set by the Commission for acceptance; or
4. any applicant who fails or otherwise ceases to meet the qualifications for the position of Police Sergeant to be filled from the final promotion register.

Chapter 4: cont.

Part B: Police Lieutenant

Section 1: Examination Elements and Grading

Testing is announced 3-4 months in advance of the process. The notice includes testing dates and a list of reading material to prepare for the written test. Copies of books are provided by the Police Department as well as information on how applicants can purchase copies of their own. Two (2) years of service as a Police Sergeant with the Gurnee Police Department is required and a letter of interest is sought from each applicant submitting themselves to examination for promotion to Police Lieutenant.

All applicants who submit themselves to examination shall complete the examination process prescribed by these rules, including a written test and an oral test which may include an assessment by outside assessors as deemed appropriate by the Commission and an evaluation according to merit and efficiency. The Commission may establish for any examination that, to be eligible for further evaluation, each applicant is required to achieve a minimum number of examination points including points for merit and efficiency, seniority, and the written test. In computing the final grade for each applicant, the various portions of the testing procedures shall be graded and weighed as follows:

<u>Examination Element</u>	<u>Minimum Passing Grade</u>	<u>Weight</u>
Written Examination	70 of 100 points	20% of total score
Assessment Center	Points as earned	40% of total score
Oral Interview	7 of 10 points	20% of total score
Administrative Points	As provided by Rules	20% of total score
Preference Points	As provided by Act and Rules	

- A. Written Examination: Each applicant for a promotional level position shall submit himself for a written test. The written test shall be graded by the test administrator or other individual so designated by the Commission. The results of the written test shall be submitted to the Commission.
- B. Assessment Center: Each applicant for a promotional level position who has successfully passed the written examination shall submit himself for participation in an assessment center. Performance in the assessment center shall be graded by the administrator or other individual so designated by the Commission. The results of the assessment center shall be submitted to the Commission.
- C. Oral Interview: Applicants who have successfully passed all prior elements of the examination shall submit himself for an oral interview when so directed by the Commission. At least one member of the Commission shall be present to conduct the oral interview, in addition to any other Village official, invited by the Commission.
- D. Administrative Points: Each applicant for promotion shall be awarded administrative points based on a personal fact sheet submitted by the applicant, the last two years

performance evaluations, commendations, recognition, appreciation and thank you letters, and disciplinary matters.

The Deputy Chief(s) and Police Chief shall rate each applicant on a scale of 0-10 in four categories: Crime Prevention; Crime Control; Community Involvement; and Team Building / Leadership. The scores awarded by the Deputy Chief(s) shall be averaged. The resulting average score shall be added to the score awarded by the Police Chief for a preliminary score. The final score shall be calculated by dividing the preliminary score by 2.

E. Seniority Points: Credit for seniority shall be given for actual service only in the rank or grade from which promotion is sought, whether such service has been continuous or not. Leaves of absence resulting from military service or from injuries received in the performance of duties, and leaves of absence to take another position in the Public Works, Fire, or Police Departments of the Village of Gurnee shall constitute actual service within the meaning of this section and will not cause a breach in the period of seniority. All suspensions shall be deducted from the period of seniority. Seniority shall be computed as of the date of the written examination. Seniority credit shall be added to the applicant's final passing score as follows:

- 1) from five (5) to ten (10) years of service: 1 point
- 2) more than ten (10) years of service: 2 points

F. Establishment of Preference Points:

1. In General: Following the final scoring and weighting of all elements of the examination process and placement of promotional applicants in rank order on an initial promotional eligible register, promotional applicants who are eligible for preference points shall make a claim in writing on forms as prescribed by the Commission within 10 calendar days after posting of the initial promotional eligible register or such claim shall be deemed waived.

2. Authorized Preference Points: Preference points for applicants for a promotional level position are as follows:

a. Veterans' Preference: Applicants eligible to apply for Veterans' preference must meet the requirements for such preference as set forth in 65 ILCS 5 / 10-1-16 and Village of Gurnee Ordinance 2005-47. A credit of 5 points shall be given to qualified veterans whose name appear on the initial promotional eligible register.

b. Education Preference: An applicant may receive education points in only one (1) education level category and may only receive points in an education level category one time, regardless of the number of degrees obtained in a particular category.

- 1) Associate's degree (any curriculum): two and one-half (2.5) points
- 2) Bachelor's degree (any curriculum): five (5) points

Veterans' preference and education credit may be combined for eligible applicants and are not mutually exclusive. No person shall receive Veterans' preference for a

promotional appointment after he has received one promotion from an eligible list on which he was allowed such preference.

Section 2. Promotion Registers

The Commission shall establish an initial promotion register for the position of Police Lieutenant. The initial promotion register shall rank all applicants who have passed all examinations in order of their relative excellence as determined by examination but without reference to priority of time of examination.

The rankings of the applicants placed conditionally on an initial promotion register are subject to change based on the application of preference points.

Section 3. Final Registers

After application of preference points, the Commission shall establish a final promotion register for the position of Police Lieutenant.

Whenever two or more applicants shall have the same final grade after application of preference points, seniority in the position from which the applicant(s) seek promotion shall determine their respective standing.

Section 4. Appointments

Police Lieutenant vacancies shall be filled by the Commission in the manner that it deems to be in the best interest of the Village. Selection shall be made from the three applicants having the highest ranking on the final promotion register, or such fewer number if there are fewer than three applicants on the register, at the time of the promotion. In making the selection of the applicant, the Commission shall not pass over the person having the highest rating on the final promotion register more than once and shall not pass over the person having the second highest rating more than twice. No applicant shall be eligible for appointment unless he has met all requirements previously listed.

An applicant may waive consideration for a vacancy one time without losing his place upon the final promotion register. A request for waiver, including the reason for such request, must be presented to the Commission in writing within five (5) days of receiving notice of consideration for a vacancy. Failure to submit a request within the time limit with reason(s) satisfactory to the Commission or refusal by the applicant to accept an appointment shall result in the removal of the applicant from the final promotion register.

Section 5. Probationary Period

An applicant appointed as a Police Lieutenant shall be on probation for a period not to exceed twelve (12) months from the day of his appointment.

Section 6. Removal of Names from Final Promotion Register

The Commission shall strike from the final promotion register for the position of Police Lieutenant the name of:

1. any applicant who may be disqualified pursuant to Chapter II, Section 5 of these Rules; or
2. any applicant who has been on the final promotion register for more than two (2) years; or
3. any applicant who fails to accept an offer of employment within the time set by the Commission for acceptance; or
4. any applicant who fails or otherwise ceases to meet the qualifications for the position of Police Lieutenant to be filled from the final promotion register.

Chapter 4: cont.

Part C: Fire Lieutenant

Section 1: Examination Elements and Grading

A Notice of Intent to Test shall be posted 120 days in advance of the expiration date of the current promotional eligible register. The notice includes a schedule and timeline of the promotional testing process and a list of reading material to prepare for the written test. Copies of books are provided by the Fire Department as well as information on how applicants can purchase copies of their own. Notwithstanding anything in this Chapter 4, Part C to the contrary, the terms of the collective bargaining agreement and the Fire Department Promotion Act, 50 ILCS 742, shall control with respect to promotions of Firefighter / Paramedics to Fire Lieutenant. Applicants must meet the eligibility requirements and must submit a letter of interest to the Commission within 30 days of the posting of the Notice of Intent to Test. The letter must include proof of eligibility.

All applicants who submit themselves to examination shall complete the examination process prescribed by these Rules, including a written test and an oral test which may include an assessment by outside assessors as deemed appropriate by the Commission and an evaluation according to merit and efficiency. Each examination element will be scored and sealed prior to beginning the next examination element. The examination elements will be administered in the following order:

<u>Examination Element</u>	<u>Scoring</u>
Administrative (Matrix) Points	0 – 20 points
Assessment Center	0 – 20 points
Oral Interview	0 – 20 points
Written Examination	0 – 20 points
Seniority	0 – 10 points
Ascertained Merit	0 – 10 points
Military Points	As provided by Act

- A. Administrative (Matrix) Points: The Fire Chief will submit to the Commission each applicant's score based on a forced matrix rating system in a sealed envelope.
- B. Assessment Center: Each applicant for a promotional level position shall submit himself for participation in an assessment center. Performance in the assessment center shall be graded by the agency administrator or other individual so designated by the Commission. The results of the assessment center shall be sealed and submitted to the Commission.
- C. Oral Interview: Each applicant for a promotional level position shall submit himself for participation in an oral interview when so directed by the Commission. Performance in the oral interview shall be graded by at least one member of the Commission or other individual(s) so designated by the Commission, in addition to

any other Village official invited by the Commission. The applicant's personnel file may be reviewed as part of this component. The results of the oral interview shall be sealed and submitted to the Commission.

- D. Written Examination: The exam shall be purchased or rented from a test service, be job related, and based only on the contents of written material identified by the Civil Service Commission and made available to potential examinees 180 days in advance of the expiration date of the previous posted eligibility roster for the appropriate rank. Test questions relating to the operations of the Fire Department may be reviewed by the Fire Chief or designee for accuracy. Each applicant for a promotional level position shall submit himself for a written test. The test shall be sealed when delivered and will remain sealed until opened in front of the applicants on the day of the exam. The written test shall be graded by the test administrator or other individual so designated by the Commission. The results of the written test shall be sealed and submitted to the Commission.
- E. Seniority: Credit for seniority shall be given for actual service only in the rank or grade from which promotion is sought, whether such service has been continuous or not. Leaves of absence resulting from military service, from injuries received in the classified civil service, or to take another position within the Village shall constitute actual service for seniority purposes. Suspensions shall be deducted from seniority. Seniority shall be computed as of the expiration date of the previous posted eligibility roster for the appropriate rank. The calculation of seniority points will be 0.5 points per full year of full time service up to 20 years of service.
- F. Ascertained Merit: Each applicant for promotion shall be awarded administrative points based on education and certification in subjects and skills. The applicant will receive the point total next to the highest degree level they have achieved. The applicant will be awarded two (2) additional points for obtaining the appropriate Provisional Fire Officer classification. There is no pyramiding of points. The Lieutenant point structure is:
 - a. Associate's degree [non-Fire Science]: 2 points
 - b. Associate's degree in Fire Science: 4 points
 - c. Bachelor's degree [non-Fire Science]: 6 points
 - d. Bachelor's degree in Fire Science: 8 points
 - e. Provisional Fire Officer II: 2 points
- G. Veterans' Preference Points: Applicants eligible to apply for Veterans' preference must meet the requirements for such preference as set forth in 65 ILCS 5 / 10-1-16.

After completion of the final testing component (written examination), all sealed documents will be opened and scores will be added together. Seniority and ascertained merit points shall be added to the test component scores. All applicants will be placed on the initial promotional eligible register in rank order, based on total aggregate score. All applicants will receive a copy of the breakdown of their scores on each component of the test and their overall score along with a copy of the initial list.

Promotional applicants who are eligible for Veterans' preference points shall make a claim in writing on forms as prescribed by the Commission within 10 calendar days after posting of the initial promotional eligible register or such claim shall be deemed waived.

After posting of the final promotional eligible register, the Commission will offer a review session covering the assessment center and written examination.

Section 2. Promotion Registers

The Commission shall establish an initial promotion register for the position of Fire Lieutenant. The initial promotion register shall rank all applicants who have passed all examinations in order of their relative excellence as determined by examination but without reference to priority of time of examination.

The rankings of the applicants placed conditionally on an initial promotion register are subject to change based on the application of preference points.

Section 3. Final Registers

After application of preference points, the Commission shall establish a final promotion register for the position of Fire Lieutenant.

Whenever two or more applicants shall have the same final grade after application of preference points, seniority in the position from which the applicant(s) seek promotion shall determine their respective standing.

No person shall receive preference for a promotional appointment after he has received one promotion from an eligible list on which he was allowed such preference.

Section 4. Appointments

Fire Lieutenant vacancies shall be filled by the Commission with the highest ranking applicant on the final promotion register, except that the Commission shall have the right to pass over that person and appoint the next highest ranked person on the list if the Commission has reason to conclude that the highest ranking person has demonstrated substantial shortcomings in work performance or has engaged in misconduct affecting the person's ability to perform the duties of the promoted rank. If the highest ranking person is passed over, the Commission shall document its reason for its decision to select the next highest ranking person on the list. Unless the reasons for passing over the highest ranking person are not remediable, no person who is the highest ranking person on the list shall be passed over more than once. No applicant shall be eligible for appointment unless he has met all requirements previously listed.

An applicant may refuse a promotion once without losing his position on the final promotion register. An applicant who refuses promotion a second time shall be removed from the final promotion register.

Section 5. Probationary Period

An applicant appointed as a Fire Lieutenant shall be on probation for a period not to exceed twelve (12) months from the day of his appointment.

Section 6. Removal of Names from Final Promotion Register

The Commission shall strike from the final promotion register for the position of Fire Lieutenant the name of:

1. any applicant who may be disqualified pursuant to Chapter II, Section 5 of these Rules; or
2. any applicant who has been on the final promotion register for more than two (2) years; or
3. any applicant who fails to accept an offer of employment within the time set by the Commission for acceptance; or
4. any applicant who fails or otherwise ceases to meet the qualifications for the position of Fire Lieutenant to be filled from the final promotion register.

Chapter 4: cont.

Part D: Fire Captain

Section 1: Examination Elements and Grading

A Notice of Intent to Test shall be posted 120 days in advance of the expiration date of the current promotional eligible register. The notice includes a schedule and timeline of the promotional testing process and a list of reading material to prepare for the written test. Copies of books are provided by the Fire Department as well as information on how applicants can purchase copies of their own. Notwithstanding anything in this Chapter 4, Part D to the contrary, the terms of the collective bargaining agreement and the Fire Department Promotion Act, 50 ILCS 742, shall control with respect to promotions of Fire Lieutenant to Fire Captain. Applicants must meet the eligibility requirements and must submit a letter of interest to the Commission within 30 days of the posting of the Notice of Intent to Test. The letter must include proof of eligibility.

All applicants who submit themselves to examination shall complete the examination process prescribed by these Rules, including a written test and an oral test which may include an assessment by outside assessors as deemed appropriate by the Commission and an evaluation according to merit and efficiency. Each examination element will be scored and sealed prior to beginning the next examination element. The examination elements will be administered in the following order:

<u>Examination Element</u>	<u>Scoring</u>
Administrative (Matrix) Points	0 – 20 points
Assessment Center	0 – 20 points
Oral Interview	0 – 20 points
Written Examination	0 – 20 points
Seniority	0 – 10 points
Ascertained Merit	0 – 10 points
Military Points	As provided by Act

- A. Administrative (Matrix) Points: The Fire Chief will submit to the Commission each applicant's score based on a forced matrix rating system in a sealed envelope.
- B. Assessment Center: Each applicant for a promotional level position shall submit himself for participation in an assessment center. Performance in the assessment center shall be graded by the administrator or other individual so designated by the Commission. The results of the assessment center shall be sealed and submitted to the Commission.
- C. Oral Interview: Each applicant for a promotional level position shall submit himself for participation in an oral interview when so directed by the Commission. Performance in the oral interview shall be graded by at least one member of the Commission or other individual(s) so designated by the Commission, in addition to any other Village official invited by the Commission. The applicant's personnel file

may be reviewed as part of this component. The results of the oral interview shall be sealed and submitted to the Commission.

- D. Written Examination: The exam shall be purchased or rented from a test service, be job related, and based only on the contents of written material identified by the Civil Service Commission and made available to potential examinees 180 days in advance of the expiration date of the previous posted eligibility roster for the appropriate rank. Test questions relating to the operations of the Fire Department may be reviewed by the Fire Chief / designee for accuracy. Each applicant for a promotional level position shall submit himself for a written test. The test shall be sealed when delivered and will remain sealed until opened in front of the applicants on the day of the exam. The written test shall be graded by the test administrator or other individual so designated by the Commission. The results of the written test shall be sealed and submitted to the Commission.
- E. Seniority: Credit for seniority shall be given for actual service only in the rank or grade from which promotion is sought, whether such service has been continuous or not. Leaves of absence resulting from military service, from injuries received in the classified civil service, or to take another position within the Village shall constitute actual service for seniority purposes. Suspensions shall be deducted from seniority. Seniority shall be computed as of the expiration date of the previous posted eligibility roster for the appropriate rank. The calculation of seniority points will be 0.5 points per full year of full time service up to 20 years of service.
- F. Ascertained Merit: Each applicant for promotion shall be awarded administrative points based on education and certification in subjects and skills. The applicant will receive the point total next to the highest degree level they have achieved. The applicant will be awarded two (2) additional points for obtaining the appropriate Provisional Fire Officer classification. There is no pyramiding of points. The Captain point structure is:
 - a. Associate's degree in Fire Science: 2 points
 - b. Bachelor's degree [non-Fire Science]: 4 points
 - c. Bachelor's degree in Fire Science: 6 points
 - d. Master's degree in a related field: 8 points
 - e. Provisional Fire Officer III: 2 points
- G. Veterans' Preference Points: Applicants eligible to apply for Veterans' preference must meet the requirements for such preference as set forth in 65 ILCS 5 / 10-1-16.

After completion of the final testing component (written examination), all sealed documents will be opened and scores will be added together. Seniority and ascertained merit points shall be added to the test component scores. All applicants will be placed on the initial promotional eligible register in rank order, based on total aggregate score. All applicants will receive a copy of the breakdown of their score on each component of the test and their overall score along with a copy of the initial list.

Promotional applicants who are eligible for Veterans' preference points shall make a claim in writing on forms as prescribed by the Commission within 10 calendar days after posting of the initial promotional eligible register or such claim shall be deemed waived.

After posting of the final promotional eligible register, the Commission will offer a review session covering the assessment center and written examination.

Section 2. Promotion Registers

The Commission shall establish an initial promotion register for the position of Fire Captain. The initial promotion register shall rank all applicants who have passed all examinations in order of their relative excellence as determined by examination but without reference to priority of time of examination.

The rankings of the applicants placed conditionally on an initial promotion register are subject to change based on the application of preference points.

Section 3. Final Registers

After application of preference points, the Commission shall establish a final promotion register for the position of Fire Captain.

Whenever two or more applicants shall have the same final grade after application of preference points, seniority in the position from which the applicant(s) seek promotion shall determine their respective standing.

No person shall receive preference for a promotional appointment after he has received one promotion from an eligible list on which he was allowed such preference.

Section 4. Appointments

Fire Captain vacancies shall be filled by the Commission with the highest ranking applicant on the final promotion register, except that the Commission shall have the right to pass over that person and appoint the next highest ranked person on the list if the Commission has reason to conclude that the highest ranking person has demonstrated substantial shortcomings in work performance or has engaged in misconduct affecting the person's ability to perform the duties of the promoted rank. If the highest ranking person is passed over, the Commission shall document its reason for its decision to select the next highest ranking person on the list. Unless the reasons for passing over the highest ranking person are not remediable, no person who is the highest ranking person on the list shall be passed over more than once. No applicant shall be eligible for appointment unless he has met all requirements previously listed.

An applicant may refuse a promotion once without losing his position on the final promotion register. An applicant who refuses promotion a second time shall be removed from the final promotion register.

Section 5. Probationary Period

An applicant appointed as a Fire Captain shall be on probation for a period not to exceed twelve (12) months from the day of his appointment.

Section 6. Removal of Names from Final Promotion Register

The Commission shall strike from the final promotion registers for the position of Fire Captain the name of:

1. any applicant who may be disqualified pursuant to Chapter II, Section 5 of these Rules; or
2. any applicant who has been on the final promotion register for more than two (2) years; or
3. any applicant who fails to accept an offer of employment within the time set by the Commission for acceptance; or
4. any applicant who fails or otherwise ceases to meet the qualifications for the position of Fire Captain to be filled from the final promotion register.

Chapter 5: Removals, Discharges, and Suspensions

Part A: Public Works Department

Section 1: Maintenance Worker I

All grievances related to removal, discharge, and/or suspension shall be processed under the terms of the collective bargaining agreement in effect. The grievance / arbitration procedure as set forth in the collective bargaining agreement covering Maintenance Worker I shall be the exclusive remedy.

Chapter 5: cont.

Part B: Police Department

Section 1: Police Officer

- A. Removal, Discharge or Suspension: No Police Officer who is appointed under the rules and after examination may be removed, discharged or suspended for a period of more than five (5) calendar days, except for cause upon written charges and after an opportunity to be heard in his own defense. Notwithstanding any provision to the contrary in this Chapter 5, Part B, Section 1, cases involving a suspension of four (4) days [32 hours] or more shall be as provided in the applicable collective bargaining agreement covering Police Officers.

Such charges shall be investigated by or before the Commission, or by or before some officer or board appointed by the Commission to conduct that investigation.

Nothing herein limits the power of the Police Chief to suspend a subordinate for a reasonable period, not exceeding five (5) calendar days, provided the Commission is promptly notified thereof in writing. A Police Officer so suspended shall be entitled, upon request, to a hearing before the Commission concerning the propriety of such suspension. Any such request must be in writing and filed with the Commission within thirty (30) days after the issuance of the suspension. Upon such hearing, the Commission may sustain the action of the Police Chief, reverse it with instructions that the Police Officer receive his pay for the period involved, suspend the Police Officer for an additional period of not more than thirty (30) days, or discharge the Police Officer, depending upon the facts presented. In the course of an investigation of charges, each member of the Commission and of any board so appointed by it, and any officer so appointed, may administer oaths and may secure by its subpoena both the attendance and testimony of witnesses, and the production of books and papers relevant to the investigation.

- B. Interrogations and Examinations: Before any Police Officer may be interrogated or examined by or before any disciplinary board, or departmental agent or investigator, the results of which hearing, interrogation, or examination may be the basis for filing charges seeking his removal or discharge, the Police Officer must be advised in writing as to what specific improper or illegal act he is alleged to have committed; he must be advised in writing that his admissions made in the course of the hearing, interrogation, or examination may be used as the basis for charges seeking his removal or discharge; and he must be advised in writing that he has the right to have counsel of his own choosing present to advise him at any hearing, interrogation, or examination. A complete record of any hearing, interrogation, or examination shall be made and a complete transcript thereof made available to such Police Officer without charge and without delay.
- C. Hearings: All charges shall be filed with the Commission. After filing of a charge, the Commission shall set the date, time, and place for hearing. The complainant shall be the person who files a charge under this Chapter 5 and shall mean the complainant or the complainant's attorney. The respondent shall be the Police Officer against whom a charge is filed and shall mean the respondent or the

respondent's attorney. The Secretary shall promptly serve notice of hearing on the parties. In all cases, the notice must be served not less than five (5) days prior to the hearing date.

Two Commissioners shall constitute a quorum of the Commission for conducting a hearing.

All hearings of the Commission shall be held in accordance with the Illinois Open Meetings Act.

- D. Continuances: The Commission in its discretion may grant continuances of any hearing conducted on a charge at the request of either party. Motions for continuance shall be in writing and shall be filed with the Secretary and served on the opposing party not less than 48 hours prior to the time set for the hearing. The Commission may waive said requirements on good cause being shown and a finding that no prejudice will result to any party from such waiver. In the event a continuance requested by the respondent causes the postponement of a hearing beyond the suspension periods specified in the Civil Service Act, a waiver of salary during such continuance beyond the suspension period shall be required.
- E. Findings and Decision: The Commission, or any officer or board appointed by it, shall promptly serve notice on the parties of its findings and decision. Such decision shall be reduced to writing and shall include findings of fact and an order reflecting the decision.
- F. Rehearing: Such findings and decision of the Commission shall be final and not subject to rehearing.

Section 2: Police Sergeant

- A. Removal, Discharge or Suspension: No Police Sergeant who is appointed under the rules and after examination may be removed, discharged or suspended for a period of more than five (5) calendar days, except for cause upon written charges and after an opportunity to be heard in his own defense. Notwithstanding any provision to the contrary in this Chapter 5, Part B, Section 2, cases involving a suspension of four (4) days [32 hours] or more shall be as provided in the applicable collective bargaining agreement covering Police Sergeants.

Such charges shall be investigated by or before the Commission, or by or before some officer or board appointed by the Commission to conduct that investigation.

Nothing herein limits the power of the Police Chief to suspend a subordinate for a reasonable period, not exceeding five (5) calendar days, provided the Commission is promptly notified thereof in writing. A Police Sergeant so suspended shall be entitled, upon request, to a hearing before the Commission concerning the propriety of such suspension. Any such request must be in writing and filed with the Commission within thirty (30) days after the issuance of the suspension. Upon such hearing, the Commission may sustain the action of the Police Chief, reverse it with instructions that the Police Sergeant receive his pay for the period involved, suspend the Police Sergeant for an additional period of not more than thirty (30) days, or discharge the Police Sergeant, depending upon the facts presented. In the course

of an investigation of charges, each member of the Commission and of any board so appointed by it, and any officer so appointed, may administer oaths and may secure by its subpoena both the attendance and testimony of witnesses, and the production of books and papers relevant to the investigation.

- B. Interrogations and Examinations: Before any Police Sergeant may be interrogated or examined by or before any disciplinary board, or departmental agent or investigator, the results of which hearing, interrogation, or examination may be the basis for filing charges seeking his removal or discharge, the Police Sergeant must be advised in writing as to what specific improper or illegal act he is alleged to have committed; he must be advised in writing that his admissions made in the course of the hearing, interrogation, or examination may be used as the basis for charges seeking his removal or discharge; and he must be advised in writing that he has the right to have counsel of his own choosing present to advise him at any hearing, interrogation, or examination. A complete record of any hearing, interrogation, or examination shall be made and a complete transcript thereof made available to such Police Sergeant without charge and without delay.
- C. Hearings: All charges shall be filed with the Commission. After filing of a charge, the Commission shall set the date, time, and place for hearing. The complainant shall be the person who files a charge under this Chapter 5 and shall mean the complainant or the complainant's attorney. The respondent shall be the Police Sergeant against whom a charge is filed and shall mean the respondent or the respondent's attorney. The Secretary shall promptly serve notice of hearing on the parties. In all cases, the notice must be served not less than five (5) days prior to the hearing date.
- Two Commissioners shall constitute a quorum of the Commission for conducting a hearing.
- All hearings of the Commission shall be held in accordance with the Illinois Open Meetings Act.
- D. Continuances: The Commission in its discretion may grant continuances of any hearing conducted on a charge at the request of either party. Motions for continuance shall be in writing and shall be filed with the Secretary and served on the opposing party not less than 48 hours prior to the time set for the hearing. The Commission may waive said requirements on good cause being shown and a finding that no prejudice will result to any party from such waiver. In the event a continuance requested by the respondent causes the postponement of a hearing beyond the suspension periods specified in the Civil Service Act, a waiver of salary during such continuance beyond the suspension period shall be required.
- E. Findings and Decision: The Commission, or any officer or board appointed by it, shall promptly serve notice on the parties of its findings and decision. Such decision shall be reduced to writing and shall include findings of fact and an order reflecting the decision.
- F. Rehearing: Such findings and decision of the Commission shall be final and not subject to rehearing.

Section 3: Police Lieutenant

- A. Removal, Discharge or Suspension: No Police Lieutenant who is appointed under the rules and after examination may be removed, discharged or suspended for a period of more than five (5) calendar days, except for cause upon written charges and after an opportunity to be heard in his own defense.

Such charges shall be investigated by or before the Commission, or by or before some officer or board appointed by the Commission to conduct that investigation.

Nothing herein limits the power of the Police Chief to suspend a subordinate for a reasonable period, not exceeding five (5) calendar days, provided the Commission is promptly notified thereof in writing. A Police Lieutenant so suspended shall be entitled, upon request, to a hearing before the Commission concerning the propriety of such suspension. Any such request must be in writing and filed with the Commission within thirty (30) days after the issuance of the suspension. Upon such hearing, the Commission may sustain the action of the Police Chief, reverse it with instructions that the Police Lieutenant receive his pay for the period involved, suspend the Police Lieutenant for an additional period of not more than thirty (30) days, or discharge the Police Lieutenant, depending upon the facts presented. In the course of an investigation of charges, each member of the Commission and of any board so appointed by it, and any officer so appointed, may administer oaths and may secure by its subpoena both the attendance and testimony of witnesses, and the production of books and papers relevant to the investigation.

- B. Interrogations and Examinations: Before any Police Lieutenant may be interrogated or examined by or before any disciplinary board, or departmental agent or investigator, the results of which hearing, interrogation, or examination may be the basis for filing charges seeking his removal or discharge, the Police Lieutenant must be advised in writing as to what specific improper or illegal act he is alleged to have committed; he must be advised in writing that his admissions made in the course of the hearing, interrogation, or examination may be used as the basis for charges seeking his removal or discharge; and he must be advised in writing that he has the right to have counsel of his own choosing present to advise him at any hearing, interrogation, or examination. A complete record of any hearing, interrogation, or examination shall be made and a complete transcript thereof made available to such Police Lieutenant without charge and without delay. To the extent required by law, interrogations will comply with the Uniform Peace Officers' Disciplinary Act, 50 ILCS 725 *et seq.*

- C. Hearings: All charges shall be filed with the Commission. After filing of a charge, the Commission shall set the date, time, and place for hearing. The complainant shall be the person who files a charge under this Chapter 5 and shall mean the complainant or the complainant's attorney. The charge must be supported by a sworn affidavit, which may be fulfilled by a sworn complaint based on information and belief. The respondent shall be the Police Lieutenant against whom a charge is filed and shall mean the respondent or the respondent's attorney. The Secretary shall promptly serve notice of hearing on the parties. In all cases, the notice must be served not less than five (5) days prior to the hearing date. The Police Lieutenant

shall be informed in writing and before the hearing of the name(s) of the complainant(s).

Two Commissioners shall constitute a quorum of the Commission for conducting a hearing.

All hearings of the Commission shall be held in accordance with the Illinois Open Meetings Act.

- D. Continuances: The Commission in its discretion may grant continuances of any hearing conducted on a charge at the request of either party. Motions for continuance shall be in writing and shall be filed with the Secretary and served on the opposing party not less than 48 hours prior to the time set for the hearing. The Commission may waive said requirements on good cause being shown and a finding that no prejudice will result to any party from such waiver. In the event a continuance requested by the respondent causes the postponement of a hearing beyond the suspension periods specified in the Civil Service Act, a waiver of salary during such continuance beyond the suspension period shall be required.
- E. Findings and Decision: The Commission, or any officer or board appointed by it, shall promptly serve notice on the parties of its findings and decision. Such decision shall be reduced to writing and shall include findings of fact and an order reflecting the decision.
- F. Rehearing: Such findings and decision of the Commission shall be final and not subject to rehearing.

Chapter 5: cont.

Part C: Fire Department

Section 1. Firefighter / Paramedic

A. Removal, Discharge or Suspension: No Firefighter / Paramedic who is appointed under the rules and after examination may be removed, discharged or suspended for a period of more than five (5) calendar days, except for cause upon written charges and after an opportunity to be heard in his own defense. Notwithstanding any provision to the contrary in this Chapter 5, Part C, Section 1, options for any dispute concerning a matter or issue subject to the jurisdiction of the Commission shall be as provided in the applicable collective bargaining agreement covering Firefighter / Paramedics.

Such charges shall be investigated by or before the Commission, or by or before some officer or board appointed by the Commission to conduct that investigation.

Nothing herein limits the power of the Fire Chief to suspend a subordinate for a reasonable period, not exceeding five (5) calendar days, provided the Commission is promptly notified thereof in writing. A Firefighter / Paramedic so suspended shall be entitled, upon request, to a hearing before the Commission concerning the propriety of such suspension. Any such request must be in writing and filed with the Commission within thirty (30) days after the issuance of the suspension. Upon such hearing, the Commission may sustain the action of the Fire Chief, reverse it with instructions that the Firefighter / Paramedic receive his pay for the period involved, suspend the Firefighter / Paramedic for an additional period of not more than thirty (30) days, or discharge the Firefighter / Paramedic, depending upon the facts presented. In the course of an investigation of charges, each member of the Commission and of any board so appointed by it, and any officer so appointed, may administer oaths and may secure by its subpoena both the attendance and testimony of witnesses, and the production of books and papers relevant to the investigation.

B. Interrogations and Examinations: Before any Firefighter / Paramedic may be interrogated or examined by or before any disciplinary board, or departmental agent or investigator, the results of which hearing, interrogation, or examination may be the basis for filing charges seeking his removal or discharge, the Firefighter / Paramedic must be advised in writing as to what specific improper or illegal act he is alleged to have committed; he must be advised in writing that his admissions made in the course of the hearing, interrogation, or examination may be used as the basis for charges seeking his removal or discharge; and he must be advised in writing that he has the right to have counsel of his own choosing present to advise him at any hearing, interrogation, or examination. A complete record of any hearing, interrogation, or examination shall be made and a complete transcript thereof made available to such Firefighter / Paramedic without charge and without delay.

C. Hearings: All charges shall be filed with the Commission. After filing of a charge, the Commission shall set the date, time, and place for hearing. The complainant shall be the person who files a charge under this Chapter 5 and shall mean the

complainant or the complainant's attorney. The respondent shall be the Firefighter / Paramedic against whom a charge is filed and shall mean the respondent or the respondent's attorney. The Secretary shall promptly serve notice of hearing on the parties. In all cases, the notice must be served not less than five (5) days prior to the hearing date.

Two Commissioners shall constitute a quorum of the Commission for conducting a hearing.

All hearings of the Commission shall be held in accordance with the Illinois Open Meetings Act.

- D. Continuances: The Commission in its discretion may grant continuances of any hearing conducted on a charge at the request of either party. Motions for continuance shall be in writing and shall be filed with the Secretary and served on the opposing party not less than 48 hours prior to the time set for the hearing. The Commission may waive said requirements on good cause being shown and a finding that no prejudice will result to any party from such waiver. In the event a continuance requested by the respondent causes the postponement of a hearing beyond the suspension periods specified in the Civil Service Act, a waiver of salary during such continuance beyond the suspension period shall be required.
- E. Findings and Decision: The Commission, or any officer or board appointed by it, shall promptly serve notice on the parties of its findings and decision. Such decision shall be reduced to writing and shall include findings of fact and an order reflecting the decision.
- F. Rehearing: Such findings and decision of the Commission shall be final and not subject to rehearing.

Section 2: Fire Lieutenant

- A. Removal, Discharge or Suspension: No Fire Lieutenant who is appointed under the rules and after examination may be removed, discharged or suspended for a period of more than five (5) calendar days, except for cause upon written charges and after an opportunity to be heard in his own defense. Notwithstanding any provision to the contrary in this Chapter 5, Part C, Section 2, options for any dispute concerning a matter or issue subject to the jurisdiction of the Commission shall be as provided in the applicable collective bargaining agreement covering Fire Lieutenants.

Such charges shall be investigated by or before the Commission, or by or before some officer or board appointed by the Commission to conduct that investigation.

Nothing herein limits the power of the Fire Chief to suspend a subordinate for a reasonable period, not exceeding five (5) calendar days, provided the Commission is promptly notified thereof in writing. A Fire Lieutenant so suspended shall be entitled, upon request, to a hearing before the Commission concerning the propriety of such suspension. Any such request must be in writing and filed with the Commission within thirty (30) days after the issuance of the suspension. Upon such hearing, the Commission may sustain the action of the Fire Chief, reverse it with instructions that the Fire Lieutenant receive his pay for the period involved, suspend the Fire

Lieutenant for an additional period of not more than thirty (30) days, or discharge the Fire Lieutenant, depending upon the facts presented. In the course of an investigation of charges, each member of the Commission and of any board so appointed by it, and any officer so appointed, may administer oaths and may secure by its subpoena both the attendance and testimony of witnesses, and the production of books and papers relevant to the investigation.

- B. Interrogations and Examinations: Before any Fire Lieutenant may be interrogated or examined by or before any disciplinary board, or departmental agent or investigator, the results of which hearing, interrogation, or examination may be the basis for filing charges seeking his removal or discharge, the Fire Lieutenant must be advised in writing as to what specific improper or illegal act he is alleged to have committed; he must be advised in writing that his admissions made in the course of the hearing, interrogation, or examination may be used as the basis for charges seeking his removal or discharge; and he must be advised in writing that he has the right to have counsel of his own choosing present to advise him at any hearing, interrogation, or examination. A complete record of any hearing, interrogation, or examination shall be made and a complete transcript thereof made available to such Fire Lieutenant without charge and without delay.
- C. Hearings: All charges shall be filed with the Commission. After filing of a charge, the Commission shall set the date, time, and place for hearing. The complainant shall be the person who files a charge under this Chapter 5 and shall mean the complainant or the complainant's attorney. The respondent shall be the Fire Lieutenant against whom a charge is filed and shall mean the respondent or the respondent's attorney. The Secretary shall promptly serve notice of hearing on the parties. In all cases, the notice must be served not less than five (5) days prior to the hearing date.

Two Commissioners shall constitute a quorum of the Commission for conducting a hearing.

All hearings of the Commission shall be held in accordance with the Illinois Open Meetings Act.

- D. Continuances: The Commission in its discretion may grant continuances of any hearing conducted on a charge at the request of either party. Motions for continuance shall be in writing and shall be filed with the Secretary and served on the opposing party not less than 48 hours prior to the time set for the hearing. The Commission may waive said requirements on good cause being shown and a finding that no prejudice will result to any party from such waiver. In the event a continuance requested by the respondent causes the postponement of a hearing beyond the suspension periods specified in the Civil Service Act, a waiver of salary during such continuance beyond the suspension period shall be required.
- E. Findings and Decision: The Commission, or any officer or board appointed by it, shall promptly serve notice on the parties of its findings and decision. Such decision shall be reduced to writing and shall include findings of fact and an order reflecting the decision.

- F. Rehearing: Such findings and decision of the Commission shall be final and not subject to rehearing.

Section 3: Fire Captain

- A. Removal, Discharge or Suspension: No Fire Captain who is appointed under the rules and after examination may be removed, discharged or suspended for a period of more than five (5) calendar days, except for cause upon written charges and after an opportunity to be heard in his own defense.

Such charges shall be investigated by or before the Commission, or by or before some officer or board appointed by the Commission to conduct that investigation.

Nothing herein limits the power of the Fire Chief to suspend a subordinate for a reasonable period, not exceeding five (5) calendar days, provided the Commission is promptly notified thereof in writing. A Fire Captain so suspended shall be entitled, upon request, to a hearing before the Commission concerning the propriety of such suspension. Any such request must be in writing and filed with the Commission within thirty (30) days after the issuance of the suspension. Upon such hearing, the Commission may sustain the action of the Fire Chief, reverse it with instructions that the Fire Captain receive his pay for the period involved, suspend the Fire Captain for an additional period of not more than thirty (30) days, or discharge the Fire Captain, depending upon the facts presented. In the course of an investigation of charges, each member of the Commission and of any board so appointed by it, and any officer so appointed, may administer oaths and may secure by its subpoena both the attendance and testimony of witnesses, and the production of books and papers relevant to the investigation.

- B. Interrogations and Examinations: Before any Fire Captain may be interrogated or examined by or before any disciplinary board, or departmental agent or investigator, the results of which hearing, interrogation, or examination may be the basis for filing charges seeking his suspension, removal or discharge, the Fire Captain must be advised in writing as to what specific improper or illegal act he is alleged to have committed; he must be advised in writing that his admissions made in the course of the hearing, interrogation, or examination may be used as the basis for charges seeking his removal or discharge; and he must be advised in writing that he has the right to have counsel of his own choosing present to advise him at any hearing, interrogation, or examination. A complete record of any hearing, interrogation, or examination shall be made and a complete transcript thereof made available to such Fire Captain without charge and without delay. To the extent required by law, interrogations will comply with the Firemen's Disciplinary Act, 50 ILCS 745 *et seq.*
- C. Hearings: All charges shall be filed with the Commission. After filing of a charge, the Commission shall set the date, time, and place for hearing. The complainant shall be the person who files a charge under this Chapter 5 and shall mean the complainant or the complainant's attorney. The respondent shall be the Fire Captain against whom a charge is filed and shall mean the respondent or the respondent's attorney. The Secretary shall promptly serve notice of hearing on the parties. In all cases, the notice must be served not less than five (5) days prior to the hearing date.

Two Commissioners shall constitute a quorum of the Commission for conducting a hearing.

All hearings of the Commission shall be held in accordance with the Illinois Open Meetings Act.

- D. Continuances: The Commission in its discretion may grant continuances of any hearing conducted on a charge at the request of either party. Motions for continuance shall be in writing and shall be filed with the Secretary and served on the opposing party not less than 48 hours prior to the time set for the hearing. The Commission may waive said requirements on good cause being shown and a finding that no prejudice will result to any party from such waiver. In the event a continuance requested by the respondent causes the postponement of a hearing beyond the suspension periods specified in the Civil Service Act, a waiver of salary during such continuance beyond the suspension period shall be required.
- E. Findings and Decision: The Commission, or any officer or board appointed by it, shall promptly serve notice on the parties of its findings and decision. Such decision shall be reduced to writing and shall include findings of fact and an order reflecting the decision.
- F. Rehearing: Such findings and decision of the Commission shall be final and not subject to rehearing.

Chapter 6: General

1. No applicant for appointment in the classified civil service, either directly or indirectly, shall pay or promise to pay any money or other valuable thing to any person whatever for or on account of his appointment, or proposed appointment, and no officer or employee shall pay or promise to pay, either directly or indirectly, any person any money or other valuable thing whatever for or on account of his promotion.
2. No applicant for appointment or promotion in the classified civil service shall ask for or receive a recommendation or assistance from any officer or employee in the service, or of any person upon the consideration of any political service to be rendered to or for such person, or for the promotion of such person to any office or appointment.
3. An employee who is injured while in the performance of his duties and because of such injury is temporarily unable to continue his duties or who enters the military or naval service of the United States because of a war in which the United States is a party belligerent or as required by any Act of Congress shall, upon written application to the Commission, be granted a disability or military leave, as the case may be. Notwithstanding any provision to the contrary in this section, requests for leave shall be as provided in the applicable Village policy and/or collective bargaining agreement.
4. An employee who has been on disability leave or military leave granted by the Commission and who wishes to return to active duty in his certified position shall be credited with seniority for the period of such leave and, if otherwise qualified, shall be reinstated to his certified position at the rank or grade held at the start of the leave, not more than 60 days after his written request for reinstatement is filed with the Commission. Such request shall be filed not more than 30 days after termination of the disability or military or naval service. Notwithstanding any provision to the contrary in this section, requests for reinstatement from leave shall be as provided in the applicable Village policy and/or collective bargaining agreement.

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