

City of
Alton
Civil
Service

2020

**CIVIL
SERVICE
RULES**



*Approved by
Ordinance No. 7534,
7587, 7718, 7729 & 7732*

Table of Contents

Definitions.....	Page 5
Chapter 1 Rules Generally.....	Page 8
1.01 General Purpose.....	Page 8
1.02 Objective of Rules.....	Page 8
1.03 Applicability of Rules.....	Page 8
1.04 Severability of Rules.....	Page 8
1.05 Availability of Rules.....	Page 9
1.06 Change of Amendment of Rules/ Publication.....	Page 9
1.07 Communications Concerning Rule Violation or Interpretation Shall be in Writing.....	Page 9
1.08 Effective Date of Rules.....	Page 9
1.09 Rules and Regulations as Guidelines for Commission.....	Page 9
1.10 Waiver of Rules.....	Page 10
1.11 Departmental Administrative Rules and Regulations Permitted....	Page 10
1.12 Department Rules Shall Not Conflict with Civil Service Rules.....	Page 10
1.13 Rules of Construction.....	Page 10
Chapter 2 Administration.....	Page 11
2.01 Organization of the Commission.....	Page 11
2.02 Powers of the Commission.....	Page 11
2.03 Duties and Responsibilities of Chairman.....	Page 11
2.04 Duties and Responsibilities of Vice Chairman.....	Page 12
2.05 Chief Examiner.....	Page 12
2.06 Basic Duties of the Chief Examiner.....	Page 12
2.07 Deputy Chief Examiner	Page 13
2.08 Special Examiners.....	Page 13
2.09 Other Employees.....	Page 13
2.10 Commission Meetings.....	Page 13
2.11 Quorum.....	Page 14
2.12 Commission Practice and Rules of Order.....	Page 14
2.13 Authority of Individual Commissioners.....	Page 14
2.14 Publications and Publicity.....	Page 14
2.15 Annual Budget.....	Page 14
2.16 Purchasing Policy.....	Page 14
Chapter 3 Records.....	Page 15
3.01 Records.....	Page 15
3.02 Access to Commission and Personnel Records.....	Page 15
Chapter 4 Classification Plan.....	Page 16
4.01 Classification Plan.....	Page 16
4.02 Class Specifications.....	Page 16
4.03 Content and Meaning of Class Specifications.....	Page 16
4.04 Classification of New Positions.....	Page 16
4.05 Changes in Duties.....	Page 16
4.06 Changes in Title – Changes in Allocation.....	Page 17
4.07 Use of Official Title.....	Page 17
4.08 Change of Compensation.....	Page 17
4.09 Exemptions from the Classified Service.....	Page 17
4.10 Reclassification Criteria.....	Page 18

Chapter 5 Requisitions.....	Page 19
5.01 All Classified Positions Shall be Filled by Requisition from Department Heads of the City of Alton.....	Page 19
Chapter 6 Applications.....	Page 20
6.01 Notice of Job Openings.....	Page 20
6.02 Application Forms.....	Page 20
6.03 Fraud in Applications.....	Page 20
6.04 Admittance to the Examination.....	Page 21
6.05 Disqualification.....	Page 21
6.06 Pre-Screening of Applicants.....	Page 21
6.07 Drawing by Lot.....	Page 21
6.08 Physical Examination.....	Page 21
6.09 Questions on Religious or Political Affiliation or Opinions.....	Page 22
6.10 Religious or Political Affiliation.....	Page 22
6.11 Age Requirements.....	Page 22
6.12 Release of Liability.....	Page 22
6.13 License/Certifications, Etc.....	Page 22
Chapter 7 Character and Conduct of Examinations.....	Page 23
7.01 Character of Examinations.....	Page 23
7.02 Cancellation, Postponement and Rescheduling of Examinations...	Page 23
7.03 Special Examination Administration.....	Page 23
7.04 Supervision of Examinations.....	Page 24
7.05 Conduct of Applicants During Examinations.....	Page 24
7.06 Acceptance of Examination by Commission.....	Page 24
7.07 Examination Modification- Severability.....	Page 24
7.08 Type of Examinations.....	Page 24
7.09 Sequence of Original Examination- Minimum Grade.....	Page 24
7.10 Notification of Examination Results.....	Page 25
7.11 Initial Eligibility List.....	Page 25
7.12 Preference Points.....	Page 25
7.13 Promotional Examinations.....	Page 26
7.14 Promotional Examinations for Fire and Police Officers.....	Page 27
7.15 Lateral Entry for Police Patrolman	Page 27
Chapter 8 Eligibility Lists.....	Page 29
8.01 Lists Generally.....	Page 29
8.02 Rank and Ties.....	Page 29
8.03 Duration of Entry and Promotional Lists.....	Page 29
8.04 Contact Information of Applicants.....	Page 29
8.05 Rule for Striking an Applicant because of Unknown Location.....	Page 29
8.06 Effect of Refusal.....	Page 29
8.07 Disqualification of Eligibles prior to Appointments.....	Page 30
Chapter 9 Appointments.....	Page 31
9.01 Appointments Generally.....	Page 31
9.02 Types of Appointments.....	Page 31
Chapter 10 Probationary Period.....	Page 32
10.01 Purpose of Probationary Period.....	Page 32
10.02 Probationary Status Generally.....	Page 32
10.03 Mandatory Nature of Probationary Period.....	Page 32
10.04 Extension of Probation Period.....	Page 33
10.05 Completion of Probation.....	Page 33
10.06 Discharge During Probationary Period.....	Page 33

Chapter 11 Seniority, Leaves of Absence, Resignation, Promotion, Demotion, Retirement.....	Page 34
11.01 Seniority Generally.....	Page 34
11.02 Military Leave.....	Page 34
11.03 Temporary Disability Leave.....	Page 34
11.04 Permanent Total Disability.....	Page 34
11.05 Partial Total Disability.....	Page 35
11.06 Leave to Take Exempt Position.....	Page 35
11.07 Leave of Absence Without Pay.....	Page 35
11.08 Failure to Return After Leave.....	Page 36
11.09 Resignation.....	Page 36
11.10 Promotion.....	Page 36
11.11 Transfer.....	Page 37
11.12 Layoff.....	Page 37
11.13 Reinstatement.....	Page 37
Chapter 12 Disciplinary Action, Suspension, and Discharge.....	Page 39
12.01 Causes for Warning, Suspension, or Discharge of a Classified Employee.....	Page 39
12.02 Discharge of a Probationary Employee.....	Page 40
12.03 Discharge of a Classified Employee.....	Page 40
12.04 Rights of Employee Under Union Contract with the City of Alton.....	Page 41
Chapter 13 Investigation and Hearings.....	Page 42
13.01 Disciplinary Proceedings.....	Page 42
13.02 Hearing.....	Page 42
13.03 Responsibility of the Hearing Board.....	Page 42
13.04 Nature of Hearing.....	Page 42
13.05 Notification of Time and Place of Hearing.....	Page 43
13.06 Requests for Continuance.....	Page 43
13.07 Attendance at the Hearing.....	Page 43
13.08 Conduct of Persons at Hearing.....	Page 43
13.09 Discovery.....	Page 43
13.10 Report of Hearings.....	Page 44
13.11 Hearing Procedure.....	Page 44
13.12 Investigative Suspension.....	Page 46
13.13 Suspension During Hearing.....	Page 46
13.14 Disciplinary Suspension.....	Page 46
13.15 Causes Justifying Suspension.....	Page 46

DEFINITIONS

- 1) Allocate: the act of assigning each position to a class.
- 2) Applicant: a person requesting permission to take an examination.
- 3) Appoint: the act of the appointing officer, in assigning to positions such applicants as have been certified to him.
- 4) Appointing Authority: a person or persons empowered to appoint or remove employees of the departments wherein they have jurisdiction, subject to the provisions of the Statute, the City ordinances and the Rules of the Alton Civil Service Commission. The Appointing Authority for classified service is the Mayor.
- 5) Assignment (Temporary): the temporary change in duties of a member of the classified service.
- 6) Candidate: a person on an eligibility list, as qualified by examination, seniority, or service.
- 7) Certify: to refer from a list, in accordance with the rules, the name of a candidate who shall be considered for employment. Certify shall also mean acceptance to the Classified Service after successful completion of the probationary period.
- 8) Chief Examiner: the Officer who serves as an agent and secretary of the Commission.
- 9) City Code: Municipal City Code of the City of Alton including all revisions that amend, supersede or repeal the original form dates 1973 and all other ordinances related to the Civil Service Commission.
- 10) City Council: the Aldermen of the City of Alton.
- 11) Civil Service Act: an Act to Regulate Civil Service of Cities, passed March 20, 1895, as amended.
- 12) Class: a position, or a group of positions with similar duties and responsibilities, designated by a short title indicating the kind of work to be done.
- 13) Classification: assignment of a position to a class.
- 14) Classified Employee: an employee occupying a position in the classified service, who has satisfactorily completed the probationary period or any extensions thereof.
- 15) Classified Service: all offices and positions under the jurisdiction of the Commission, which are required to be classified under the provisions of the Statute and City ordinances.
- 16) The Commission: the Civil Service Commission of the City of Alton, Illinois.
- 17) Competitive Examination: an examination in which the candidate or candidates, are in competition against other applicants.
- 18) Department: a major operating unit in the government of the City of Alton, Illinois.
- 19) Dismissed, Discharged and Removed: any case where an employee is separated from his/her position for cause; has his/her name struck from the certified payroll, and all benefits of employment with the

city of Alton are terminated. The terms “removed” and “suspended” are not to be construed as having the same definition. “Suspended” as used in these rules and the proceedings of the Civil Service Commission of the City of Alton is hereinafter defined.

- 20) Eligible: a person whose name has been placed on an employment, reemployment, or promotional list for a given class.
- 21) Eligibility List: is a list of one or more candidates by rank who have qualified for appointment to a position within a certain class.
- 22) Employee: an incumbent legally employed to perform the work of a position.
- 23) Examination: all the tests of fitness; taken together, that are applied to determine the fitness of applicants for positions in the classified service. Any judgement of an individual candidate, by whatever means, that is approved by the Commission and that affects an employment decision may be construed as an examination for the purposes of these rules.
- 24) Fraud: any act of deceit, misrepresentation, communication of false information, failure to fully disclose relevant information requested, breach of confidential information, or trickery perpetrated for profit or to gain some unfair or dishonest advantage.
- 25) Good Standing: an employee who has no active disciplinary action (e.g., notices to correct, written reprimands, or suspensions) at the time of consideration for other employment opportunities within the City of Alton. “Active discipline” is defined as a period of time ranging from 0 to 24 months from issuance of the disciplinary action.
- 26) Grade: a designation of a rate of pay that is prescribed by ordinance and assigned to a specific position or positions.
- 27) Lay-Off: a separation of any employee from the City services, which has been made necessary by lack of work or funds, or for other reasons not related to fault, delinquency, or misconduct on the part of the employee.
- 28) New Position: the creation of a position, by ordinance, or resolution by the City council upon concurrence of the Commission, which has heretofore not existed in the organization of any City Department or Unit.
- 29) Permanent Employee: any employee who has satisfactorily completed the prescribed probationary working test period, whether full time or part time.
- 30) Promotional Lists: a list of names arranged in the order of total suitability for promotion as determined by methods approved by the Commission.
- 31) Promotional Progression: the judgement by the Commission of some logical relationship between positions such that service in the lower position(s) constitutes significant, desirable or necessary experience, knowledge or skill for the related higher position.
- 32) Public Notice: any publication required by the Civil Service Act, the City Code, or these rules.
- 33) Original Entrance Examination: open and competitive tests held to determine the fitness of applicants for appointment to position of a certain class.
- 34) Position: a group of duties and responsibilities, assigned or delegated by competent authority,

requiring the full-time service of one person, or the permanent part-time service of one or more persons, but not including seasonal, temporary part-time or intern positions.

- 35) Promotion: a change of employment from a position of one class to a position of another class, which has a higher minimum rate of pay.
- 36) Promotional Examination: a competitive test, or a combination of tests, to determine the fitness of applicants for appointment to positions of a certain position in the Classified Service and open only to classified employees on active duty in the grade from which promotion is sought.
- 37) Resignation: an act by which an employee voluntarily separates himself from his employment.
- 38) Rules: the Rules of the Civil Service Commission of the City of Alton.
- 39) Seasonal Employee: an unclassified employee hired outside the provision of these rules whose services are required only during parts of each year and whose employment does not exceed 120 days in a calendar year and does not exceed 960 hours within the 120 days.
- 40) Seniority: a status, which accrues after completion of the probationary period, a term used to describe time worked in a class computed in accordance with the provisions of the Statute and these Rules.
- 41) Statute: the Act of the General Assembly of Illinois entitled *An Act Relating to the Civil Service of Cities* approved March 20, 1895, and subsequent amendments.
- 42) Suspension: the temporary debarring of a member of the Classified Service or probationary employee from his position and the performance of functions and privileges due that position, with or without pay.
- 43) Temporary Employee: one hired to prevent the stoppage of public business, or to meet extraordinary exigencies, by the head of any department or office may, with the approval of the Commission, to make temporary appointment to remain in force not exceeding 120 days, and only until regular appointments can be made.
- 44) Termination: the final action to end the employment of a classified employee with the City of Alton.
- 45) Title: the short designation of a class.
- 46) Unclassified Employee: an individual occupying a position in the unclassified service.
- 47) Unclassified Service: all those positions in the City service specifically exempted from the Civil service under the provisions of the Civil Service Act, the City Code, and these Rules.
- 48) Vacancy: a position duly created, which is not occupied, and for which a valid requisition has been received by the Commission.

Chapter 1: Rules Generally

1.01—General Purpose

The general purpose of the Civil Service Rules of the City of Alton, is to conform to the goals of the Civil Service Act under the authority of a referendum vote of the People of the City of Alton, on April 14, 1926. The Civil Service Commission of the City of Alton approved and adopted the following rules for providing an orderly system by which the purposes authorized by referendum and by the State of Illinois may be carried out.

- A. It is the aim of these rules, to provide guidance and direction in the selection, promotion, discipline, and discharge of members of the classified service of the City of Alton.
- B. These rules shall include policies and procedures for employment activities related to Civil Service jurisdiction as set forth in the Civil Service Act of Illinois.

1.02—Objective of Rules

The fundamental objectives of these rules are:

- A. To promote efficiency in the City Classified Service;
- B. To recommend and maintain a uniform plan of classification based upon relative duties and responsibilities of classified positions;
- C. To provide fair and equal opportunity to all qualified individuals who shall enter City employment of the basis of demonstrated merit and fitness as ascertained through fair and practical methods of selection;
- D. To encourage high morale among City employees in protecting and promoting the rights and equitable treatment of members of the classified service; and
- E. To define and outline the duties, functions, and responsibilities of the Civil Service Commission of the City of Alton, and to provide the authoritative methods by and through which they shall be accomplished.

1.03—Applicability of Rules

This 2016 revision of the rules supersedes and replaces “in toto” the prior Rules of the Civil Service Commission of the City of Alton, Illinois. These rules, adopted by the Commission, may have general or limited application.

1.04—Severability of Rules

These rules shall remain in effect until changed, amended, or withdrawn.

- A. The following occurrences shall not affect the validity of any other chapter or part of the same chapter of these rules:
 - 1) The finding of any chapter or part of a chapter of these rules, or any amendment thereto, by any court or authority of competent jurisdiction, to be invalid, illegal, unconstitutional or unenforceable;
 - 2) Any change in the form of City Government;
 - 3) Valid instituted ordinance which renders a portion of these rules inapplicable; or
 - 4) A determination that as to any specific union or group of employees a previous rule or rules shall remain in effect.

- B. The Civil Service Commission of the City of Alton reserves the right in the event of a legal and appropriate invalidation of a portion of these rules, by decree or circumstance, to interpret the matters previously covered by said invalidated rules.

1.05—Availability of Rules

All the rules of the Commission shall be public, printed, and available for distribution. A confirmed copy of the current rules shall be available for inspection at any reasonable business hour in the Commission Office and shall also be on file with the City Clerk and on the City of Alton website.

1.06—Change or Amendment of Rules/Publication

These rules may be changed or amended by the Commission from time to time as provided in the Civil Service Act. An amendment may be adopted by the Commission at the first regular or special meeting at which it is first introduced only if it receives the affirmative vote of all of the Commissioners then holding office. Such a proposed change or amendment not receiving the affirmative vote of all of the Commissioners then holding office may subsequently be adopted by a simple majority of the Commission at the next or later regular or special meeting of the Commission.

These rules and any subsequent changes or amendments thereto shall be published in accordance with the Civil Service Act.

1.07—Communications Concerning Rule Violation or Interpretation Shall be in Writing

The Chairman of the Commission shall require any resolution, instruction, motion or opinion, concerning rule interpretation or violation, directed to the Commission, or any City official, to be in writing and to specifically state the alleged violation of these rules, the chapter and section of any state statute involved, and an outline of the remedy that is requested.

1.08—Effective Date of Rules

Unless otherwise stated, all rules adopted by the Civil Service Commission of the City of Alton shall be in full force and effect at the time of their official adoption and certification by the Commission's secretary and publication in accordance with the Civil Service Act and approval of the City Council by Ordinance.

- A. The Commission's minutes shall reflect acceptance of all rules and shall recite the date of adoption.
- B. These rules shall have prospective application as to substantive matters only and none of these rules shall have retrospective application. Procedural rules shall be effective at the time of adoption.

1.09—Rules and Regulations as Guidelines for Commission

The Commission Rules and Regulations shall constitute guidelines for conducting all business delegated to the Civil Service Commission by statute, ordinance, or the Commission's own appropriately adopted rules.

- A. Where there is no rule governing a subject matter that is clearly under the jurisdiction of the Commission, they shall be guided by the intent and meaning of their rules.
- B. While the Commission is bound by its rules, it may construe such rules as are subject

to construction or interpretation in a light most favorable to the effectuation of the purposes of Civil Service administration.

1.10—Waiver of Rules

Occasions may arise where suspension or waiver of the rules may be in the best interest of good personnel administration and where in a unique situation, a manifest injustice would otherwise result. A unanimous vote of the Commissioners present is required to suspend or waive a rule.

1.11—Departmental Administrative Rules and Regulations Permitted

The Civil Service Commission recognizes the responsibility of the various heads of administrative staffs to establish personnel rules and regulations governing the administration of their departments and the Commission directs that nothing in these Rules shall be construed to prohibit or limit the publication of departmental personnel rules or regulations.

1.12—Department Rules Shall Not Conflict with Civil Service Rules

Departmental Personnel Rules and Regulations may be in addition to the published Civil Service Commission policies, rules and regulations, but shall not be in conflict with them. Any conflict shall be resolved in favor of the Civil Service Commission policies, rules, or regulations.

1.13—Rules of Construction

Generally, all provisions, terms, phrases, and expressions contained in these rules shall be liberally construed in order that the true intent and meaning of the Civil Service Act and the City Code are fulfilled. The headings of rules printed in bold face type are intended to indicate the content of the rules, and shall not be deemed a part of the rule. In the event either the City Code or these rules conflict with the Civil Service Act of Illinois, then the City Code and these rules shall prevail. In the event these rules conflict with any contract entered into by the City with a union representative of a collective bargaining unit, then the contractual agreements of the City shall prevail.

Chapter 2: Administration

2.01—Organization of Commission

- A. The Civil Service Commission of the City of Alton shall hold elections during the third week of May of each year, to select from among its members, a chairman and vice chairman to serve a term of one (1) year each.
- B. The Chief Examiner shall be the ex-officio secretary of the Commission, and shall perform such services as the Commission shall prescribe.
- C. The Deputy Chief Examiner shall perform the duties of the Chief Examiner in the Chief Examiner's absence and shall perform such other duties as the Commission shall prescribe.
- D. The Mayor may appoint any licensed attorney as the Commission's legal advisor, subject to approval of the Commission. The attorney may be removed at any time by the mayor or commission by written notice to the attorney.

2.02—Powers of the Commission

- A. The Civil Service Commission of the City of Alton shall have the power and authority as provided by the Civil Service Act, the City Council and by these rules.
- B. The Commission may, upon its own initiative or upon request by any classified employee, supervisor, City official or citizen, make such inquiries or investigations, and hold such hearings and make such rulings as it may deem to be warranted regarding the administration and effect of the provisions of Civil Service Act and of the Ordinances and Rules adopted in accordance therewith, and make such recommendations to the City Council as in its judgement may be warranted.

2.03—Duties and Responsibilities of Chairman

- A. The Chairman of the Commission shall be elected by the Commission from among its members and shall be supported by the Commission in the role of Commission leadership.
- B. The Commission Chairman shall have the following duties and responsibilities:
 - 1) To administer and direct the affairs of the Commission in accordance with the provisions of the laws of the State of Illinois and the rules, policies and regulations of the Civil Service Commission;
 - 2) To preside over all official meetings of the Commission;
 - 3) To act as the chief planning officer of the Commission with a special obligation to innovate and initiate, to recommend solutions to problems of obsolescence and to exercise leadership in motivating the Commission to address any rule or organizational changes for the betterment or improvement of the total Civil Service system;
 - 4) To ensure that the Civil Service Commissioners' views, including dissenting views, are presented to the City Council and others in areas and on issues of mutual personnel and administrative concerns;
 - 5) To inform the City Council of the views of the Civil Service Commission and the Commissioners in the various personnel issues which from time to time

- confront the City, the Civil Service Commission, and the City employees;
- 6) To be the mediator between the Commission, City Council, Administrative Chiefs of Staff, supervisors, and employees of the City of Alton; and
 - 7) To assume such other duties and responsibilities as may be designated by the Commission's rules, the City Code, or the Civil Service Act.

2.04—Duties and Responsibilities of Vice Chairman

- A. In the absence of the Chairman, the Vice Chairman of the Commission shall preside over all meetings and perform such duties as are imposed by law, these rules, or the Commission. The Vice Chairman is the designated representative of the Commissioners to the public, the City Council, and members of the City Staff in the absence of, or during times when the Chairman is temporarily unavailable.
- B. The Vice Chairman shall serve in the absence of the Chairman and perform such duties as may be designated by these rules for performance by the Chairman.

2.05—Chief Examiner

The Mayor shall appoint an employee of the City, subject to approval of the Commission, as Chief Examiner of the Commission, who may also be the Personnel Director or Deputy Personnel Director of the City of Alton, hereafter referred to as Chief Examiner. The Chief Examiner will not be a classified position, may not be a member of the Commission, and shall be a position exempt from the Civil Service Act. The Chief Examiner shall serve as the Executive Director of the Commission and shall be responsible for extending administrative direction in the carrying out of all duties, functions, and activities assigned to the Commission. Such functions shall include but not be limited to complete and comprehensive classification and examining programs, review of payroll to ascertain that the persons contained therein have been appointed or employed in accordance with Civil Service provisions, certifying eligibles, maintaining all office records, to communicate the Commission's position to the public and Civil Service employees, and such other duties as the Commission may prescribe.

2.06—Basic Duties of the Chief Examiner

- A. As the ex-officio Secretary of the Civil Service Commission of the City of Alton, the Chief Examiner will have the following duties:
 - 1) Notify all members of the Commission of all Commission meetings;
 - 2) Attend all Commission meetings;
 - 3) Record, or see that accurate minutes are recorded, of all meetings of the Commission and see that a copy of all minutes are transmitted to each Commissioner before each regular meeting;
 - 4) Process all financial reports, statements, and prepare the annual report as required by law;
 - 5) Supervise directly or indirectly all examinations as provided by law;
 - 6) Assist in providing continuity via reports of information, past action, and recommendations for the Commission's consideration; and
 - 7) Perform such other duties, as may be required by the Commission
- B. As Chief Examiner, it shall be the Examiner's duty to recommend to the Commission, the following proposed action by the City Council and/or the

Commission as appropriate:

- 1) Rules and regulations for proper administration and development of the Civil Service Commission;
 - 2) Rules and regulations for the preparation of competitive examinations;
 - 3) Provide management advice regarding procedural and professional guidelines governing public service;
 - 4) Prepare the annual budget for Commission approval; and
 - 5) Such other rules, regulations, or policies as seem appropriate to improve any aspect of the Civil Service.
- C. To make recommendations to the Commission concerning qualifications of applicants, preside over the selection procedure and oversee the implementation of eligibility lists and temporary and seasonal appointments.
- D. To facilitate the actions and proceedings of the Commission.
- E. To review City Employment rosters to ascertain that positions, salaries, and other data are in keeping with Civil Service rules and regulations.
- F. To assist department heads and employees, when requested with any plans or programs related to the Civil Service.
- G. To respond to public and employee inquiries regarding Commission rules, practices or procedure.

2.07—Deputy Chief Examiner

The Commission may appoint a person as Deputy Chief Examiner of the Commission. The Deputy Chief Examiner will not be a classified position, may not be a member of the Commission and shall be a position exempted from the Civil Service Act. The Deputy Chief Examiner shall have all the duties of the Chief Examiner in his/her absence including acting as Ex-Officio Secretary of the Commission and such other duties as may be assigned from time to time by the Commission.

2.08—Special Examiners

The Commission may designate persons in or out of the Civil Service to serve as examiners or assistant examiners, with such compensation as may be agreed upon between the person so employed and the Commission. Special Examiners are contractual employees and are not to be considered as classified employees.

2.09—Other Employees

The Commission may from time to time appoint or employ such additional employees, special assistants, experts, professional advisors, secretarial or clerical assistants, or otherwise provide for staffing as it deems to be appropriate, whether as an employee or on a contractual basis.

2.10—Commission Meetings

All meetings of the Commission shall be held in accordance with the Open Meetings Act. The Commission shall annually establish regular meeting dates and times. Special meetings may be called from time to time by the Chairman or any two of the Commissioners.

2.11—Quorum

Two (2) Civil Service Commissioners shall constitute a quorum. For purposes of this chapter, the Chairman and Vice Chairman shall be considered as Commissioners. No Commission business, Commission opinion, or decision of the Commission shall be conducted or rendered without the presence of a quorum, except as otherwise herein provided.

2.12—Commission Practice and Rules of Order

The Commission shall not be bound by any rules of order, evidence, or procedure at its meetings, hearings, examinations, or investigations, except such as it may establish or adopt. However, the following shall be considered at each regular meeting of the Commission:

- 1) Reading of Minutes;
- 2) Consideration of reports;
- 3) Unfinished business; and
- 4) New business, including correspondence.

2.13—Authority of Individual Commissioners

Commissioners shall have authority only when acting as Commissioner in a legal session or while going to or from, or while in the performance of authorized Commission activities. The Commission will not be bound by statements of any individual Commissioner, except when such statement or action is pursuant to specific instructions of the Commission.

2.14—Publications and Publicity

The preparation of all official publications of the Civil Service Commission intended for general distribution or release to the public and the press will be supervised and released only under the direction of the entire Commission.

2.15—Annual Budget

The Commission shall review for approval the annual budget by the Chief Examiner.

2.16—Purchasing Policy

The Chief Examiner, acting under the direction of the Commission, is the only agent of the Commission authorized to order supplies, materials and/or major equipment and to obligate the Commission for service.

Chapter 3: RECORDS

3.01—Records Generally

The Alton Civil Service Commission shall maintain, authorize and direct the Chief Examiner to maintain such records, documents, and rosters as are dictated by the applicable state and federal laws, and guidelines; and shall keep such additional records as the Commission deems necessary for the effectuation of Civil Service business.

- A. Such records include but are not limited to:
 - 1) Complete documentation of all examination schemes including validity reports, names and addresses of each applicant, and their individual exams and test results;
 - 2) Minutes of all official Commission meetings;
 - 3) A file for all written Commission disciplinary findings and decisions
 - 4) All certified eligibility lists;
 - 5) All correspondence to and from employees, the City Council, organizations, or the public that relates to a Commission finding, decision, or policy;
 - 6) Civil Service Rules, past and present, together with all additions, deletions, modifications or amendments;
 - 7) The employment status and classification of all City employees;
 - 8) All applications for employment received by the Commission; and
 - 9) Transcripts of all hearings.
- B. The Commission shall follow all applicable state and federal regulations with regard to record retention or destruction.

3.02—Access to Commission and Personnel Records

- A. Commission Records and Personnel Records shall be in conformity with the Freedom of Information Act, the Open Meetings Act, the Review of Personnel Records Act, and as otherwise provided by law.
- B. Commission shall keep such records as it deems fit in order to assist itself in its functions.

Chapter 4: CLASSIFICATION PLAN

4.01—Classification Plan

The Commission shall maintain a plan to be known as the Classification Plan of the Civil Service of the City of Alton by which positions in the classified service shall be assigned to such classes as may be deemed desirable by the Commission.

The Commission reserves the power to amend this classification plan in order to establish new classes, abolish existing classes or to combine two or more existing classes. The Commission shall have no power to create or abolish positions.

4.02—Class Specifications

The Civil Service Commission and the Chief Examiner shall establish and maintain in the personnel office of the City of Alton a copy of the specifications currently in force for each class of positions. This copy of the specifications for various classes shall be open to inspection by the public during office hours. These specifications shall include:

- A. The official title of each class;
- B. A statement of the nature of work, examples or work, duties to be performed and responsibilities exercised for each position;
- C. Minimum qualifications necessary to be considered eligible to take the examinations;
and
- D. Any special qualifications necessary for successful performance in the position.

All qualifications and revisions thereto shall be submitted by the Appointing Authority to the Commission for approval.

4.03—Content and Meaning of Class Specifications

The specifications for any position or class are intended to be descriptive only, not restrictive. The employee is expected to perform any related tasks or under emergency conditions, any reasonable task as required by the department head.

4.04—Classification of New Positions

Before a new position is established, the Appointing Authority shall recommend to the Commission its allocation to an appropriate class. The department head desiring to establish a new position shall present, through the Appointing Authority, to the Commission a full statement of the duties, responsibilities of the new positions, together with his recommendations regarding title, qualifications needed and rates of compensation.

4.05—Changes in Duties

No substantial change in duties or responsibilities, of any existing position shall be made, without the approval of the Appointing Authority. Any permanent changes that may result in a change in qualifications and requirements must be approved by the Commission through a request that a new position be created in accordance with procedures set forth in Section 4.04.

4.06—Changes in Title - Changes in Allocation

In any case in which an employee has qualified for a position under one title, and the title of the position has been changed, the incumbent shall have the right to hold that position under its new title. However, when an incumbent holds a position that is reallocated to a class with a higher minimum pay and with greater duties and responsibilities requiring higher qualifications, the person formerly holding the position shall not automatically become eligible to continue therein. The appointing authority may fill the position by certification from the appropriate eligibility list or may promote the incumbent providing that she/he meets the position requirements. If the incumbent is not promoted, she or he may be transferred to any open position for which she or he qualifies. If the former incumbent is not otherwise placed, the person's name shall be placed on the re-employment register for that position for which she/he is qualified.

4.07—Use of Official Title

When a position is allocated to a class, the class title shall become the title of the position and shall be used in all records and communications referring to that position.

4.08—Change of Compensation

Changing the compensation of any position in the classified service, whether by ordinance or otherwise, shall not affect the tenure of the incumbent of such office unless such a change involves a change in duties and responsibilities.

4.09—Exemptions from the Classified Service

The classification plan shall include all classes as approved and from time to time amended by the Civil Service Commission except those exempted by Chapter 24, Article 10, Division 1, Section 10-17 and Chapter 24, 3-7-6 of the Statutes and the Home Rule Ordinance.

Not to be included in the classified service are:

- A. Officers who are elected by the people;
- B. Officers who are elected by the City Council or whose appointment is subject to approval by the City Council;
- C. Heads of principal departments and divisions of the City;
- D. Seasonal employees whose employment does not exceed 120 work days in any fiscal year;
- E. One private secretary or deputy to serve the elected Mayor, Treasurer, and Clerk;
- F. City Engineer;
- G. City Attorney; and
- H. Part-time employees as defined in the Ordinance.

4.10–Reclassification Criteria

- A. The rationale to reclassify a position to a different pay grade may include any modifications to the Essential Functions, Qualifications, and/or Responsibilities assigned to a position that no longer maintains standards of the current job classification. The following are intended to be illustrative rather than restrictive.
- B. Factors that determine the need for reclassification:
- 1) Complexity of Work;
 - 2) Access to Confidential Information;
 - 3) Independence of Action;
 - 4) Organizational Accountability;
 - 5) Fiscal Responsibility; and
 - 6) Supervision Exercised.
- C. Factors that do NOT result in reclassification:
- 1) Longevity – The basis for the request is due to the incumbent not receiving a salary increase because he/she has reached the maximum of the pay band or because the incumbent is a long-term employee;
 - 2) Future Assignments – The basis for the request is due to duties or responsibilities which may be incorporated into the position at a future time;
 - 3) Increased Volume – The basis for the request is due to an increase in volume of work, but the complexities of the duties/responsibilities remain the same;
 - 4) Financial Need – The basis for the request is due to a financial need of the incumbent;
 - 5) Retention – The basis for the request is due to job offers or market salary data;
 - 6) Performance-Related Characteristics – The basis for the request is due to performance behaviors such as initiative, efficiency, positive customer service, etc. These characteristics, as well as personality traits (loyal, dedicated, hard-working, etc.) are not part of the classification process and cannot be considered in the review; and
 - 7) Parity with Other Positions – The basis for the request is to bring the position in line with other positions in the department/division, but the duties/responsibilities remain the same.

Chapter 5: Requisitions

5.01—All Classified Positions shall be filled by Requisitions from Department Heads of the City of Alton. The Commission shall be notified of the need to fill a position in the classified service by a requisition. The Commission shall be informed of all full-time employment in the entire City Service by copies of requisitions.

- A. The requisition shall include the following:
 - 1) Department Name;
 - 2) Date of Request;
 - 3) Reason for Request;
 - 4) Date position is to be filled;
 - 5) Position Title;
 - 6) Duration/hours of position;
 - 7) Verification of job description;
 - 8) Any special condition of employment;
 - 9) Designated rate of pay; and
 - 10) Signed and dated by Department Head, Mayor and Comptroller
- B. The Commission shall be similarly notified of the need for a temporary position so that eligible on current permanent lists can be notified.
- C. No requisition shall be acted upon that does not reflect the appropriate signatures.
- D. Requisitions are required for all classified positions in the City of Alton, regardless whether the position is temporary, part time, emergency or full time.
- E. A position is not considered vacant until such time as a requisition is received by the Commission to fill that position.

Chapter 6: Applications

6.01—Notice of Job Openings

A. All open positions shall be posted Internally following each bargaining unit's contract regulations. During this period, candidates that work for the City in an Appointed or Civil Service position shall be allowed to turn in applications as well as Union Members, pending they meet job qualifications.

Open positions shall be filled and an eligibility list organized in the following order:

1. Senior most qualified union member
2. All other qualified union members
3. Any qualified full time non-union member

Should a non-union employee be given and accept an open position, he/she will not have the ability to return to their previous position should they not make it through the full probation period for any reason, as practiced with union employees.

Positions that will be exempt from this rule are Firefighter, Police Officer, and Jailer, as they have lists generated with rigorous testing procedures for entry positions every year or every other year.

B. Notice of all job openings shall be given by the Chief Examiner by posting the opening in the lobby of City Hall and by publication in a newspaper of general circulation published in the City of Alton, not less than 14 days prior to the application deadline.

6.02—Application Forms

Applications for examination shall be filed upon forms furnished by the Chief Examiner, and applicants must comply with the requirements of said forms in every respect. Electronically transmitted applications may be accepted with the approval of the Chief Examiner. Incomplete applications may be found unacceptable as determined by the Chief Examiner.

6.03—Fraud in Applications

Any person who, individually or in cooperation with any other person or persons, submits information, documents or records of a false nature so as to misrepresent the application for examination, shall be excluded from the examination. If fraud in a person's standard application becomes known to the Commission subsequent to said person's placement on an eligible list or said person's appointment to a position, the Commission may strike said person's name from any eligible register or dismiss said person from the service, provided that said person shall be given written notice and have an opportunity to be heard by the Commission in his or her own defense prior to the Commission's action.

6.04—Admittance to the Examination

No person who has not filled out an approved application form by the deadline date determined and posted by the Chief Examiner will be admitted to a promotional or original entry examination. All applicants eligible for examinations will be notified of the exam date, time and location by the Chief Examiner by the telephone, email or address supplied by the applicant. It shall be the responsibility of the applicant to ensure the Chief Examiner has on file the current phone number, address and email, if any, to contact the applicant.

No person shall knowingly be admitted to any element of any examination who does not meet the minimum qualifications established for the position. The fact that a person is admitted to an element of an examination will not be considered as evidence that he or she is qualified or eligible for the position.

6.05—Disqualification

The Commission may refuse to examine an applicant or after examinations, to certify him/her as eligible:

- A. Who is found lacking any of the established preliminary requirements for the service for which he or she applied;
- B. Who is physically unable to perform the duties of the position to which he or she seeks appointment;
- C. Who may be found disqualified in personal qualifications;
- D. Who does not possess a high school education or its equivalent;
- E. Who fails to completely answer the questions required by the application form or fails to place signature thereon and submit within the required deadline; and
- F. Any person discharged for cause from City employment may not seek reemployment with the City in a Civil Service position for a period of two (2) years from the final date of discharge.

Any applicant deemed disqualified hereunder, shall be notified by the Commission.

6.06—Pre-Screening of Applicants

The Commission may allow the pre-screening of applications when the number of applicants is excessive and unwieldy and the number of positions to be filled through the life of the list is anticipated to be small.

6.07—Drawing by Lot

In rare instances, such as in some unskilled labor positions where large numbers of applicants are found to be, for practical purposes, equally qualified, the Commission may allow a drawing by lot to determine the order of eligibles upon the eligibility list or order of interview.

6.08—Physical Examination

The Commission may set minimum physical and medical standards for any position. The

Commission may refuse to certify any candidate for an original entry or promotional position who fails the physical examination.

6.09—Questions on Religious or Political Affiliation or Opinions

At no time during the examination process will there be any questions relating to religious or political opinions or affiliations.

6.10—Religious or Political Affiliation

A person's religious or political affiliation will not be a consideration for employment.

6.11—Age Requirements

All applicants shall have attained the age of 18 at the time of application. Persons applying for the positions of the Police Officer and Firefighter shall be within the ages set forth in the Illinois Civil Service Act by the close of the application period.

6.12—Release of Liability

All applicants shall execute and deliver to the Commission a release of all liability as the result of taking a “Physical Aptitude Test” in favor of the City of Alton on a form to be prescribed by the Commission.

6.13—Licenses/Certifications, Etc.

- A. Applicants for some positions may be required to hold certain licenses, certificates, permits or have specific experience to perform certain positions. Failure to hold such licenses, certificates, etc. at the close of the application period shall be a basis to deny further testing.
- B. Certain positions may require that probationary employees obtain licenses, certificates, credentials, or permits to perform specific tasks within the position to which they have been employed. Failure to obtain said licenses, etc., during the probationary period shall be basis for termination.

Chapter 7: Character & Conduct of Examinations

7.01—Character of Examinations

Examinations for positions in the City of Alton shall be so constructed as to test fairly the skills, knowledge, abilities, and fitness of the persons examined to discharge the duties of the position to which they seek to be appointed, and may consist, as the Commission prescribes, of any appropriate and valid test instruments and measure designated by the Commission's Chief Examiner.

The following divisions are examples of exams to be utilized by the Chief Examiner to determine the qualifications and ranking of applicants:

- A. Examinations may be written, oral, by statement of training and experience, in the form of tests of knowledge, skill, capacity, intellect, aptitude, physical ability; or, by any other method, which in the judgment of the Chief Examiner is reasonable and practical for any particular classification. Different examining procedures may be determined for the examinations in different classifications.
- B. Practical tests of ability to perform the duties of the position such as preparation of reports or memoranda, actual performance of work similar to that of the position involved, or other practical, manual, or mechanical tests.
- C. Physical tests and medical examinations.
- D. Independent investigation of the psychological suitability, temperament, and ability to meet the public or deal with people -- or any other factors which may bear upon the applicant's capacity or fitness for the position.
- E. Investigation and consideration of experience or merit in the performance of the work of positions of like or similar character. Any applicant may be rejected by the Commission before examination if his application shows failure to meet the qualifications for the position. The divisions of any examination may be held in any order, and may be administered to applicants in assembled groups or individually, as the Commission may prescribe.

7.02—Cancellation, Postponement and Rescheduling of Examinations

- A. The Chief Examiner may cancel or postpone any examination when there is an insufficient number of qualified candidates or for any other reason the Commission may deem necessary.
- B. In the event of an examination cancellation, applicants must be notified of their status or of an alternate testing date.
- C. In the event an applicant fails to appear for a scheduled examination, the applicant shall be disqualified from further consideration for that position at that time.

7.03—Special Examination Administration

Any applicant wishing a special type of test given due to problems of language or handicap must inform the Commission of such request in writing and state therein the reasons for the

request, at least ten (10) days in advance so as not to hinder the examining schedule.

7.04—Supervision of Examinations

All examinations shall be under the directions of the Commission, Chief Examiner, Deputy Chief Examiner, or some appropriate professional designated by the Commission or Chief Examiner.

7.05—Conduct of Applicants during Examinations

The Commission, through its Chief Examiner, reserves the right to expel from the testing area any applicant for:

- A. Repeated boisterousness that could interfere with other applicants' rights to fair testing environments;
- B. Obvious incapacity, which shall be documented;
- C. Any action that would cause a reasonable individual to doubt the sincerity of the applicants' intention of employment with the City, or any attempt to disrupt professional decorum;
- D. Cheating or falsifying any answers; or
- E. Any individual expelled from a test area may not petition for a special examination but may make reapplication for the position being sought

7.06—Acceptance of Examination by Commission

- A. No examination procedure shall be deemed complete until all scoring has been accomplished and the results accepted by the Commission.
- B. The Commission may, for good cause shown after reviewing the results of an examination, reject it and order another examination held.
- C. A person may be tentatively placed on an eligibility list, but no person shall acquire any rights thereby, until all examinations required of said individual have been accepted and the eligibility list made final.

7.07—Examination Modification—Severability

In the event that a portion or portions of an examination that has already been held and scored is determined to be in error or invalid; it need not invalidate the balance of the examination or selection procedure.

7.08—Type of Examinations

Applicants must attend the orientation program sponsored by the Commission when applicable. Failure to attend an orientation, scheduled test or exam shall be basis for denial of application. In addition, applicants may be required to participate in a physical aptitude test; written and oral examinations; and such other tests or examinations as the Commission determines to be appropriate. No examination shall contain questions regarding applicant's political or religious opinions or affiliations. The exact text and sequence of tests will vary from position to position and will be determined by the Commission on its sound discretion.

7.09—Original Examination- Minimum Grade

Original examinations will include in the following areas, unless otherwise determined by the Commission, to fit the needs of a particular position. Failure to achieve the minimum passing grade in any examination disqualifies the applicant from any further participation.

<u>Examinations</u>	<u>% of Total Grade</u>	<u>Minimum Passing</u>
Orientation (where applicable) Mandatory	--	Attendance
Physical Aptitude Test	--	Pass or Fail
Written Test (Eligibility List Published)	100%	*
Background Investigation	--	Pass or Fail
Psychological Examination	--	Pass or Fail
Medical Examination	--	Pass or Fail
Oral Interview	--	Pass or Fail

*To be announced by the Commission prior to conducting the examination and may vary based upon the examination or the testing agency used by the Commission.

7.10—Notification of Examination Results

Within (60) days after completion of an examination; candidates shall be notified of their results in writing by mail or email such notice to the applicant at the address stated on the application or by posting the notice.

7.11—Initial Eligibility List

- A. The Chief Examiner will prepare an “Initial Eligibility List” of the candidates successfully completing the orientation, physical aptitude, and written test. The candidates will be listed in order of excellence based on their final weighted score. Such list will be posted in accordance with the Civil Service Rules.
- B. Appointment from this Initial Eligibility List maybe subject to satisfactorily passing an In-Depth-Psychological Examination, Background Investigation, a Medical Examination which may include a test screen for the use of drugs and/or narcotics, and satisfactory completion of oral test.

7.12—Preference Points

- A. POLICE. Persons who have been awarded a certificate attesting to the successful completion of the Minimum Standards Basic Law Enforcement Training Course as provided in the Illinois Police Training Act and who are currently serving as a law enforcement officer on a part-time or full-time basis within the State of Illinois, shall be preferred for original appointment to the positions of police officer. Such qualified persons shall be entitled to have five (5) points added the final grade average which they receive or will receive as the result of any examination held for original entrance if that grade average is 70 or higher.
One point will be awarded current Dispatchers and Jailers of the City of Alton for

successful completion of probation with an additional point being awarded for every following six-month period of continuous service up to a maximum of (6) points

- B. **FIREFIGHTER.** With an Associate or Bachelor’s Degree in Fire Science or Emergency Services from an accredited college, five (5) points shall be added to the final grade evaluation with transcript showing degree attained. If the applicant can prove residency in the City of Alton with a Driver’s License and Occupancy Permit an additional five (5) points may be added to the final grade evaluation if that grade evaluation is 70 or higher.
- C. **MILITARY.** Persons who were engaged in the military or naval service of the United States for a period of at least one year and who were honorably discharged therefrom, or who are now or may hereafter be on inactive or reserve duty in such military or naval service (not including, however, in the case of offices, positions and places of employment in the police department, persons who were convicted by court-martial of disobedience of orders, where such disobedience consisted in the refusal to perform military service on the ground of religious or conscientious objections against war) shall be deemed to be Veterans and are preferred for appointments to civil offices, positions, and places of employment in the classified service of the City coming under the provisions of the Civil Service Division of the Municipal Code, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such office, position, or place of employment as determined by examination. Such qualified persons shall be entitled to have five (5) points added to the final grade average which they receive or will receive as the result of any examination held for original entrance if that grade average is 70 or higher.
- D. **JAILER.** One preference point will be awarded to a non-Alton PD Correctional Officer for successful completion of one year of service with their respective agency and an additional point being awarded for every following six (6) month period of continuous service up to a maximum of three (3) points with proof of employment and/or employment verification.

7.13—Promotional Examinations

Commission will conduct promotional examinations in accordance with the City Code and these rules.

- A. The final Promotional Examination score shall be determined as follows:

Written Test Score- maximum	60 points
Oral Test Score-maximum	40 points
Seniority points- maximum	<u>15 points</u>
TOTAL MAXIMUM POINTS	115 points

Seniority

- (2) Points for each complete year of the first five years, and (1) point for each complete year of the next five years of continuous Classified service for a total maximum of 15 points.

- B. The Commission may, at its discretion, choose to conduct only written or oral examination to fit the particular needs of the particular promotion.

- C. The collective bargaining agreement applicable to each department shall control the promotional process if in conflict with these rules.

7.14—Promotional Examinations for Fire and Police Officers

- A. Applicants for promotion shall be required to obtain a composite test score of 70 or higher, unless otherwise stated in their contract.
- B. All candidates shall be allowed to participate in all components of the testing process irrespective of their score on any one component. If a candidate fails to participate in any one component of the testing process, that candidate will not be placed on the final promotion list.
- C. The final promotional examination scores as well as seniority points shall be weighted as outlined in each Collective Bargaining Agreement.

7.15—Lateral Entry as Police Patrolman

- A. Those who may apply to be considered for a lateral entry positions will meet one of the following criteria:
- i. Any person currently employed as a full-time, sworn police officer who has completed a state-certified police academy and has been with their respective law enforcement agency for at least 2 years. Such applications must have completed the probationary requirements of their current position as a police officer and be in good standing with their current agency with no discipline decisions pending; or,
 - ii. Any person previously employed within the last twelve (12) months as a full-time, sworn police officer who has completed a state-certified police academy, was with their respective law enforcement agency for at least 2 years, and was laid off for financial or budgetary reasons from their agency; or,
 - iii. Any person previously employed within the last ninety (90) days as a full-time, sworn police officer who has completed a state-certified police academy and was with their respective law enforcement agency for at least 2 years. Such applicants must have completed the probationary requirements of their former position as a police officer and left in good standing with their former agency.

All officers must provide documentation of State of Illinois certification by the Law Enforcement Training and Standards Board with no more than forty (40) hours of training required by that Board for recertification, if necessary. Applicants who gained their experience as full-time police officers outside of the State of Illinois must provide documentation that they have fulfilled the requirements of their training boards to be certified as a full-time law enforcement officer. Certification by the state of employment outside Illinois will be accepted provided the certification will be accepted and recognized by the Illinois law Enforcement Training and Standards Board with no more than forty (40) hours of training required but hat

Board for recertification, if necessary. (Part-time certification as a law enforcement officer does not meet this requirement.)

B. All applicants in the Lateral Entry Process must meet the minimum qualifications as outlined in Chapter 6.

C. To be considered for lateral entry, a completed application must be submitted to the Chief Examiner of the Civil Service Commission. All lateral entry applicants must provide documentation to show that their current responsibilities and duties are similar to those of a Police Officer in the City. Lateral entry applicants who meet the aforementioned requirements and have been selected for lateral entry will not be required to attend orientation or take the entry level written examination. However, all lateral entry candidates shall successfully complete all other phases of the entry-level process before an offer of employment is given.

D. Incomplete applications received by the Civil Service Commission may be cause for immediate disqualification from the examination process.

E. All applicants that apply and are selected for lateral entry will be placed in order of excellence on the Lateral Entry Eligibility List based on their individual interviews with the Civil Service Commission. No preference points will be applied to lateral entry applicants.

F. The Commission may direct that a Lateral Entry testing occur if the Commission deems it may be necessary to have a more limited pool of candidates available from which to consider employment. Applicants may participate in both the Lateral Entry Process and the traditional testing process.

G. The Commission shall maintain a Lateral Entry Eligibility List and the traditional testing Eligibility List. It is anticipated that new hires will be granted a conditional offer of employment from each list on an alternating basis. The Lateral Entry Eligibility List may be established and terminated at the discretion of the Civil Service Commission.

H. The following examination may be conducted by the Commission for Lateral Entry candidates. The sequence of testing may vary at the discretion of the Commission. Failure to achieve the minimum passing grade in any examination disqualifies the applicant from any further participation. Each weighted component of the examination process shall be based upon a scale of 1 to 100.

LATERAL ENTRY

Examinations	% of Total Grade	Minimum Passing
Oral Interview(s)	----	Pass or Fail
Background Investigation	----	Pass or Fail
CONDITIONAL OFFER OF EMPLOYMENT		
Psychological Examination	----	Pass or Fail
Medical Examination(s)	----	Pass or Fail

Chapter 8: Eligibility Lists

8.01—Lists Generally

Eligibility lists shall be established in accordance with the Civil Service Rules. An original entry register may be prepared for any position in the classified service. In addition or alternatively, the appointing authority may utilize any selection procedure authorized by the Ordinance of the City of Alton or these rules.

8.02—Rank and Ties

Names of persons who have passed the examination will be placed on eligibility lists for such class in order of relative grades received without reference to priority time of examination. Ties in the final scores shall be resolved by arranging names of such eligibles according to their ratings on that part of the examination which has the greater weight; and if still not resolved, by order of application for examination.

8.03—Duration of Entry and Promotional Lists

- A. Except as otherwise stated in this section and the City Code, entry and promotional lists shall remain in full force and effect in accordance with these Rules and as may be determined by the Commission unless controlled by an existing collective bargaining agreement.
- B. As to the original applicants other than Firefighters, the eligibility list shall expire one year from the date of the posting of the Final eligibility list.
- C. As to candidates for entry level position as certified Firefighter, the final eligibility list shall expire two (2) years from its posting.

8.04—Contact Information of Applicants

The Commission shall have no duty to update its records unless the change is requested by the applicant in writing.

- A. Applicants for Classified Service positions shall be responsible for reporting change of name, address, phone number, email address or other significant employment information promptly to the Commission.
- B. The Commission's records will be presumed correct and it shall be the applicant's burden to show notification of changes to the Commission.

8.05—Rule for Striking an Applicant because of Unknown Location

An applicant shall be stricken when any mailed communication to the address of record is returned or not replied to within three (3) days of presumed receipt.

8.06—Effect of Refusal

- A. When a certified applicant for an entry level position refuses an offer of employment such an applicant may be stricken from said list.
- B. A certified applicant for an entry level position shall notify the Civil Service Commission of his or her intention to accept or refuse an offer within three (3) business days from the time of notification by the Civil Service Office, excluding weekends and legal city holidays. Failure to respond within such period shall

constitute a refusal.

8.07—Disqualification of Eligibles prior to Appointments

- A. The Commission may, on its own motion, strike a name from a published list of eligible for any reason that could bear on the candidate's suitability, desire, or ability for employment. Such reasons include but are not limited to:
- 1) Appointment of the eligible from that list of eligibles;
 - 2) Death of an eligible;
 - 3) Unknown location of eligible as otherwise provided herein;
 - 4) Conviction of a felony impacting suitability for placement in a particular position;
 - 5) Attempt by an eligible to practice any deception or fraud in connection with the selection procedure;
 - 6) Information that the eligible lacks any of the qualifications required for the class for which he/she was erroneously declared eligible;
 - 7) Request for removal by an eligible;
 - 8) Failure to respond to an employment offer as otherwise provided herein;
 - 9) Change in classification or testing standards as otherwise provided herein;
 - 10) Physical or mental incapacity occurring or discovered subsequent to list placement for which no reasonable accommodation can be made;
 - 11) False statements upon application or during interview; and
 - 12) Failure to complete and pass all required testing.
- B. An applicant may apply for and be placed on more than one eligibility list for employment with the City of Alton. However, an applicant, upon accepting employment as either a Police Officer or Firefighter, shall have his or her name stricken from all other eligibility lists. Such person may apply for any position with the City of Alton after the completion of the probationary period, but not during such probationary period.

Chapter 9: Appointments

9.01—Appointments Generally

The Commission shall have the exclusive authority to certify the appointment of an eligible for positions encompassed by the Civil Service.

- A. No department of the City of Alton may fill a permanent Classified Service position with any individual not appropriately certified from an eligibility list approved by the Civil Service Commission.
- B. When the position to be filled is an entrance position, the appointing authority may select only the highest ranking individual from the appropriate eligibility list, who has passed all Civil Service requirements.
- C. Positions are to be filled from initial eligibility lists and promotional eligibility lists in accordance with the Civil Service Rules, or applicable Collective Bargaining Agreement.

9.02—Types of Appointments

A. Emergency Appointment.

In any case where no appropriate eligible register for a requisitioned position exists, the head of any department may nominate a member of the classified service to the Commission for temporary appointment not to exceed 120 days. If the Commission finds that person to possess the necessary experience, training and other qualifications for the position, that person may be appointed to fill the existing vacancy pending the establishment of an appropriate eligible register and the making of appointments therefrom.

B. Regular Appointments.

Regular appointments are appointments to Classified Service positions from certified eligibility lists at the entrance or promotional level or reemployment lists as provided for elsewhere in these rules. Entrance appointees shall serve the prescribed probation and shall become regular Classified Service employees at the expiration of a successful probation period.

Chapter 10: Probationary Period

10.01—Purpose of Probationary Period

The purpose of probation is to comply with the City Code and these rules; and to provide the employer with an opportunity to observe and rate an appointee's job performance, and such other factors required by the position, prior to certification. "Probation" shall be synonymous with "working test period."

10.02—Probationary Status Generally

Employees on probation for entry level positions are not members of the Classified Service. Employees on probation may be terminated at any time while on probation.

- A. No individual on probationary status may bid for promotion nor be transferred to a different position
- B. Employees on probation who complete for and are appointed to another entry level position must begin probation anew.

10.03—Mandatory Nature of Probationary Period

Every person appointed to a permanent Classified Service position shall serve a probationary period commencing upon appointment and shall be considered as a part of the test of fitness for a particular position.

- A. Probation Period of Firefighters and Police Officers
 - 1) In the case of new employees appointed to the positions of Firefighter in the Fire Department, there shall be a probation period of one (1) year from date of hire. For new employees appointed to Police Officer in the Police Department of the City of Alton, there shall be a probation period of one (1) year, but all times spent in attending training schools and seminars, except on-the-job training conducted by local department personnel, shall be excluded in calculating the probation period. In the case of promotions in these two departments there shall be a probation period of six (6) months.
 - 2) Final certification of probationary Police Officers shall be subject to successful completion of the Basic Training Course as provided by the Illinois governmental Law Enforcement Officers Training Board within the prescribed probationary period. Inability to successfully complete this course shall result in the individual not be retained as an employee of the City but shall be terminated.
 - 3) No individual may be certified for regular, full-time employment as a firefighter of the City unless he or she shall first be certified by the Illinois State Fire Marshal as a Firefighter II or Basic Operations Firefighter, which requires successfully completing an approved training course as provided by 50 Illinois Compiled Statutes 740/1 through 740/15. Any firefighter who has not received the certification as aforesaid by the end of the twelve (12) month probationary period shall not be retained as an employee of the City but shall be terminated. Firefighters hired after 7/1/2016 must also become licensed by the Illinois Department of Public Health as an Emergency Medical Technician-Paramedic within thirty (30) months of their original appointment date. Failure to obtain licensure will result in termination.
- B. All Other Employees

In the case of new civilian employees appointed to the classified service there shall be a probationary period of six (6) months, but all time spent in training schools and seminars shall be excluded in calculating probationary period. In the case of promotions and transfers in the classified service there shall be a probationary period of two (2) months.

10.04—Extension of Probation Period

- A. In the event of an inability to work due to an extended illness, accident recovery, or similar authorized absence during probation which exceeds one (1) week continuously, or two (2) weeks cumulatively, that time shall be added to the probationary period for purposes of these rules.
- B. The probation period of any employee or transferee may be extended by written agreement signed by the department head and employee with notice to the Civil Service Commission of such request.

10.05—Completion of Probation

Probationers who successfully complete the prescribed period of probation are deemed to have automatically acquired certified Civil Service status and to have completed probation.

- A. An appointee shall be considered to have successfully completed the probationary period if the duration of probation has been met and no request for discharge has been formally filed with the Commission.
- B. Employees not satisfactorily completing probationary period shall be terminated in accordance with City Code and these rules.
- C. If an employee does not qualify during the probationary time provided, either as a promotional change or because of a transfer from one position to another within City employment, he/she shall return to the position and grade from which he/she was promoted or transferred.

10.06—Discharge during Probationary Period

If any probationer shall be found incompetent or not qualified for performance of the duties of the position he is filling, he may be discharged by the respective department head.

Chapter 11: Seniority, Leaves of Absence, Resignation, Promotion, Demotion, and Retirement

11.01—Seniority Generally

Seniority shall be considered first on a divisional basis, then on a departmental basis and then on a City wide basis in all Civil Service transactions and as otherwise provided for herein.

- A. Seniority standings shall remain unchanged unless affected by leaves of absence without pay of longer than a month in duration, or in accordance with the collective bargaining units.
- B. Leave of absence for illness, injury on or off the job, military duty with the Armed Forces of the United States shall not interrupt service towards seniority, i.e. seniority shall continue to accrue as if the leave had not occurred.

11.02—Military Leave

Military leave and reemployment rights shall be granted in accordance with Chapter 43 of Part III of Title 38, United States Code.

- A. Certified Civil Service employees who voluntarily or involuntarily enter active military service shall be granted leave for up to five (5) years.
- B. Upon return with satisfactory completion of service in the military, such employee may be returned to the same or similar position with seniority as if the leave had not occurred.
- C. Reapplication for reemployment must be made within 90 days of release from active duty.
- D. The veteran shall be reemployed within a reasonable period unless it is impossible or unreasonable. Such conditions may include but are not limited to:
 - 1) Collective bargaining agreement;
 - 2) Nondiscriminatory personnel policies; and
 - 3) Significant changes in manpower needs.
- E. Proof of honorable service must be presented in any veteran's transaction.

11.03—Temporary Disability Leave

If an employee becomes sick or injured and has been granted a City approved disability leave, a leave of absence from Civil Service shall be granted for the duration of the temporary disability.

- A. An employee on leave due to illness or disability, work related or not, may be required to submit to physical, mental or psychological examination depending upon the nature of his illness or disability for which leave was originally taken or for any intervening illness or disability.
- B. In all cases of an illness or disability in excess of six (6) months, the return of an employee from a disability leave shall require such physical, mental or psychological examination of the employee's fitness to return to work as the Civil service Commission deems necessary.

11.04—Permanent Total Disability

No person found to be permanently totally disabled due to illness or injury shall be permitted to return to Civil Service employment for the City of Alton. Determination by a final decision

of Workmen's Compensation, Social Security, by a City pension fund, or by the Illinois Municipal Retirement Fund of total disability shall be prima facie evidence of such permanent total disability.

11.05—Partial Total Disability

If the nature of the partial total disability is such that the employee is able to perform the work to which he seeks to be reemployed, subject to such examinations as to ability the Commission may require, said employee shall be returned to his employment.

11.06—Leave to Take Exempt Position

The Commission may approve a leave of absence for certified employees who accept appointments as employees for the City of Alton to positions which are exempt from the jurisdiction of Classified Service.

- A. Such leave of absence may be for a period of one year or less and may be extended for additional periods with the written approval of the Commission.
- B. Except as provided below, an employee shall be restored to the same or similar position upon making application to the Commission, if a position is available.
- C. Return from such leaves shall take priority over entrance or promotional privileges.
- D. An employee on leave to serve in either of the exempt positions of Chief or Deputy Chief of the Police Department or Chief or Deputy Chief of the Fire Department shall, upon making application to the Commission, be restored to the rank from which they took leave.
- E. Employees who return from such leaves of absence shall have the same seniority rights as if the leave had not occurred.
- F. No Civil Service employee promoted, due to another employee accepting an exempt position from Civil Service, shall be demoted upon the return to Civil Service status of an employee who had taken an exempt position from Civil Service.
- G. When a Classified Service employee of the rank and file of the Police or Fire Department is appointed to the position of Police Chief, Deputy Chief of Police, Fire Chief or Deputy Fire Chief that appointed employee shall annually be granted by the Commission a Leave of Absence from the position held. Leave shall terminate at the time the appointed employee no longer holds the office of Police Chief, Deputy Chief of Police, Fire Chief or Deputy Fire Chief. Employee shall then return to the rank and classification within the Department from which they had been appointed. During the period of the appointment/leave of absence, seniority within the department shall continue to accumulate.
- H. Whenever an appointment to the position of Fire Chief, Deputy Fire Chief, Police Chief, or Deputy Chief of Police is made from the rank and file of the respective department, in order to avoid a manpower shortage, the vacancy created by the appointment will be filled. Should it become necessary for the appointed person to return to the previously held rank, due to not being reappointed, there shall be an additional position created. Said additional position shall remain in effect within the respective department until, by attrition, total number of positions reverts to the original number.
- I. No employee shall be restored to the same or similar position unless that employee remains fully qualified and in good standing to fill that position.

11.07—Leave of Absence without Pay

Leaves of absence without pay for any legitimate purpose may be granted to Civil Service employees pursuant to Chapter 11 or Title 1 of the City Code of the City of Alton, Illinois, once they have completed their probation.

11.08—Failure to Return after Leave

In the absence of a reasonable excuse and notice to the appropriate department head, employees who fail to return to work at the time specified prior to the granting of the leave shall be considered to have resigned. Such resignation shall not be in good standing.

11.09—Resignation

An employee may resign at any time by assigning the reasons therefore in writing on approved forms and indicating the intended last day of employment and the last day worked, which may not be the same.

- A. Such notice of resignation shall be submitted to the department head with copies to the Civil Service Commission.
- B. To resign in good standing, the employee must give at least two (2) weeks' notice unless specified otherwise by the department head.
- C. Nothing in this rule shall prevent the City or its agents from withdrawing a request for discharge or disciplinary action to permit a voluntary resignation.
- D. An employee who resigns may also be discharged in accordance with these rules.
- E. The absence of any employee from duty for three (3) successive working days or longer, without notice to his department head of the reason for such absence and his intention to return, shall be considered a resignation.
- F. Last day of employment means last day on payroll. Last day worked means last day physically on the job.
- G. Failure of an employee to report at the expiration of leave of absence or vacation shall separate the employee from the City's service, and shall be considered a resignation.
- H. Resignation by an employee shall be effective and final when delivered to his supervisor or department head. The resignation shall be forwarded to the Commission within three (3) days of its receipt by the supervisor or department head. A resignation may only be withdrawn by an employee with the consent of the department head and the Commission.
- I. A Retirement Resignation shall be initiated and processed as any other voluntary resignation.

11.10—Promotion

- A. No person shall be eligible for promotion from his present position in the classified service unless he has successfully completed one year of service in that position. Also, he must meet any special qualifications, minimum training experience and physical requirements established by the Commission.
- B. Candidates for promotion in the Police Department may not be considered for promotion unless they have successfully completed a basic law enforcement course and/or advanced law enforcement course or any equivalent course at any other approved institution. This rule may be waived if the candidate for promotion agrees to complete the required course within nine months of promotion. Probationers must successfully complete a basic law enforcement course during probation.

- C. Promotion in the classified service shall be made on merit, seniority in service and examination. Examinations for promotion shall be competitive.
 - a. Seniority shall serve as additional criteria in resolving any conflict created between duplicate scores on Promotional Exams. In the event of duplicate scores by employees on Promotional Exams, the employee with the most seniority shall be given preferential consideration over the employee(s) with less seniority.
- D. If existing Collective Bargaining Agreement covering the position to be filled by promotion defines the process for promotion, the Collective Bargaining Agreement shall prevail.

11.11—Transfer

- A. The transfer of any employee with his consent from the one position to another position having similar character, standards of work, and limits of compensation within \$1.00 per hour in the same or different departments may be made by the appointing authorities of the department or departments affected after obtaining written approval of the Commission.
- B. The request for approval of a transfer shall be signed by the appointing authority or authorities, and it shall state the reasons for the transfer with all pertinent facts together with a statement of the alternative to transfer as it would affect the proposed transferee.

11.12—Layoff

- A. Whenever it becomes necessary, through lack of work or funds, to reduce the number of employees in any position within a department, employees shall be laid off in that department as follows:
 - 1) Employees on temporary appointment; then,
 - 2) Regular employees, beginning with the employee with the least seniority.
- B. Nothing in this section shall be constructed to prevent the lay-off of an employee not having the lowest seniority upon written request of such employee after approval by the Commission.

11.13—Reinstatement

- A. After lay-off for a continuous period of two years, an employee shall be separated from the Service with no right to reinstate.
- B. When any regular employee has been laid off in accordance with the Rules of the Commission, the person so laid off shall have precedence for reinstatement from the eligible register to a vacancy in the same group and salary and of the same character and standard of work and shall be reinstated in the order herein provided. The procedure in notifying and certifying such employee for reinstatement shall be the same as in the case of eligibility for original appointment. In the case where there are no persons entitled to reinstatement; the vacancy shall be filled by certification of an eligible for promotion or an original appointment.
- C. The order of reinstatement of employees shall be in the reverse of the lay-off order as provided in these Rules.

- D. Persons on any reinstatement list may at any time before reinstatement be required to submit to medical or physical tests to insure their continued ability to perform the duties of the position as deemed necessary by the Commission.
- E. Any employee who failed to complete the probationary period prior to lay-off, shall upon reinstatement, be required to complete such probationary period.
- F. Any employee who is laid off and returned to the same position as a result of certification from a reinstatement list shall be entitled to:
 - 1) That step in the salary range which said employee was receiving at the time of lay off.
 - 2) Sick leave and vacation credits earned during his period of service prior to said lay-off (i.e. no employee shall accrue sick leave or vacation credits during the period of lay-off).
 - 3) Any acquired seniority (i.e. the new period of service shall be added to an employee's prior work period, however, no employee shall accrue seniority during the term of a lay-off).
- G. If any provision of this section is in conflict with existing collective bargaining agreements covering city employees, the collective bargaining agreements shall prevail.

Chapter 12: Disciplinary Action, Suspension, and Discharge

12.01—Causes for Warning, Suspension, or Discharge of a Classified Employee

The following shall constitute sufficient cause for warning, suspension, or discharge of a classified employee from employment with the City:

- A. Incompetency or inefficiency in the performance of duty;
- B. Negligence in the performance of duty;
- C. Brutal or profane conduct in the treatment of public charges, fellow employees, or other persons;
- D. Offensive conduct toward fellow employees, wards of the City, or the public;
- E. Permanent or chronic physical or mental ailment or defect which incapacitates the employee for the proper performance of assigned duties;
- F. Violation of any lawful official regulation, order of a superior or failure to obey any lawful and reasonable direction or order given by a superior, when such violation or failure to obey amounts to insubordination or serious breach of discipline;
- G. Committing of a criminal offense involving moral turpitude, or any action or omission of such a nature as to cause extreme public disrespect and/or loss of job related public trust;
- H. Willful misconduct which causes damage to public property or waste of public supplies;
- I. The use of alcoholic beverages or other intoxicating or controlled substances on the job without proper prescription, or reporting to work under the influence of such substances;
- J. Being absent from work without permission;
- K. Being habitually absent or tardy;
- L. Receiving and keeping for private or personal use, any fee, gift or valuable item, service or consideration that is offered with the expectation of receiving special privileges;
- M. Engaging in an outside business, trade or occupation during normal business hours, or involvement in same without approval of the department head;
- N. Engagement during working hours in political activity calculated to favor or improve the chances of a political party or of a person seeking or attempting to hold a political office;
- O. Using or attempting to use political influence or the influence of any offices or employee in securing promotion, transfer, or increased pay;
- P. Removing his/her permanent residence from within the Alton City Limits;
- Q. Violation of the Civil Service Act, the City Code, or these rules including but not limited to Civil Service Rule 6.05;
- R. Performance of duty in an unsafe manner or manner which jeopardizes the safety of co-workers or the public;

- S. Violation of Department or City Work Rules;
- T. Failure to inform the Commission of current address and place of residence;
- U. The unauthorized possession of firearms or other weapons on City property;
- V. Assault on a fellow employee, customer or citizen;
- W. Misuse of City property or of another's private property;
- X. Gambling on City property;
- Y. Falsifying any City record or report such as an application for employment, production record, time record, or any other employment, personnel or City record;
- Z. Soliciting, inducing or attempting to induce an officer or employee of the City to commit an unlawful act or to act in violation of any lawful regulation or order;
- AA. Consistent failure to work overtime when requested;
- BB. Appropriation and/or use of City property and resources for the personal gain of the employee or the employee's friends, family or associates; or
- CC. Failure to adhere to the rules of conduct for the position and/or as stated in these rules.

12.02—Discharge of a Probationary Employee

Discharge of a probationary employee shall be at discretion of department head with notice to the Civil Service Commission.

12.03—Discharge of a Classified Employee

No classified employee may be discharged except by the Commission, and only in accordance with the provisions of these rules.

- A. Department heads may initiate discharge proceedings against a certified Civil Service employee by filing dated written charges with the Civil Service office including a statement of facts which show good cause for discharge.
- B. A copy of said charges shall be served upon the employee in person, by certified or by registered mail to the address on file with the City or by delivery to the employee's designated attorney. Department heads shall advise the Civil Service immediately of the time and method of service.
- C. Upon service of said charges, department heads may but need not, suspend the charged employee with or without pay, pending the Commission's decision. If the employee is later retained, the Commission may order all salary and benefits wrongfully denied be restored. Department heads, at their discretion, may convert an unpaid suspension to a paid suspension or vice versa from time to time, pending the Commission's decision.
- D. Upon receipt of a request for a hearing on discharge by an employee, the Commission shall schedule such a hearing date.
- E. Notice of the time and place of said hearing shall be served upon the employee with all due haste by registered mail. Notice to counsel shall be notice to the client. Such notice to an employee not represented by legal counsel shall be sent to the employee's address on file with the City.

12.04—Rights of Employee under Union Contract with the City of Alton

Any Classified employee, in those cases where an employee has the right pursuant to Collective Bargaining Agreement to elect to have a disciplinary matter heard by the Commission or by Union Grievance; then, in the cases such an employee shall notify the Commission of his election within fifteen (15) days from the date of the delivery to the employee of notification of disciplinary action.

Chapter 13: Investigations and Hearings

13.01—Disciplinary Proceedings

The City of Alton shall commence all disciplinary proceedings against an employee by filing with the Civil Service Commission written charges factually stating the causes justifying disciplinary action. A copy of the written charges shall be served on the employee by personal service or by registered mail.

When a hearing has been set before the Civil Service Commission Hearing Board or Hearing Officer (all hereinafter referred to as the “Board”), all parties will abide by the guidelines and code of conduct outlined herein. A hearing will be carried out with the same decorum as if it were a court proceeding.

Management and the employee may be represented by counsel. Parties and their representatives are reminded that testimony before the Board is given under oath and the conduct of any person in connection with any proceeding is subject to Illinois statutes respecting perjury and obstruction of justice.

Any person having knowledge of perjury or obstruction of justice in connection with a matter arising under the City of Alton Civil Service Rules shall inform the Board. The Board, following any appropriate investigation, shall report any allegation or evidence of perjury or obstruction of justice, including any retaliation or threat of retaliation against an employee or witness, to the appropriate authorities.

13.02—Hearing

If the employee wishes to contest his termination, he must make a written request for a hearing to the Civil Service Commission within the 15-day period after service of charges upon the employee. The Commission may act as the hearing board or may appoint a hearing officer, not directly supervising the employee, to act as the Board. The effective date of any disciplinary action, if ordered, will be the date designated by the Board.

13.03—Responsibility of the Hearing Board

The Board shall decide the case on the basis of the evidence presented at the hearing. The City proceeds first and has the burden of proof in demonstrating the factual basis for the disciplinary action and that the disciplinary action was proportionate to the nature and severity of the offense.

13.04—Nature of Hearing

Under the Illinois Open Meetings Act (5 ILCS 120/2(c)(1), personnel matters heard before the board may be closed to the public.

To conduct a closed meeting, a motion must be passed at an open meeting to hold a closed meeting, which may be held either on the same day or sometime in the future. A quorum is required at that open meeting, and a majority of those members present at the meeting must vote in favor of the motion. The motion must specify the specific statutory exception which

authorizes the closed meeting (for example, a motion "to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body"), and the vote of each member and identification of the specific exception must be disclosed at the time of the vote, recorded and entered into the minutes of the meeting. (5 ILCS 120/2(e).

The vote of each member on the question of holding a closed meeting, as well as a citation to the exception authorizing the closed meeting, be shall publicly disclosed at the time of the vote and recorded and entered in the minutes of the meeting at which the vote is taken.

13.05—Notification of Time and Place of Hearing

When the hearing date has been confirmed, the Chief Examiner, on behalf of the Board, shall notify the employee in writing of the time and place where the hearing will be held by personal service or by mailing such statement via certified mail to the employee's last known address. Included with the notice will be a copy of the charge and/or determination letter from the appointing authority setting out the reasons for disciplinary action and a copy of the hearing procedures to be followed. Such hearing shall not be held within five (5) working days of the date on which the notice is mailed.

13.06—Requests for Continuance

The matter of granting or refusing to grant a request for a continuance of a hearing is within the discretion of the Board.

13.07—Attendance at the Hearing

The employee must be present at the hearing and may represent himself or may be represented by legal counsel. Failure of a party to appear at a hearing may be cause for a finding in favor of the opposing party or the matter being deemed withdrawn.

13.08—Conduct of Persons at Hearing

It is improper for any person at a hearing to:

- A. Insult, intimidate or behave discourteously to the board, any party, any witness or any other person attending the hearing;
- B. Display boisterous conduct or commit any kind of disturbance;
- C. Participate in any demonstration tending to disrupt the orderly conduct of the hearing; or
- D. Interfere with the orderly course of a hearing.

13.09—Discovery

- A. General Policy and Protective Orders

The parties are encouraged to engage in voluntary discovery procedures. In connection with document requests, interrogatories, depositions or other means of discovery, the Board may make any order which justice requires to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense. Orders may include

limitations on the method, time, place and scope of discovery and provisions for protecting the secrecy of confidential information or documents.

B. Subpoenas

The Board has the authority to issue subpoenas. Any application for a subpoena shall be made to the Board chairperson or Hearing Officer.

13.10—Report of Hearings

All proceedings before the Board during the conduct of the hearing shall be recorded by a court reporter to be employed by the Commission. The Board's determination shall be subject to judicial review pursuant to the provisions of Article III of the Illinois Code of Civil Procedure, as amended (735 ILCS 5/3-101 et seq.). The party seeking review shall be responsible for all costs incurred by the City to prepare the record for the court, including all transcription fees, and shall pay to the City the costs of preparation and certification of the record of proceedings as provided in 735 ILCS 5/3-109.

13.11—Hearing Procedure

- A. The procedures in a disciplinary hearing will be as informal as practicable. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions, and irrelevant and unduly repetitious evidence may be excluded.
- B. Oral evidence shall be taken only under oath or affirmation and shall be reported verbatim.
- C. Each party shall have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination; and to impeach any witness regardless of which party first called the individual to testify. An employee who does not testify may be called and examined as if under cross-examination.
- D. Hearings will be conducted in the following sequence:
- 1) Pre-Hearing Conference. The Board may initiate or upon the application of any party, may call upon the parties to appear for a conference to consider:
 - a) The simplification or clarification of the issues;
 - b) The possibility of obtaining stipulations, admissions, agreements on matters already of record, or similar agreements which will reduce or

- eliminate the need of proof;
- c) The identities of all potential witnesses;
 - d) The limitation of the number of witnesses, or avoidance of cumulative evidence, if the case is to be heard;
 - e) The possibility of an agreement disposing of any or all issues in dispute; and
 - f) Such other matters as may aid in the disposition of the hearing.
 - g) Those matters agreed upon by the parties shall be reduced to writing and signed by them, and the signed writing shall constitute a part of the record. The scheduling of a pre-hearing conference shall be according to Civil Service rule or, in the absence of rules, solely within the discretion of the Board.
- 2) Order of Proceedings
- a) The department proceeds first and has the burden of proof in demonstrating the factual basis for the disciplinary action and that the disciplinary action was proportionate to the nature and severity of the offense.
 - b) Each party may make a brief opening statement to the Board.
 - c) The department will present its case, witnesses, evidence and/or arguments first and will have an opportunity to respond and present rebuttal witnesses after the employee's presentation.
 - d) Following the department's presentation, the employee or the employee's representative presents its case, witnesses, evidence and/or arguments in defense of the employee.
 - e) Each side may call witnesses and cross-examine the other side's witnesses.
 - f) Both parties may offer rebuttal.
 - g) Prior to making its final decision, the Board may hear further argument and initiate further investigation. Alternatively, the Board may opt for a discussion format if they believe such a format may expedite the proceedings and result in a fair conclusion.
 - h) The Board may ask any party or witness any necessary questions and may also recall any witness if clarification or additional information is needed.
 - i) The Board may accept a resignation from the employee in lieu of further proceedings.
 - j) In no case will additional evidence be considered or arguments heard without all parties being present and having an opportunity to respond.
 - k) The Board shall have the authority to determine the time limits for all portions of the hearing.
 - l) Proceedings before the Board are quasi-judicial in nature. Accordingly,

parties and their representatives are expected to conduct themselves as they would in a court of law. Parties and their representatives are reminded that the Board has the authority to issue sanctions to maintain order.

- 3) Post-Hearing Procedures
 - a) The Board shall file the Findings of Fact, Conclusions and Recommendations with the Chief Examiner within thirty (30) calendar days from the close of the hearing.
 - b) Within five (5) working days after the Chief Examiner receives written notification of the decision of the Board, the Chief Examiner shall inform the employee in writing of the decision of the Board.

13.12—Investigative Suspension

City of Alton employees may be placed on an unpaid suspension pending the completion of a disciplinary investigation. If the City's investigation exonerates the employee, or justifies a penalty less than termination, the employee will receive back pay for the period of the investigative suspension less any time ultimately designated as a concurrently applied disciplinary suspension. If a City employee is charged with criminal activity that would violate City policy if convicted, the employee may be placed on an unpaid investigatory suspension pending the final judgment in any associated criminal proceedings.

13.13—Suspension during Hearing

An employee who has been served with written charges for discharge may be suspended with or without pay during the period that the discharge proceeding is pending and until final disposition thereof. The status of an employee, whether suspended with or without pay, may be changed during the pendency of the discharge proceeding from time to time.

13.14—Disciplinary Suspension

The Appointing Authority may suspend for just cause, an employee as a disciplinary measure up to 30 working days. Any employee suspended for more than five working days, or suspended within six months after a previous suspension, shall be entitled to a hearing, upon written request, before the Civil Service Commission concerning the propriety of such suspensions. The employee and the Civil Service Commission shall be notified in writing, five working days before the suspension is to go into effect, as to the reasons for such a suspension. The Commission shall give the employee an opportunity to be heard in his own defense.

For employees covered under a collective bargaining agreement the current agreement shall supersede the hearing privilege where such language conflicts.

13.15—Causes Justifying Suspension

Causes justifying suspension shall include, but are not limited to the causes specified in Section 12.01.