**Section 420.300 Application and Examination**

a) Examinations:

1) The Director of Personnel shall conduct examinations to test the relative fitness of applicants for positions subject to Jurisdiction B of the Code. Examinations may include an evaluation of such factors as education, experience, training, capacity, knowledge, manual dexterity, character and physical fitness. Tests shall be job related and may be written, oral, physical demonstration of skill or an evaluation of education and experience. Examinations shall consist of one or more tests in any combination. Where minimum or maximum requirements are established for any examination, they shall be specified in the examination announcement.

2) In lieu of announcing or conducting examinations, the Director of Personnel may accept the results of competitive examinations conducted by any established merit system subject to the Director of Personnel's determination that such examinations are comparable in difficulty and comprehensiveness to those conducted by the Department of Personnel for similar positions.

3) Entrance examination shall mean the examination that resulted in the initial appointment of an applicant to a position in the Office of the Secretary of State.

4) The Director of Personnel may rank applicants participating in competitive examinations on the basis of numeric or category ratings. When numeric ratings are used, applicants will be ranked from the highest passing numeric score to the lowest passing numeric score. When category ratings are used, applicants will be ranked by categories such as excellent, well-qualified and qualified.

b) Examination − Time and Place: Examinations shall be held at such times and places as are necessary to meet the requirements of the Office of the Secretary of State, provide economical administration, and be generally convenient for applicants. The Director of Personnel may cancel or postpone examinations at any time.

c) Veterans' Preference: Preference in entrance examinations shall be granted to qualified persons who, while citizens of the United States, were members of the Armed Forces of the United States or the armed forces of allies of the United States in times of hostilities with a foreign country (as set forth in the Merit Employment Code Section 10b.7) and to certain other persons as set forth in this Section. To be eligible, an applicant must have proof of his/her service or discharge under honorable conditions. Preference shall be granted as follows:

1) Three points or equivalent credit shall be added to the entrance examination grade for veterans who have served in the Armed Forces of the United States, in the Illinois National Guard, or any reserve component of the Armed Forces of the United States and:

A) Served for at least 6 months and has been discharged under honorable conditions, or

B) Has been discharged on the ground of hardship, or

C) Was released from active duty because of a service connected disability.

2) Five points or equivalent credit shall be added to the entrance examination grade for veterans who have served in the Armed Forces of the United States during time periods of hostility or who, as members of the Illinois National Guard or any reserve component of the Armed Forces of the United States, were called into active duty during time periods of hostility and served under one or more of the following conditions:

A) The veteran served a total of at least 6 months, or

B) The veteran served for the duration of the hostilities regardless of the length of engagement, or

C) The veteran was discharged on the basis of hardship, or

D) The veteran was released from active duty because of a service connected disability.

3) Ten points or equivalent credit shall be added to the entrance examination grade for veterans who are currently receiving compensation from the United States Veterans' Administration or from such allied country for war service connected disabilities, or if the veteran is a recipient of the Purple Heart.

4) If category ratings are used, the veteran eligibles in each category shall be preferred for appointment before the nonveteran eligibles in the same category. Such preference may be disregarded if, during the interview process, an applicant fails to meet the minimum standards set prior to the interview.

5) A surviving unremarried spouse of a veteran who suffered a service connected death or disability that prevents the veteran from qualifying for employment in a merit system with the State of Illinois shall be entitled to the same preference to which the veteran would have been entitled under this Section.

6) Ten points or equivalent credit shall be added to the examination score for one parent of an unmarried veteran who suffered a service connected death or disability that prevents the veteran from qualifying for employment in a merit system with the State of Illinois. The first parent to receive an appointment in an Illinois merit system shall be the parent entitled to the preference.

d) Public Notice of Examinations: The Director of Personnel shall publicly announce examinations at least two weeks in advance of the final date the examination will be given, except as otherwise noted. Announcements may be advertised through the press, radio or other media. Announcements shall be posted in a conspicuous place in the Department of Personnel in both Chicago and Springfield. Announcements shall specify the date and manner in which an application for examination shall be made. In place of individual announcements, the Director of Personnel may announce the examination process and testing locations and times by various means, including, but not limited to, using the Secretary of State's website, a brochure or a pamphlet.

e) Notice to Eligibles: In the event a change in the classification or testing standards or other change requires the elimination of an eligible list for a class, or of certain previously qualified eligibles from such a list, the Director of Personnel shall notify each person thus losing eligibility of such new or revised requirements as soon as practicable, and when the revised examination is repeated, shall again notify each person in order that each may be given an opportunity to reestablish eligibility.

f) Test Ratings − Notice and Review: The rating of each test shall be completed and the resulting list established as quickly as reasonably practicable. Each person competing in any test shall be given written notice of the final earned rating or of the failure to attain a place on the list.

g) Retaking or Regrading Examinations: The retaking or regrading of examinations will be permitted only in accordance with the following provisions:

1) No applicant may retake a test or tests included within an examination until 14 calendar days have elapsed.

2) In all cases of retaking examinations, the candidate's highest valid grade on record for the title shall be used to determine the candidate's rank on the eligible list. The examination score retained will expire 12 months from the date of examination.

3) Examination results are valid for 12 months from the original date of examination. An examination shall not be regraded more than 12 months after the original test date. Regraded examinations shall expire on the same date as the original examination.

h) Removal of Examination Material From Premises: Any applicant or unauthorized employee of the Office of the Secretary of State removing examination materials from the premises at which examinations are being administered or stored, in any manner whatsoever, shall be subject to prosecution and/or discipline up to and including discharge if the individual is an employee of the Office of the Secretary of State.

i) Admission to Examinations: All persons who meet requirements established by the Director of Personnel may be admitted to competitive examinations and may be lawfully appointed to the position. Following are the only criteria by which the Director of Personnel may reject the application of any person for admission to a test or decline to test or certify for employment:

1) subsequent to participating in the examination, the applicant is found to lack the qualifications prescribed for admission to the test as announced in the public notice;

2) the applicant is physically unfit to perform effectively the duties of the class;

3) the applicant has used, or attempted to use, bribery or political influence to secure an advantage in testing or appointment;

4) the applicant has made false statements of any material fact or has practiced deception or fraud in the application or test;

5) the applicant does not meet the United States Citizenship and Immigration Services regulations for permanent employment;

6) the applicant is found guilty of a violation of this Part or any of the provisions of the Merit Employment Code relating to participation in examinations; or

7) the applicant has been convicted of a crime relevant to the duties and responsibilities of the class of the examination he/she is taking or the position to which he/she is being hired.

j) Residency Requirement: Applicants who are not residents of the State of Illinois may be appointed only upon the waiver of residency requirements by the Director of Personnel and only when there are fewer than three qualified residents of Illinois available, including statewide candidates or candidates on the eligibility list for the geographical area in which the position is located.

k) Linguistic Requirements: The Director of Personnel may establish linguistic options when it appears that this would benefit the operation of the office by increasing communication with those served by the Office of the Secretary of State.

l) Authorization of Investigation: The Director of Personnel shall, when a position is to be filled, require that an applicant seeking employment with the Office of the Secretary of State authorize an investigation to determine if the applicant has ever been convicted of a crime and, if so, the disposition of those convictions.

m) Confidentiality: Any information concerning criminal convictions obtained by the Director of Personnel shall be confidential. No information obtained from such investigation may be placed in any automated information system. No information may be transmitted to anyone within or outside the Office of the Secretary of State, except as needed for the purposes set forth in subsection (l). Any violation of this subsection shall result in disciplinary action and possible civil action.

(Source: Amended at 36 Ill. Reg. 13945, effective September 1, 2012)