

# HB4601



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4601

by Rep. Kathleen Willis

### SYNOPSIS AS INTRODUCED:

65 ILCS 5/10-1-14

from Ch. 24, par. 10-1-14

Amends the Civil Service in Cities Division of the Illinois Municipal Code. In provisions concerning appointments, defines "firefighter" to include a paramedic, an EMT, an emergency medical technician-intermediate (EMT-I), or an advanced emergency medical technician (A-EMT). Effective immediately.

LRB100 18073 AWJ 33265 b

HOME RULE NOTE  
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by  
5 changing Section 10-1-14 as follows:

6 (65 ILCS 5/10-1-14) (from Ch. 24, par. 10-1-14)

7 Sec. 10-1-14. The head of the department or office in which  
8 a position classified under this Division 1 is to be filled  
9 shall notify the commission of that fact, and the commission  
10 shall certify to the appointing officer the name and address of  
11 the candidate standing highest upon the register for the class  
12 or grade to which the position belongs. However, in cases of  
13 laborers where a choice by competition is impracticable, the  
14 commission may provide by its rules that the selections shall  
15 be made by lot from among those candidates proved fit by  
16 examination, but laborers who have previously been in the  
17 service and were removed because their services were no longer  
18 required, shall be preferred, and be reinstated before other  
19 laborers are given positions, preference being given to those  
20 who have had the longest term of service, and laborers in the  
21 employ of the municipality on July 1, 1949, who, as of such  
22 date, have been employed under temporary authority for 3 years  
23 or more or during parts of 3 or more calendar years, shall be

1 preferred also, and shall be placed upon the register for such  
2 positions without examination and shall be certified before  
3 other laborers are given positions, preference being given to  
4 those laborers under temporary authority who have had the  
5 longest term of service in such positions. In making such  
6 certification, sex shall be disregarded. The appointing  
7 officer shall notify the commission of each position to be  
8 filled, separately, and shall fill such place by the  
9 appointment of the person certified to him or her by the  
10 commission therefor. Original appointment shall be on  
11 probation for a period not to exceed 6 months to be fixed by  
12 the rules but all time spent in attending training schools and  
13 seminars, except on-the-job training conducted by local Fire  
14 Department personnel, shall be excluded in calculating the  
15 probation period; provided that in municipalities with a  
16 population of more than 500,000 inhabitants, original  
17 appointment to the police department shall be on probation for  
18 a period not to exceed 9 months to be fixed by the rules of the  
19 department. The commission may strike off names of candidates  
20 from the register after they have remained thereon more than 2  
21 years. At or before the expiration of the period of probation,  
22 the head of the department or office in which a candidate is  
23 employed may, by and with the consent of the commission,  
24 discharge him or her upon assigning in writing his or her  
25 reason therefor to the commission. If he or she is not then  
26 discharged, his or her appointment shall be deemed complete. To

1 prevent the stoppage of public business, or to meet  
2 extraordinary exigencies, the head of any department or office  
3 may, with the approval of the commission, make temporary  
4 appointment to remain in force not exceeding 120 days, and only  
5 until regular appointments under the provisions of this  
6 Division 1 can be made. In any municipal fire department that  
7 employs full-time firefighters and is subject to a collective  
8 bargaining agreement, a person who has not qualified for  
9 regular appointment under the provisions of this Division 1  
10 shall not be used as a temporary or permanent substitute for  
11 classified members of a municipality's fire department or for  
12 regular appointment as a classified member of a municipality's  
13 fire department unless mutually agreed to by the employee's  
14 certified bargaining agent. Such agreement shall be considered  
15 a permissive subject of bargaining. As used in this Section,  
16 "firefighter" includes, but is not limited to, a paramedic, an  
17 EMT, an emergency medical technician-intermediate (EMT-I), or  
18 an advanced emergency medical technician (A-EMT). Municipal  
19 fire departments covered by the changes made by this amendatory  
20 Act of the 95th General Assembly that are using  
21 non-certificated employees as substitutes immediately prior to  
22 the effective date of this amendatory Act of the 95th General  
23 Assembly may, by mutual agreement with the certified bargaining  
24 agent, continue the existing practice or a modified practice  
25 and that agreement shall be considered a permissive subject of  
26 bargaining. A home rule unit may not regulate the hiring of

1 temporary or substitute members of the municipality's fire  
2 department in a manner that is inconsistent with this Section.  
3 This Section is a limitation under subsection (i) of Section 6  
4 of Article VII of the Illinois Constitution on the concurrent  
5 exercise by home rule units of powers and functions exercised  
6 by the State.

7 (Source: P.A. 95-490, eff. 6-1-08.)

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law.