

1 AN ACT concerning State government.

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

4 Section 5. The Personnel Code is amended by changing
5 Section 11 as follows:

6 (20 ILCS 415/11) (from Ch. 127, par. 63b111)

7 Sec. 11. Hearing - disciplinary action. No officer or
8 employee under jurisdiction B, relating to merit and fitness,
9 who has been appointed under the rules and after examination,
10 shall be removed discharged or demoted, or be suspended for a
11 period of more than 30 days, in any 12 month period, except for
12 cause, upon written charges approved by the Director of Central
13 Management Services, and after an opportunity to be heard in
14 his own defense if he makes written request to the Commission
15 within 15 days after the serving of the written charges upon
16 him. Upon the filing of such a request for a hearing, the
17 Commission shall grant a hearing within 30 days. The time and
18 place of the hearing shall be fixed by the Commission, and due
19 notice thereof given the appointing officer and the employee.
20 The hearing shall be public, and the officer or employee is
21 entitled to call witnesses in his own defense and to have the
22 aid of counsel. The finding and decision of the Commission, or
23 the approval by the Commission of the finding and decision of

1 the officer or board appointed by it to conduct such
2 investigation, shall be rendered within 60 days after the
3 receipt of the transcript of the proceedings, unless the
4 Commission remands the matter back to the officer or board
5 appointed to conduct such investigation for the purpose of
6 taking additional evidence or soliciting additional argument.
7 After receipt of the transcript of the proceedings after
8 remand, or receipt of additional evidence or additional
9 argument after remand, the Commission shall have an additional
10 60 days in which to render a finding and decision. If the
11 finding and decision is not rendered within 60 days after
12 receipt of the transcript of the proceedings, or within 60 days
13 after receipt of the transcript of the proceedings after remand
14 or 60 days after receipt of additional evidence or additional
15 argument after remand, the employee shall be considered to be
16 reinstated and shall receive full compensation for the period
17 for which he was suspended. The finding and decision of the
18 Commission or officer or board appointed by it to conduct
19 investigation, when approved by the Commission, shall be
20 certified to the Director, and shall be forthwith enforced by
21 the Director. In making its finding and decision, or in
22 approving the finding and decision of some officer or board
23 appointed by it to conduct such investigation, the Civil
24 Service Commission may, for disciplinary purposes, suspend an
25 employee for a period of time not to exceed 90 days, and in no
26 event to exceed a period of 120 days from the date of any

1 suspension of such employee, pending investigation of such
2 charges. If the Commission certifies a decision that an officer
3 or employee is to be retained in his position and if it does
4 not order a suspension for disciplinary purposes, the officer
5 or employee shall receive full compensation for any period
6 during which he was suspended pending the investigation of the
7 charges.

8 Nothing in this Section shall limit the authority to
9 suspend an employee for a reasonable period not exceeding 30
10 days, in any 12 month period.

11 Notwithstanding the provisions of this Section, an
12 arbitrator of the Illinois Workers' Compensation Commission,
13 appointed pursuant to Section 14 of the Workers' Compensation
14 Act, may be removed by the Governor upon the recommendation of
15 the Commission Review Board pursuant to Section 14.1 of such
16 Act.

17 Notwithstanding the provisions of this Section, a policy
18 making officer of a State agency, as defined in the Employee
19 Rights Violation Act, shall be discharged from State employment
20 as provided in the Employee Rights Violation Act, enacted by
21 the 85th General Assembly.

22 (Source: P.A. 93-721, eff. 1-1-05.)