

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 9 as follows:

6 (20 ILCS 415/9) (from Ch. 127, par. 63b109)

7 Sec. 9. Director, powers and duties. The Director, as
8 executive head of the Department, shall direct and supervise
9 all its administrative and technical activities. In addition to
10 the duties imposed upon him elsewhere in this law, it shall be
11 his duty:

12 (1) To apply and carry out this law and the rules adopted
13 thereunder.

14 (2) To attend meetings of the Commission.

15 (3) To establish and maintain a roster of all employees
16 subject to this Act, in which there shall be set forth, as to
17 each employee, the class, title, pay, status, and other
18 pertinent data.

19 (4) To appoint, subject to the provisions of this Act, such
20 employees of the Department and such experts and special
21 assistants as may be necessary to carry out effectively this
22 law.

23 (5) Subject to such exemptions or modifications as may be

1 necessary to assure the continuity of federal contributions in
2 those agencies supported in whole or in part by federal funds,
3 to make appointments to vacancies; to approve all written
4 charges seeking discharge, demotion, or other disciplinary
5 measures provided in this Act and to approve transfers of
6 employees from one geographical area to another in the State,
7 in offices, positions or places of employment covered by this
8 Act, after consultation with the operating unit.

9 (6) To formulate and administer service wide policies and
10 programs for the improvement of employee effectiveness,
11 including training, safety, health, incentive recognition,
12 counseling, welfare and employee relations. The Department
13 shall formulate and administer recruitment plans and testing of
14 potential employees for agencies having direct contact with
15 significant numbers of non-English speaking or otherwise
16 culturally distinct persons. The Department shall require each
17 State agency to annually assess the need for employees with
18 appropriate bilingual capabilities to serve the significant
19 numbers of non-English speaking or culturally distinct
20 persons. The Department shall develop a uniform procedure for
21 assessing an agency's need for employees with appropriate
22 bilingual capabilities. Agencies shall establish occupational
23 titles or designate positions as "bilingual option" for persons
24 having sufficient linguistic ability or cultural knowledge to
25 be able to render effective service to such persons. The
26 Department shall ensure that any such option is exercised

1 according to the agency's needs assessment and the requirements
2 of this Code. The Department shall make annual reports of the
3 needs assessment of each agency and the number of positions
4 calling for non-English linguistic ability to whom vacancy
5 postings were sent, and the number filled by each agency. Such
6 policies and programs shall be subject to approval by the
7 Governor. Such policies, program reports and needs assessment
8 reports shall be filed with the General Assembly by January 1
9 of each year and shall be available to the public.

10 The Department shall include within the report required
11 above the number of persons receiving the bilingual pay
12 supplement established by Section 8a.2 of this Code. The report
13 shall provide the number of persons receiving the bilingual pay
14 supplement for languages other than English and for signing.
15 The report shall also indicate the number of persons, by the
16 categories of Hispanic and non-Hispanic, who are receiving the
17 bilingual pay supplement for language skills other than
18 signing, in a language other than English.

19 (7) To conduct negotiations affecting pay, hours of work,
20 or other working conditions of employees subject to this Act.

21 (8) To make continuing studies to improve the efficiency of
22 State services to the residents of Illinois, including but not
23 limited to those who are non-English speaking or culturally
24 distinct, and to report his findings and recommendations to the
25 Commission and the Governor.

26 (9) To investigate from time to time the operation and

1 effect of this law and the rules made thereunder and to report
2 his findings and recommendations to the Commission and to the
3 Governor.

4 (10) To make an annual report regarding the work of the
5 Department, and such special reports as he may consider
6 desirable, to the Commission and to the Governor, or as the
7 Governor or Commission may request.

8 (11) (Blank). ~~To conduct research and planning regarding~~
9 ~~the total manpower needs of all offices, including the~~
10 ~~Lieutenant Governor, Secretary of State, State Treasurer,~~
11 ~~State Comptroller, State Superintendent of Education, and~~
12 ~~Attorney General, and of all departments, agencies, boards, and~~
13 ~~commissions of the executive branch, except state-supported~~
14 ~~colleges and universities, and for that purpose to prescribe~~
15 ~~forms for the reporting of such personnel information as the~~
16 ~~department may request both for positions covered by this Act~~
17 ~~and for those exempt in whole or in part.~~

18 (12) To prepare and publish a semi-annual statement showing
19 the number of employees exempt and non-exempt from merit
20 selection in each department. This report shall be in addition
21 to other information on merit selection maintained for public
22 information under existing law.

23 (13) To authorize in every department or agency subject to
24 Jurisdiction C the use of flexible hours positions. A flexible
25 hours position is one that does not require an ordinary work
26 schedule as determined by the Department and includes but is

1 not limited to: 1) a part time job of 20 hours or more per week,
2 2) a job which is shared by 2 employees or a compressed work
3 week consisting of an ordinary number of working hours
4 performed on fewer than the number of days ordinarily required
5 to perform that job. The Department may define flexible time to
6 include other types of jobs that are defined above.

7 The Director and the director of each department or agency
8 shall together establish goals for flexible hours positions to
9 be available in every department or agency.

10 The Department shall give technical assistance to
11 departments and agencies in achieving their goals, and shall
12 report to the Governor and the General Assembly each year on
13 the progress of each department and agency.

14 When a goal of 10% of the positions in a department or
15 agency being available on a flexible hours basis has been
16 reached, the Department shall evaluate the effectiveness and
17 efficiency of the program and determine whether to expand the
18 number of positions available for flexible hours to 20%.

19 When a goal of 20% of the positions in a department or
20 agency being available on a flexible hours basis has been
21 reached, the Department shall evaluate the effectiveness and
22 efficiency of the program and determine whether to expand the
23 number of positions available for flexible hours.

24 Each department shall develop a plan for implementation of
25 flexible work requirements designed to reduce the need for day
26 care of employees' children outside the home. Each department

1 shall submit a report of its plan to the Department of Central
2 Management Services and the General Assembly. This report shall
3 be submitted biennially by March 1, with the first report due
4 March 1, 1993.

5 (14) To perform any other lawful acts which he may consider
6 necessary or desirable to carry out the purposes and provisions
7 of this law.

8 The requirement for reporting to the General Assembly shall
9 be satisfied by filing copies of the report with the Speaker,
10 the Minority Leader and the Clerk of the House of
11 Representatives and the President, the Minority Leader and the
12 Secretary of the Senate and the Legislative Research Unit, as
13 required by Section 3.1 of "An Act to revise the law in
14 relation to the General Assembly", approved February 25, 1874,
15 as amended, and filing such additional copies with the State
16 Government Report Distribution Center for the General Assembly
17 as is required under paragraph (t) of Section 7 of the State
18 Library Act.

19 (Source: P.A. 86-1004; 87-552; 87-1050.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.