CITY OF DECATUR

CIVIL SERVICE COMMISSION

CIVIL SERVICE RULES

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RULES OF PROCEDURE
CIVIL SERVICE COMMISSION
CITY OF DECATUR, ILLINOIS

1. General Provisions.

1-1. Definitions.

The following terms shall have the following meanings as used in the following rules of the Civil Service Commission of the City of Decatur.

Certify: The act of the Commission tendering the required number of names from an eligible, lateral transfer, reinstatement register, or three names from a promotional register to a Department head for appointment.

Chairman or Chairperson: The Chairperson of the Civil Service Commission of the City of Decatur, Illinois.

Classified Service: All employees and work assignments of the City of Decatur and the Decatur Public Library which are not excluded by statutes or ordinances from the classified service of a city adopting the civil service system as provided by law.

Commission: Civil Service Commission of the City of Decatur, Illinois.

Eligible Register: The list established according to these rules from an examination register pursuant to an original entrance examination.

Employee: Any person holding a position in the classified service.

Examination Register: The list established according to these rules from the examination results of a promotional, lateral transfer or original entrance examination.

Lateral Transfer Register: The list established for the position of Police Patrol Officer from external, experienced applicants in accordance with Rule 5-3.

Lay-Offs: Temporary or indefinite separation from employment without prejudice or loss of seniority resulting from lack of work, lack of funds, a shortage of materials or other factors over which the worker has no control.

Leave of Absence from Duty: Authorization by the City Manager, the City Librarian or the Commission to an employee in the classified service under their respective jurisdiction to absent himself from the position classification in which he was employed with the assurance that upon his return he will be entitled to employment in the position classification he left.

Leave of Absence from the Classified Service: Authorization granted by the City Manager or the City Librarian to an employee in the classified service under his respective jurisdiction to absent himself from the classified service without any assurance that a position will be available for him when he desires to return.

Original Entrance Examination: An examination for a position in the classified service determined by the Commission to be open to any persons.

Position Classification: A particular office or place of employment within the classified service.

Probationary Employee: A Police Patrol Officer, Fire Fighter, or Neighborhood Services Officer, certified from an eligible register, or a Police Patrol Officer certified from a lateral transfer register, who has been employed fewer than twelve (12) months in the position classification to which he was certified and any other employee certified from an eligible or promotional register who has been employed fewer than six (6) months in the position classification to which he was certified. Probationary periods for employees who are voluntarily transferred or demoted will be in accordance with the respective collective bargaining agreement.

Promotional Register: The list established according to these rules from an examination register pursuant to a promotional examination.

Reinstatement Register: The list established according to these rules for persons entitled to reinstatement into the classified service.

Secretary: The person appointed Chief Examiner who serves as the Secretary of the Commission.

Seniority: The length of continuous service in the classified service; provided, however, where the City or Library has agreed to credit and determine seniority on a departmental or positional basis, seniority shall be credited and determined by the length of continuous service in either the department or the position classification involved.

Temporary Allocation of Duties: Temporary appointments and temporary assignments.

Temporary Appointments: An appointment of any person made by a Department Head with approval of the Commission for not more than one hundred twenty (120) days and only until a regular appointment can be made in order to prevent the stoppage of public business or to meet extraordinary exigencies.

Temporary Assignments: Assigning work where no vacancy exists in the classified service as provided in Section 10-2 of these rules.

Transfer: As defined in the AFSCME Collective Bargaining Agreement.

1-2. Meetings of the Commission.

Meetings of the Commission shall be held in the Decatur Civic Center, One Gary K. Anderson Plaza, Decatur, Illinois, or in any office so designated by the Civil Service Commission. Meetings shall be held on the first Tuesday of each month or at such other times as may be necessary.

The Secretary of the Commission shall provide notice to the Commissioners at least seven days before each regular meeting specifying in writing the time, date, and place of such meeting. Meetings other than regularly scheduled meetings will be at the call of the Chairman or any two (2) members of the Commission, provided that written notice of the date, time, place and object of the meeting shall be mailed to each member by the Secretary at least two (2) days prior to the meeting. A majority of all members appointed to the Commission shall constitute a quorum for the transaction of business.

The order of business for regular meetings of the Commission shall be: 1) roll call, 2) approval of minutes, 3) unfinished business, 4) new business, and 5) adjournment. The order of business may be changed by a majority vote of members present at any meeting.

Remarks and comments shall be addressed to the Chairperson during meetings. Questions may be put by Commission members to persons appearing before the Commission, or to other Commission members, with the consent of the Chairperson and the person being questioned. Questions may not be put to any member of the Commission by any person appearing before the Commission without the consent of the member and the Chairperson.

1-3. Amendment of Rules.

No amendment of these rules shall be adopted at the meeting at which it is proposed. Any proposed amendment to these rules shall be spread upon the minutes for a period of not less than seven (7) days after it is proposed. Final action on a proposed amendment must be preceded by notification to the Commissioners in writing by the Secretary, of the substance of said proposed amendment, and the time fixed for its final consideration. Notice of Amendment to these rules shall be published in a local newspaper and shall not become effective until at least ten (10) days after publication.

1-4. Political Activity.

No employee in the classified service shall solicit, receive or pay any assessment, subscription or contribution to any party or for any political purpose whatever. No employee in the classified service shall use, or permit any other person to use any office, building or room under his control to solicit, receive or pay any assessment, subscription or contribution to any party or for any political purpose whatever.

No employee in the classified service shall use or promise to use any official authority or influence in order to aid in securing or retaining any office or public employment or any nomination, confirmation or promotion or increase in salary in return for a promise to vote or to exert political influence for any candidate, officer, or party or for any other corrupt purpose.

1-5. Administrative Personnel Rules.

Nothing in these Civil Service Rules shall be construed to limit the power of the City Manager, the City Librarian or Department Heads of the City of Decatur to issue and enforce reasonable personnel rules not in conflict with the State Statutes or these rules.

1-6. Residency.

Residency for persons appointed to positions in the classified service of the City of Decatur shall be in accordance with the collective bargaining agreement in which said position is covered.

Residency for persons appointed to positions in the classified service of the Decatur Public Library shall be in accordance with the collective bargaining agreement in which said position is covered

1-7. Gender.
Unless the context clearly otherwise indicates, the use of descriptive words applicable to one gender shall mean and include both genders.

1-8. Officers and Members.
The officers of the Commission shall be the Chairperson, the Vice Chairperson, and any other officers the Commission may, from time to time, elect to carry out the leadership responsibilities of the Commission. Election of officers shall be held during the month of September of each calendar year. Each officer shall serve a term of one year, and no individual shall hold the same office for a period of more than two (2) years. The Chairperson shall preside at meetings of the Commission, and the Vice Chairperson shall preside at those meetings where the Chairperson is absent.

Acceptance of appointment as a member of the Commission represents a commitment to carry out the purposes of the Commission with regular attendance at meetings. It shall be recommended to the Mayor that failure of any Commissioner to attend three consecutive regular meetings without notification to the secretary of the Commission shall be deemed as a resignation from the Commission. In all other cases, resignation of a Commissioner shall be in writing to the Mayor and shall be effective upon receipt thereof.

2. Classification.

2-1. Positions.
The Civil Service Commission of the City of Decatur does hereby classify those existing offices and places of employment of the City of Decatur and the Decatur Public Library required by Statute to be included in the classified service of the City.

2-2. Additions and Deletions.
Upon recommendation from the City staff, the Commission may add or delete position classifications to or from the classified service of the City.

2-3. Pay Grades.
No examination to fill a position classification so added shall be held until the City Council of the City of Decatur or the Decatur Library Board assigns a grade and salary level to the position classification so created.

2-4. Effect on Seniority.
Changing the compensation of any classified position shall not affect the seniority of the holder of such position unless in the opinion of the Commission such change shall also involve a change in duties requiring different examination.

3. Applications.

3-1. Forms.
Applications for positions shall be filed upon forms furnished by the Commission and applicants must comply with the requirements of said forms in every respect. In addition

to biographical information, application forms may require the submission of past work records and where applicable, supervisor evaluations.

3-2. Fraud in Applications.
No person, by himself or in cooperation with any other person or persons, shall submit application information, documents or records of a false or fraudulent nature. If fraud in a person's application becomes known to the Commission, the Commission may prevent said person from taking the examination, strike said person's name from the register or dismiss said person from the service provided that employees who have completed their probationary period shall have an opportunity to be heard in their own defense prior to the Commission's action. The Commission may, in its own discretion, grant applicants, probationary employees or persons whose names appear on eligible registers a hearing before discharge or removal resulting from fraud in applications.

4. Examinations.

4-1. Age.
The Commission may specify the minimum and maximum age limits for particular examinations in conformance with State Statute where the requirements of the service necessitate.

4-2. Habits and Moral Character.
When the Commission deems it to be in the best interest of the public service, applicants may be disqualified from taking an examination because of their habits or moral character provided no person other than a candidate for the police service shall be disqualified because of an arrest record or because of a misdemeanor conviction record for misdemeanors other than those which by State law may be used to disqualify people from consideration for civil service positions.

4-3. Designation of Examinations.
Upon recommendation of the City staff and where applicable the City Librarian, the Commission shall determine whether an examination shall be open to all persons meeting the other requirements of these rules or whether it shall be open only to employees presently in the classified service or open only to those employees in a specific position classification with the classified service. Examinations open to all persons meeting the other requirements of these rules shall be designated original entrance examinations. Other examinations shall be designated either lateral transfer or promotional examinations. Where it is practical, vacancies shall be filled by promotion based on competitive examination among such members of the next lower rank in the promotional chain as desired to submit to examination.

4-4. General Scope.
Examinations given by the Commission shall be practical in their character and shall relate to those matters which will fairly test the relative capacity of the persons examined to perform the duties of the positions to which they seek to be appointed. No person otherwise meeting the requirements of these rules shall be prevented from taking any examination given by the Commission solely because of that person's race, color, sex, religion, national origin or physical or mental disability or infirmity.

4-5. Format.
Examinations shall be prepared and administered under the direction and supervision of the Chief Examiner appointed by the Commission in cooperation with the Human

Resources Department of the City of Decatur. Examinations may take the form of written tests, oral interviews, hands-on testing or physical or medical examinations or they may consist of sections each of which is in one of the forms mentioned herein. Promotional examinations may also include a performance evaluation section.

4-6. Rating of Examination.
The Commission shall determine a weight to be given to each section of an examination. Before the examination, he Commission shall establish minimum passing scores for each section of the examination and by using the relative weights of each section, the examination as a whole. The Commission, in establishing the minimum passing score for each section shall not consider or have available to them the names or respective scores of particular applicants. The final average of each applicant shall be expressed on a scale of one hundred (100) and the applicant shall be rank ordered according to their final average and the examination register so obtained shall be posted with the Secretary of the Commission. When applicable, applicants may request military and other preference points to be added to their final average.

4-7. Notice of Results of Examination.
Each applicant will be notified by the Secretary of the Commission by email within fifteen (15) days from the date of the examination of the results he obtained on the examination and if he received the minimum general average required to pass. For promotional registers, an applicant will also be informed of his position on the register. If he fails to obtain the minimum general average required, his notice shall read to that effect.

4-8. Review of Examination Papers.
Candidates may, with permission of the Commission, inspect their written examination papers in the office of the Secretary during the business hours of the Secretary. Written applications to the Commission for such permission shall be filed with the Secretary within one (1) month after notification of results. Examination papers shall not be available to the general public. If an error is found in an examination or the scoring thereof, the Secretary shall notify the Commission thereof. The Commission may take appropriate action with regard thereto.

4-9. Fraud in Examination.
Any person who shall at any examination or in any document signed or furnished by him for or in conjunction with any examination by himself or in cooperation with one or more persons make any false representation regarding himself or any of the applicants or by impersonating anybody else or by allowing anybody else to impersonate him, or who uses or aids somebody else in using any information surreptitiously obtained, or who uses or aids somebody else in using any memoranda, printed or written, whereby an advantage is obtained over other competitors at such examination, shall upon such finding of the Commission, after having had a chance to be heard in his own defense, have his name stricken from any eligible list upon which it may appear, or if such finding is made subsequent to appointment he shall be dismissed from the service of the City of Decatur, Illinois, upon hearing by the Civil Service Commission.

4-10. Promotional Examinations.
Promotional examinations may be designated as either closed or open promotional examinations by the Commission. Closed promotional examinations are those open only to persons in specified classifications, as determined by the Commission, and who meet the other requirements of these rules. Open promotional examinations are those open to all persons in the classified service who meet the other requirements of these

rules. The Commission from time to time may approve or establish minimum qualifications for promotional examinations including experience, length of service, training, education, certification, licensing or other qualifying factors. Those minimum qualifications approved or established by the Commission in its minutes or set forth in the announcement of examination approved or prescribed by the Commission are the qualifications to be applied in determining eligibility for examination.

5. Compilation of Registers.

5-1. Eligible Registers.

In all examinations designated original entrance examinations, the Secretary of the Commission shall compile and submit to the Commission an eligible register of those persons whose general average on the examination is above the minimum established by the Commission. Names shall be entered upon the eligible register in the order of their general average, that is, in the order they appear on the examination register except as modified where applicable by Rule 5-4 A. The Commission shall receive the register and upon its receipt it shall become effective.

5-2. Promotional Registers.

In examinations designated promotional examinations, the Secretary of the Commission shall compile a promotional register of those persons whose general average on the examination is above the minimum established by the Commission. Names shall be entered upon the promotional register in the order of their general average, that is, in the order that they appear on the examination register except as modified where applicable by Rule 5-4 B and 5-5.

5-3. Lateral Transfer Register.

A lateral transfer register shall be established for external applicants who are applying for a Police Patrol Officer position and who have a minimum of two years training and experience as a law enforcement officer as defined in the Illinois Police Training Act or two years training and experience which in the judgment of the Decatur Police Department is substantially equal to two years training and experience as a law enforcement officer as defined in the Illinois Police Training Act, except that such training and experience does not have to be with the State of Illinois or any political subdivision of Illinois. In examinations designated lateral transfer examinations, the Secretary of the Commission shall compile and submit to the commission a lateral transfer register of those persons whose general average on the examination is above the minimum established by the Commission. Names shall be entered upon the lateral transfer register in the order of their general average, that is, in the order that they appear on the examination register except as modified where applicable by Rule 5-5A. The commission shall receive the register, and upon its receipt, it shall become effective.

5-4. Reinstatement Register.

A. A reinstatement register shall be established for any position classification in which:

1. An employee has been reduced in rank, removed from the classified service or furloughed without pay because of a reduction in the force or the abolition or displacement of a position;

2. An employee on a leave from the classified service makes written application to the Secretary of the Commission for reinstatement; or

3. An employee who has resigned from the classified service makes written application for reinstatement, provided, however, said application must be made to the Commission within thirty (30) days from the resignation, except that a Police Patrol Officer or Fire Fighter may make his or her application three hundred and sixty-five days (1 Year) from the resignation. Police Patrol Officers and Fire Fighters must have resigned to pursue a career in another law enforcement agency or fire department, respectively. All applicants must have left in good standing and must successfully pass a background check, drug screen, physical and psychological examinations. The new employee will be treated the same as a new hire in regards to pay and seniority. All applications for reinstatement must be with the consent of the City Manager or City Librarian.

B. On the reinstatement register the group of employees or any employee reduced in rank, removed from the classified service, or furloughed without pay shall rank above the group of people or any person seeking reinstatement after a leave of absence from the classified service and both of these groups shall rank above those seeking reinstatement after resignation. Among a particular group of people seeking reinstatement for the same reason, order on the reinstatement register shall be determined on the basis of seniority.

5-5. Military Preference.

A. Original Entrance and Lateral Transfer Examinations. A person taking an examination designated by the Commission as an original entrance examination or lateral transfer examination who qualifies under the applicable provisions of the Statutes of the State of Illinois for a military preference shall have five (5) points added to his final general average provided that his unadjusted average is above the minimum general average set by the Commission and provided further that the examinee submit to the Secretary of the Commission before the compilation of an eligible register or lateral transfer register, proof of military service in a form acceptable to the Commission and a letter requesting that the military preference be applied.

B. Promotional Examinations. A person taking an examination designated by the Commission as a promotional examination who qualifies under the applicable provisions of the Statutes of the State of Illinois for a military preference, in order to receive such preference shall, after the compilation of the examination register for the position and before any certification followed by appointment is made from the promotional register so established, request in writing that the Commission grant such preference and shall at the same time submit proof of military service in such form as shall be acceptable to the Commission. Unless request and proof is made in the time and manner provided herein, preference shall not be accorded by the Commission. No person shall receive such preference for promotional appointment after he has received one promotion from a promotional register on which he was allowed such preference. If the name of a person entitled to military preference concurrently appears on more than one promotional register, said person may request in the time and manner provided herein, preference for military or naval service as to each such register, but if said person receives a promotion from any one of such registers on which such preference was allowed, the other registers shall be adjusted to put the name of said person in the position

thereon to which it would have been assigned without allowance of such preference.

5-6. Seniority Preference.
Employees in the classified service who achieve an average higher than the average established by the Commission on a promotional examination shall be entitled to a seniority preference for actual continuous service in the employment of the City or Library at the rate of .25 of a point for each year of continuous service. A maximum of five (5) points will be allowed for seniority. If there is a provision in the respective collective bargaining agreement for seniority preference that is different from that stated in the Civil Service Rules, the seniority provisions in the collective bargaining agreement prevail. No seniority preference shall be given to City or Library employees taking original entrance examinations.

5-7. Removal from Eligible and Lateral Transfer Registers.
The name of a person employed by the City of Decatur or Decatur Public Library in a temporary, seasonal, or other unclassified position who performs unsatisfactorily in such unclassified position, upon recommendation from the appointing authority, may be removed from a then existing eligibility register by the Commission after notice to said person and an opportunity to be heard with regard thereto.

6. Requisition and Certification.

6-1. Order of Registers.
Whenever a vacancy in the classified service is to be filled, other than by a temporary allocation of duty, no certification shall be made from an eligible, lateral transfer or promotional register until every person on the reinstatement register has either been appointed or has been offered appointment and rejected it.

6-2. From a Reinstatement Register.
Whenever a vacancy in the classified service is to be filled from a reinstatement register, the appointing officer shall make a requisition upon a form prescribed by the Commission for the certification to him of the name of a person to fill the position. The appointing officer shall notify the Commission of each position to be filled separately. Upon receipt of a requisition, the Secretary of the Commission shall attempt to contact by phone and/or email, the person standing highest on the register to ascertain whether he will accept appointment. Any person who cannot be contacted within five (5) days shall be considered to have rejected appointment.

If any person rejects appointment, the next person on the reinstatement register shall be contacted and so on down the list until a person indicates that he will accept appointment. When a person indicates that he will accept appointment his name shall be certified to the Department Head and the appointment shall be made by the Department Head in accordance with the Personnel Rules of the City or where applicable, the Personnel Rules of the Decatur Public Library.

Notwithstanding the above provisions, whenever the force of the classified police or fire service is reduced and positions displaced or abolished or whenever positions so displaced or abolished are reinstated, the procedure for displacing or abolishing positions, the method for placing the names of the employees involved on reinstatement registers, and the way certifications and appointments are made therefrom shall be in strict compliance with the statutory procedure provided.

6-3. From an Eligible Register or a Lateral Transfer Register.
Whenever a vacancy in the classified service is to be filled from an eligible register or a lateral transfer register (rather than from a reinstatement register, a promotional register or by a temporary allocation of duty) the appointing officer shall make a requisition upon a form prescribed by the Commission for the certification to him of the names of eligible candidates. The appointing officer shall notify the Commission of each position to be filled separately.

For the sake of practicality, if the eligible register or lateral transfer register consists of more than twelve (12) candidates, the Secretary shall provide the appointing officer with the names of eligible or lateral transfer candidates in successive panels composed of the top twelve (12) or top 20% of candidates on the register in rank order, whichever is greater, and thereafter the next twelve (12) or next 20% of candidates, whichever is greater, or all remaining candidates if fewer than twelve (12) remain, and so forth; if fewer than twelve (12) candidates are on the eligible register or lateral transfer register, all such names shall be provided to the appointing officer initially. The appointing officer shall have the authority to request additional panels before making an appointment from any of them, and further shall have the authority to appoint any candidate on the eligible register or lateral transfer register without regard to the rank of said person on the register. Further, the appointing officer shall have the authority to appoint a candidate from either the eligible register or the lateral transfer register.

Upon receipt of a requisition, the Secretary of the Commission shall attempt to contact by phone and/or email, the person selected by the appointing officer to ascertain whether he will accept appointment or desires to waive it. Any person who cannot be contacted within five (5) days shall be considered to have rejected appointment.

If any person rejects appointment the appointing officer shall be so notified and given the names of the top twelve (12) or top 20% of candidates then on the register, whichever is greater, or the names of all the candidates on the register if fewer than twelve (12), as described above. The appointing officer shall select the individual candidate for the position, and shall requisition the Secretary of the Commission to make an appointment. These steps shall be repeated until a person indicates that he will accept appointment. When a person indicates that he will accept appointment, his name shall be certified to the Department Head or City Librarian and the appointment shall be made by the Department Head or City Librarian in accordance with the Personnel Rules of the City or of the Library.

6-4. From a Promotional Register.
Whenever a vacancy in the classified service is to be filled from a promotional register, the appointing officer shall make a requisition upon a form prescribed by the Commission for the certification to him of the names of those eligible for appointment. The appointing officer shall notify the Secretary of the Commission of each position to be filled separately. Upon receipt of a requisition the Secretary shall certify the names of the three (3) people standing highest on the promotional register provided, however, that no person shall be certified from a promotional register who is not at that time in the classified service. The Department Head or City Librarian shall make the appointment in accordance with the Personnel Rules of the City or of the Library. In making his selection, the Department Head or City Librarian shall not pass over the person having the highest rating on the original register, that is, the person ranking No. 1 on the promotional register as it appeared before any certifications or appointments were made

from it, more than once and shall not pass over the person having the second rating on the original register more than twice.

6-5. Removal from Registers and Expiration of Registers.
If any person declines a tendered appointment from a register whether on original entry, lateral transfer, or promotional or otherwise, such person shall be removed from the register. Upon the exhaustion of any register by certification for appointment, or removal, of all names thereon, the register expires. All registers with the exception of that for Police Patrol Officer (eligible and lateral transfer) shall expire without further action upon the passage of two (2) years subsequent to the establishment thereof, provided that the Commission may on motion within said period extend a register beyond said two-year period. All registers for Police Patrol Officer (eligible and lateral transfer) shall expire without further action upon the passage of six (6) months subsequent to the establishment thereof, provided that the Commission may on motion within said period extend a register beyond said six-month period. Notwithstanding the aforesaid provisions, original entry registers and lateral transfer registers shall expire at the same time. The Commission may remove from any register for cause the same as for suspension in excess of five (5) days.

7. Probation.

7-1. Upon Appointment from an Eligible Register or a Lateral Transfer Register.
Any person appointed from an eligible register or a lateral transfer register shall be on probation for a period of six (6) to twelve (12) months according to the following schedule:

Police Patrol Officer	12 months
Fire Fighter	12 months
Neighborhood Services Officer	12 months
All Other Classifications	6 months

At or before the expiration of the probationary period, the Head of the Department in which said person is employed may, by and with consent of the Commission, discharge him upon assigning in writing his reasons therefore. At the expiration of the probationary period the appointment of any employee not so discharged shall be deemed complete, provided however, the probationary period of a person in the police or fire service shall not end nor the appointment of any such person be deemed complete until said person has successfully completed all training required by the City under the Police Training Act or the Fire Protection Training Act for his/her respective position. Failure to successfully complete said required training is sufficient reason for, and cause to, discharge a probationary employee.

7-2. Upon Appointment from a Promotional Register.
Any person appointed from a promotional register shall be on probation for a period of six (6) months. At or before the expiration of the probationary period, the Head of the Department in which said person is employed may, by and with consent of the Commission, remove him from the position classification in which he is serving his probation. The Commission upon written request may give said person an opportunity to be heard. Any person so removed from a position classification shall be returned to the position classification in which he was employed before his promotion. At the

expiration of the probationary period, the promotion of any employee not so removed shall be deemed complete. For the purpose of administering the provisions of this rule, removal during promotional probation shall be considered to be included within the term demotion as used in Chapter 7, Section 18 of the City Code.

8. Discipline.

8-1. Disciplinary Action.
Employees in the classified service whose conduct falls below a desirable standard for the public service may be subject to disciplinary action.

8-2. Removal, Discharge or Suspension - Thirty (30) Days or Less.
A Department Head may suspend any member of the classified service within his department for a period not exceeding thirty (30) days provided that the employee and the Commission shall be notified in writing of the reason for the suspension within five (5) days from the effective date thereof. Provided further that any employee suspended for more than five (5) days or within six (6) months of a previous suspension shall be entitled upon written request to the Commission to a hearing before the Civil Service Commission concerning the propriety of said suspension. When such a request for hearing is made, the Commission shall notify the City's Human Resources Department or where applicable, the City Librarian.

8-3. Removal, Discharge or Suspension - More than Thirty (30) Days.
No employee in the classified service shall be removed, discharged, demoted or suspended for a period of more than thirty (30) days except for cause upon written charges filed with the Commission and the employee involved and after an opportunity to be heard in his own defense; provided that a Department Head may suspend an employee indefinitely pending the results of a hearing, the subject of which is the dismissal from the classified service of said employee.

8-4. Hearings.
The Commission, upon receipt of charges, shall cause copies of the written charges to be served personally upon the employee against whom such charges are filed, or shall have the same mailed to his address as shown by the records of the Commission, notifying him of the time and place of investigation of said charges. No such investigation shall be held less than ten (10) days after the serving or mailing of notice.

8-5. Continuances.
The Commission may, in its discretion, grant continuances of investigations of charges at the request of the City, the Library or any employee so charged. Any employee who so requests a continuance must agree irrespective of the eventual outcome of the disciplinary proceedings to waive any pay accrued during the period of the continuance so requested.

8-6. Findings and Decisions.
The findings and decisions of the Commission shall be preserved and a copy thereof certified to the appropriate Department Head who shall enforce them.

8-7. Rehearings.
Petitions for rehearing of persons removed or discharged from the classified service may be filed with the Secretary of the Commission within thirty (30) days after the finding and

decisions have been recorded. Petitions shall state fully the grounds upon which applications for rehearings are based. If, in the discretion of the Commission, said petitions are allowed, rehearings of original charges with any new evidence bearing thereupon may be conducted and findings and decisions as a result of such rehearings entered, but in case said petitions are not allowed, the orders of discharge shall remain in force.

8-8. Cause.

That which constitutes cause shall be determined by the Commission in each case. Ordinarily, cause will mean some substantial shortcoming which renders continuance in the classified position then in question in some way detrimental to the discipline or efficiency, or both, of the classified service and something which the law and a sound public opinion recognize as a good cause of that individual no longer occupying the place.

8-9. Review of Work Record in Disciplinary Hearings.

In any disciplinary hearing authorized under Rule 8, the Commission will take official notice of the entire work record of the employee as evidenced by letters of commendation, letters of reprimand, performance evaluations, attendance records, and all other such documents kept and maintained by the City of Decatur or the Decatur Public Library, as case may be, in the regular course of business, and all such documents will be part of the records of proceedings.

9. Leave of Absence.

9-1. Leave of Absence from Duty.

A. Any employee who:

1. Enters the military or naval service of the United States because of a war in which the United States is a party belligerent;

2. Enters the military or naval service of the United States as required by an Act of Congress; or

3. Is injured in the performance of his duties and temporarily unable to continue them;

shall, upon written application and proof satisfactory to the Commission, be granted a leave of absence from duty for the duration of the disability or military obligation. Any employee who desires to return from a leave of absence from duty granted by the Commission for military service shall, within ninety (90) days from the termination of his military obligation, submit a written request for return to duty to the Commission. Within a reasonable time from the receipt of said request, the Commission shall return the person to the position classification he held when the leave was granted. If a duty incurred injury extends beyond six (6) months, the employee will automatically convert to leave from the classified service status and upon receipt of a request to return to duty shall be subject to Rule 9-2.

B. The City Manager or the City Librarian, at the request of an employee and in his discretion, may grant a leave of absence from duty. The Commission shall be notified of all leaves of absence from duty so granted. Said leaves shall be of a

specific duration of time, not to exceed six (6) months, and at the expiration of the leave the employee will be returned to the position classification he held at the time the leave was granted. Leaves in excess of six (6) months shall automatically convert to leave from the classified service.

C. A leave of absence from duty for six (6) months or less does not create a vacancy in the classified service and no certification or appointment need be made.

9-2. Leave of Absence from the Classified Service.

A. The City Manager or the City Librarian at the request of an employee and in his discretion, may grant a leave of absence from the classified service. The Commission shall be notified of all leaves so granted. An employee granted a leave of absence from the classified service who desires to return to work shall make a written request to return and upon receipt of said request, his name shall be entered on a reinstatement register for the position classification he held at the time the leave was granted in the order determined by Rule 5-4.

B. A leave of absence from the classified service is deemed to create a vacancy which may be filled as any other vacancy.

9-3. Seniority Upon Return From Leave.

An employee who returns to work after a leave of absence from the classified service shall be credited with the amount of accumulated seniority.

10. Temporary Allocation of Duties.

10-1. Temporary Appointments.

To prevent the stoppage of public business or to meet extraordinary exigencies, the Head of any Department may, with the approval of the Commission, make temporary appointments of any person, either within the classified service or not, to remain in force not exceeding one hundred twenty (120) days or until a register can be established. The process of establishing a register must be started within a reasonable length of time after a vacancy occurs.

A. To prevent the stoppage of public business or to meet extraordinary exigencies, temporary appointments of any person for the lake patrol or as a lake patrol crew chief for up to two hundred ten (210) calendar days may be made without the approval of the Commission.

10-2. Temporary Assignments.

With the consent of the Commission, an employee in the classified service or any person whose name appears on the eligible, lateral transfer, promotional or reinstatement registers of the City may be temporarily given duties or responsibilities without the creation of a classified position or may be temporarily assigned to a classified position other than the one he/she presently holds without formal certification from a register.

In the absence of an eligible, lateral transfer, promotional or reinstatement register, the City Manager may temporarily assign persons to perform work of the classified service.

10-3. Seniority.

No employee shall lose his accumulated seniority because of a temporary appointment or temporary assignment.

11. Police and Fire Classifications.

11-1. Police and Fire Service.

A. Every applicant for original examinations or lateral transfer examinations for the uniformed police, in addition to all other applicable requirements of these rules must, at the time of such examination, be not less than twenty-one (21) years of age or over thirty-five (35) years of age; provided, however, that in cases where an applicant has had special training or experience in police related work, the Commission may, at its discretion, accept applicants thirty-six (36) years of age or older with one (1) year of increased age allowed for each year of actual service. The maximum of such age allowance shall be four (4) years.

B. Every applicant for original examination for the fire service, in addition to all other applicable requirements of these rules, must, at the time of such examination, be not less than twenty-one (21) years of age or over thirty-four (34) years of age; provided, however, that in cases where an applicant has had special training or experience in fire work, the Commission may, at its discretion, accept applicants thirty-five (35) years of age or older with one (1) year of increased age allowed for each year of training or experience. The maximum of such age allowance shall be five (5) years.

C. Applicants for an entry, lateral transfer or promotional position in the classified uniformed police and fire service shall possess the physical abilities necessary to sustain the labor and exposures of a Police Patrol Officer or Fire Fighter, as the case may be, and to successfully perform the duties of the respective position classification. Applicants shall pass a medical examination and such physical ability tests as may be from time to time approved or prescribed by the Commission.

12. Retirement.

12-1. Retirement Age.

There is no legal retirement age for employees of the City of Decatur, Illinois, under Civil Service, except members of the Fire and Police Service. The retirement age of members of the Fire and Police Service is hereby fixed by State Law.

13. Demotions.

13-1. Rank to Which One is Demoted.

Demotion, whether voluntary or involuntary, may be to any rank in the promotional order below the position demoted from. If there is no such identifiable order, then the demotion shall be to a position of suitable activity and responsibility. No demotion shall result in a transfer between departments except upon the concurrence in writing of the City Manager.

13-2. Voluntary Demotion.

An employee may be demoted upon his request, if concurred in by the City Manager. Such request and concurrence shall be in writing filed with the Commission and shall each specify the position to which demotion is requested and concurred in. The request shall be supported by appearance before the Commission wherein the same is personally acknowledge by such employee.

13-3. Voluntary Demotion Probationary Period.
Voluntary demotions which are made from one department to another are subject to the appropriate probationary periods.