

**PERSONNEL RULES  
FOR THE CLASSIFIED SERVICE  
OF THE  
METROPOLITAN WATER RECLAMATION DISTRICT  
OF GREATER CHICAGO**

These Rules originally were adopted December 18, 1965. The present publication reflects the original unchanged Rules, all amendments to the Rule made to date, and the text has been repaginated for easier reading. Moreover, the full name of the District has been changed wherever it appeared in earlier editions to correspond to the 1989 action of the Board of Commissioners redesignating the District as the Metropolitan Water Reclamation District of Greater Chicago from its former name of “Metropolitan Sanitary District of Greater Chicago.”

Effective August 26, 2008, the names of several departments at the District were changed by Public Act 095-0923. Effective January 1, 2009, several job titles of the District were changed by Public Act 095-0923. The changes are reflected in these Rules.

The original printing of the Rules included, in appendices, the Classification Plan and the Lines of Promotion. Most amendments since 1965 involved changes to the Classification Plan and the Lines of Promotion. Since in the future most amendments probably also will involve these matters, in order to make frequent updating of the Rules unnecessary, the Classification Plan and the Lines of Promotion have been placed in a separate volume.

Questions about any of the Rules contained in this publication should be directed to the Director of Human Resources.

Absolute Qualification Requirements	4.021	4-1
Administration of Salaries	5.04	5-2
Administrative Interpretation	1.05	1-2
Amendment of Classification Plan	4.031	4-2
Amendment of Examination Announcement	6.13	6-6
Amendment of Rules	1.03	1-2
Announcement Period for Examinations	6.10	6-5
Anticipated Eligibility for Examinations	6.16	6-7
Appeals	12.00	12-1
Applications, Rejection	6.24	6-10
Category Eligible Lists	7.042	7-2
Certification Procedure	8.05	8-1
Civil Service Board Organization	13.00	13-1
Class Specifications	4.02	4-1
Classification Changes and Employee Status	4.033	4-3
Compensation Policy	5.01	5-1
Compensation to Employees Testifying Before the CSB	12.05	12-3
Competitive Examinations	6.03	6-3
Continuity of Service	5.07	5-5
Continuous Examinations	6.101	6-5
Correction of Eligible Lists	7.05	7-3
Correction of Scoring Errors	6.66	6-19
Demotion	8.09	8-3
Discharge	11.04	11-1
Duration of Eligible Lists	7.045	7-2
Duty Leave	9.03	9-1
Efficiency Ratings in Examinations	6.46	6-11
Eligibility for Examinations	6.14	6-6
Eligible Lists	7.00	7-1
Examination Announcement	6.11	6-5
Examinations	6.00	6-1
Extended Leave	9.05	9-2
Flexible Passing Score	6.591	6-17

## TABLE OF CONTENTS

	<b>RULE</b>	<b>PAGE</b>
Hearings and Appeals	12.00	12-1
Hearing of Charges Against Employees	12.03	12-2
Involuntary Demotion	11.043	11-3
Layoff	9.10	9-3
Leave of Absence	9.00	9-1
Military Leave	9.04	9-1
Notice of Examinations	6.09	6-4
Overtime Administration	5.10	5-6
Oral Interviews in Examinations	6.54	6-14
Part-Time Compensation	5.05	5-5
Passing Score in Examinations	6.58	6-16
Performance Management	10.00	10-1
Performance Salary Advances	5.045	5-4
Political Activity during Leave	9.06	9-2
Probation	8.06	8-2
Promotion, Salary	5.043	5-3
Promotional Qualifications	4.025	4-2
Provisional Employment	3.03	3-1
Reemployment Lists	7.03	7-1
Rejection of Applications	6.24	6-10
Replenishment of Eligible Lists	7.046	7-2
Residency (Domicile)	6.02	6-1
Resignation	11.02	11-1
Return to Duty after Leave	9.09	9-2
Review of Examination Papers	6.70	6-19
Rule of Five	8.05(2)	8-1
Salary Advances (Performance)	5.045	5-4
Salary Advances	5.046	5-4
Salary and Wage Schedules	5.03	5-2
Salary Rate upon Accepting a Position in a Lower Class	5.044	5-4
Salary Rate upon Demotion	5.0431	5-3
Salary Rate upon Promotion	5.043	5-3

## TABLE OF CONTENTS

	<b>RULE</b>	<b>PAGE</b>
Seniority	9.12	9-4
Seniority in Examinations	6.45	6-11
Separation from District Service	11.00	11-1
Service of Charges	11.052	11-3
Shift Premium	5.09	5-6
Status of Employees, Effect of Classification Changes	4.033	4-3
Substitute Qualifications	4.024	4-2
Supervisors – Compensation	5.06	5-5
Suspension	11.042	11-3
Temporary-Emergency Appointment	3.03(2)	3-1
Temporary-Provisional Appointment	3.03(1)	3-1
Transfer	8.02	8-1
Veterans' Preference in Examinations	6.63	6-18
Waiver of Qualifications	6.18	6-9

## **RULE 1**

### **PURPOSE AND EFFECT**

**1.01 Purpose of Rules:** The fundamental purpose of these Rules is to make effective the Statute providing for a merit system of human resources administration in the Metropolitan Water Reclamation District of Greater Chicago and creating the Human Resources Department and the Civil Service Board. These Rules seek to establish human resources policies and procedures which will give maximum assurance:

- (1) That all acts and transactions relating to employees in the classified service and all methods and procedures affecting human resources administration will be on the basis of merit and fitness and will conform to the highest standards of modern human resources systems, and will respect and protect the dignity of individuals, honoring their right to fair consideration in all aspects of employment and to the pursuit of a rewarding career without regard to race, sex, religion, age, handicap or national origin. Notwithstanding this, the Affirmation Action Plan adopted by the Board of Commissioners in April, 1974 permits consideration of race and sex of qualified candidates in the appointment process, when underrepresentation of minorities or females exists within a classification. Employees or applicants for employment who believe that they have been discriminated against because of their race, sex, color, religion, age, disability or national origin in any employment action may file a complaint in accordance with the provisions of the Executive Director Directive on the Receipt and Processing of Informal Complaints of Discrimination. [Amendment No. 135, 11/23/84] [Amendment No. 312, 04/03/96]
- (2) That at all times there will be in effect fair and equitable rates of compensation for all positions in the classified service which give due consideration to the interests of employee and taxpayer alike and adhere to the principle of like pay for like work.
- (3) That proper recognition will be given to diligent and efficient performance of duties in positions throughout the classified service.
- (4) That the classified service of the District will be attractive as a career and invite the continued service of all officials and employees who render diligent and efficient service.
- (5) And there will be, in all matters relating to human resources administration, a clear understanding of the proper relationships among employees, supervisors, officials, the Board of Commissioners, the Director of Human Resources and the Human Resources Department, and the Civil

Service Board of the Metropolitan Water Reclamation District of Greater Chicago.

**1.02 Applicability of Rules:** These Rules shall apply to all positions in the classified service of the Metropolitan Water Reclamation District of Greater Chicago, and to all actions and activities relating to employment and human resources administration which affect the classified service.

**1.03 Amendment of Rules:** These Rules shall be subject to amendment and revision, pursuant to the Statutes, at such times and in such respects as the Director of Human Resources may find necessary and desirable in the public interest.

**1.031 Effective Date of Amendment:** Unless specifically provided otherwise in an amendment, all amendments to these Rules shall be effective immediately upon expiration of the thirty-day period specified in the Statute.

**1.032 Application of Amendments:** Amendments in these Rules shall apply to transactions in progress in the District as follows:

(1) Amendments to Rule 6 shall apply to all examinations for which the official announcement or amended announcement is issued on and after the effective date of the amendment and shall not apply to examinations in progress, the official announcement of which was issued prior to the effective date of the amendment.

(2) Amendments to Rules 7 and 8 shall apply to all certifications made on or after the effective date of the amendment and shall not apply to certifications made prior to the amendment.

(3) Amendments to all other Rules shall apply as soon as the amendments become effective.

**1.04 Partial Invalidity:** If any part of these Rules is rendered invalid or unenforceable because of the invalidity of any statutory provisions or for other reason, the remaining portion of these Rules shall continue in full force and effect.

**1.05 Administrative Interpretation:** The Director of Human Resources, in consultation with the Law Department, is empowered to make authoritative interpretations of the Rules in all cases where doubt or difference of opinion may arise; provided that this shall not obstruct the right of any person to apply to the Board for an interpretation in keeping with the provisions of these Rules governing appeals; and further provided that nothing contained in any manual relating to employment and human resources administration shall be construed to amend or modify these Rules.

## **RULE 2**

### **DUTIES OF THE DIRECTOR OF HUMAN RESOURCES**

**2.01 Department of Human Resources:** There is created a Human Resources Department for the District, the executive officer of which is the Director of Human Resources. Any person appointed as the Director shall have previously served in a responsible executive capacity requiring knowledge of and experience in human resources management to a degree commensurate with that required in the human resources administration of the District.

**2.02 Duties of the Director of Human Resources:** It shall be the duty of the Director of Human Resources to serve as executive officer of the Board, to direct the Human Resources Department, and to administer the technical activities relating to employment and human resources administration. He shall:

- (1) Institute actions which, in his judgment, will secure compliance with the Statute and these Rules and further a human resources system based on merit for the District.
- (2) Attend meetings of the Civil Service Board.
- (3) Perform all duties required by the Statute and these Rules.
- (4) Continuously inform himself of all matters relating to human resources and employment and keep the Civil Service Board and the Board of Commissioners informed of all such matters as should come to their attention.
- (5) Prepare and keep up to date a manual of procedures of reclassification, performance ratings, examinations, training, and other aspects of employment and human resources administration.
- (6) Perform and discharge such additional acts and duties as may be assigned him by the Civil Service Board and the Board of Commissioners.

## RULE 3

### CLASSIFIED CIVIL SERVICE OF THE DISTRICT

**3.01           The Classified Service:** The classified service of the District includes all full-time and part-time positions to which appointment is made on behalf of the District by the Board of Commissioners or any official of the District or the compensation for which there is a charge against the funds of the District, with the exception of those positions which are specifically cited as not included in the classified service in Section 4.13 of the Statute.

**3.02           Types of Employment:** Employees in the classified service have employment as follows:

**(1) Probationary Employment:** Appointment to a position by certification from an eligible list give the employee probationary employment status.

**(2) Permanent Employment:** Permanent employment succeeds probationary employment. The employee who adequately performs the duties of his position during the probationary period becomes a permanent employee and enjoys full civil service status.

**(3) Temporary Employment:** Employees may be engaged on temporary employment status in accordance with the next succeeding section of these Rules.

**3.03           Temporary Employment:** Employees may be engaged on temporary employment status as follows:

**(1) Temporary-Provisional Employment:** A temporary-provisional appointment may be made to any position when there is no reemployment list or eligible list for the position from which certification can be made and when the circumstances do not permit the giving of a competitive examination and preparation of an eligible list before appointment must be made. Temporary-provisional appointments may be made only with the approval of the Director of Human Resources and may remain in effect only until such time as certification of a qualified applicant from an eligible list can be made.

**(2) Temporary-Emergency Appointment:** When, in the opinion of the Appointing Authority, conditions which constitute an emergency require immediate appointment to a position, he may give temporary-emergency appointments to such number of persons as may be required to deal adequately with the emergency. When possible, the Appointing Authority shall request the approval of the Director of Human Resources prior to making such an appointment, and in any case shall notify the Director of Human Resources of a temporary-emergency appointment within three days after it is made. The period of employment on any temporary-emergency appointment shall not exceed thirty days, but such appointment shall not



exceed thirty days, but such appointment may be renewed from time to time by the Director of Human Resources.

**3.04 Prohibition of Other Means of Employment:** With the exception of the exempted positions cited in Section 4.13 of the Statute and services procured under contractual arrangements, no person may be given any employment in the District other than in accordance with these Rules.

**3.05 Residency:** [Amendment No. 176, 01/01/88]

(1) Any person employed by the District before January 1, 1988 must maintain actual residence in the State of Illinois during the tenure of his employment.

(2) Any person first employed by the District after December 31, 1987, or any former employee who returns to employment after that date, must be domiciled within the territorial boundaries of the District. However, an employee first employed after December 31, 1987 on probationary status shall not be required to be so domiciled until six months after completion of probation. The Director of Human Resources may waive this requirement for any person assigned to a facility outside the territorial boundaries of the District.

(3) Failure to comply with the appropriate residency requirement above shall be cause for removal or discharge from employment.

## RULE 4

### CLASSIFICATION AND ALLOCATION OF POSITIONS

**4.01 Classification Plan:** All positions in the District, with the exception of those cited in Section 4.13 of the Statute as not included in the classified service and services procured under contractual arrangements, shall be provided for and described in a comprehensive classification plan. No person may be given employment in any position other than one cited in Section 4.13 of the Statute, unless that position is provided for and allocated to its appropriate class in the classification plan; nor shall any person, other than those occupying positions cited in Section 4.13 of the Statute, be given any compensation for employment in the District, unless he has been appointed to a position provided for and allocated to its proper class in the classification plan.

**4.02 Class Specifications:** Every class of positions shall be described by written specifications. For each class the specifications shall, by descriptive language and examples:

- (1) Set forth the duties to be discharged by incumbents of positions in that class.
- (2) Indicate the character and measure of responsibilities to be assumed by incumbents of that class.
- (3) Specify the qualifications of education, special training, licensure and/or experience which persons applying for appointment to positions in that class are required to meet.
- (4) Specify the knowledges, skills and abilities which are necessary either for the successful performance of the duties of the position or for learning successfully to perform the duties of the position, as may be appropriate.

Specifications shall be so written as to distinguish clearly that the duties and responsibilities of positions in that class differ from positions in all other classes and shall contain sufficient examples of duties and of required knowledges, skill and abilities to provide a basis for preparation of a test and to determine fitness for appointment to positions and to provide a basis for the designing and administration of performance ratings.

The statement of education, licensure and/or experience shall be sufficiently complete so as to include all kinds of education, licensure or experience which may reasonably qualify an applicant to perform the duties of the position and to provide an adequate basis for approving or disapproving applications for examination. It shall not be necessary to set forth in class specifications qualifications generally required of candidates for positions throughout the classified service, such as citizenship, integrity, sobriety, age, and physical ability.

**4.021 Absolute Qualification Requirements:** Any qualification of education, licensure or experience, for which no equivalent combination or substitution shall be permitted, is an absolute qualification requirement and shall be so stated in the specification.

**4.022 Desirable Requirements:** A desirable requirement is not really required and no applicant shall be disapproved solely because he lacks a desirable requirement.

**4.023 Equivalent Requirements:** Whenever additional education of an appropriate kind may be substituted for all or part of the required experience, and whenever additional experience of an appropriate kind may be substituted for all or part of the required education, the requirement is an equivalent requirement and shall be stated in the specification in such a way as to clearly indicate the proportions of education and experience that are equivalent.

**4.024 Substitutions:** Whenever another kind of education is sufficiently equivalent to the kind of education required in the qualifications, and whenever another kind of experience is reasonably equivalent to the kind of experience required in the qualifications, a substitution of education for education or experience for experience may be made. All substitutions that are reasonably likely to occur should be stated specifically in the qualification section of the specification.

**4.025 Promotional Qualifications:** [Amendment No. 39, 07/01/71] [Amendment No. 251, 10/04/91] [Amendment No. 389, 08/15/07] For any class of positions in which vacancies may appropriately be filled by promotion rather than by entrance examinations, the specification may include a separate promotion qualification requirement.

The promotion qualification requirement shall be stated in terms of a) the permanent civil service status required in any of the subordinate classes listed in the official lines of promotion, and b) the length of service required following appointment (as specified under Rule 3.02) to any of these subordinate classes, and may also include c) attainment of the education and licensure requirements specified in the minimum qualification requirements for the higher level class.

Service in a class in the same series or a closely related class in the same occupational group which is at the same or a higher classification level than the specified lower level positions may be counted toward meeting the service requirement, provided the individual has civil service status in one of the subordinate classes specified in the official lines of promotion.

The promotion qualification requirement shall be such that the total education and experience of a person who exactly meets the promotional requirement will be reasonably equivalent to the entrance requirement stated in terms of education, licensure and experience.

**4.03 Maintenance of Classification Plan:** The Director of Human Resources from time to time may seek the advice of the Executive Director and other officers of the District as to the adequacy of the classification plan for efficient administration of the District's activities, and may investigate the duties and responsibilities which are actually assigned to, performed and discharged by employees in various parts of the service.

**4.031 Amendment of Classification Plan:** [Amendment No. 8, 11/06/67] Whenever he finds that changes in the classification plan are needed to further its purposes, he shall prepare the necessary changes.

Changes which require the abolishment of an existing class or the creation of a new class shall be submitted to the Civil Service Board pursuant to the Statutes, and other changes may be made on the authority of the Director of Human Resources, provided that he shall promptly report any change which he has made to the Civil Service Board.

**4.032 Advance Notice of Proposed Change:** No change in the classification plan shall be made by the Director of Human Resources until the Executive Director, the Department Head, and the officers or officer in immediate charge of the positions affected and any employees whose employment status may be materially affected by the proposed change have been fully informed of the nature of the action proposed to be taken and have been given opportunity to offer advice and enter objections.

**4.033 Effect of Changes on Employee's Status:** Whenever an employee occupies a position in a class of positions which is changed or whenever the allocation of a particular position is changed, the change shall affect the status of the employee as follows:

(1) Such an employee, who has status only under a temporary-provisional appointment or a temporary-emergency appointment, may retain either status, if the position continues to exist but, in no case whatsoever, shall an employee with either such status obtain a higher status as the result of the change.

(2) Whenever such change affects a probationary employee and the employee is transferred with probationary status to another position, pursuant to the Rules below, the employee shall continue in probationary status until he completes his probationary period. The time spent in both the former and the new position shall be combined in determining when the employee has completed his probationary period. No probationary employee shall obtain permanent status except by properly completing the probationary period.

(3) Whenever a class is changed to another class, new or existing, which has essentially the same duties, qualifications, and pay grade, or to a class which has lower duties, qualifications, or pay grade, and (whenever a position is reallocated from one class to another class) which has essentially the same, or lower duties, qualifications, and pay grade, an employee having permanent status in a position in the former class shall automatically obtain permanent status in the new class. If the total number of employees possessing and attaining permanent status in the new class is greater than the total number of positions, then the provision of Rule 11 shall apply.

(4) If a class of positions is combined into an existing class of positions, or if a position in a class is reallocated to an existing class, then the provisions of Subsection 3 or 6 of this Rule shall apply.

(5) Whenever a position or a class of positions is abolished and the major duties thereof are reassigned to an existing class or a new class, the provisions of Subsection 3 or 6 of this Rule shall apply.

(6) Whenever a class of positions is changed to a new or existing class of positions having substantially higher duties, qualifications, and pay grade, or when a position is reallocated from one class to another class having higher duties, qualifications, and pay grade, then employees with permanent and probationary status in the former class shall not automatically attain such permanent or probationary status in the new class. In lieu thereof, they shall be granted temporary-provisional status in the new class and an appropriate competitive entrance or promotional examination shall be conducted to which shall be admitted all permanent and probationary employees whose positions are affected by the change, together with all other employees who possess the qualifications required for competing in an examination for such position. Any such employees affected, who are not within reach for appointment on the resulting eligible list, shall be subject to the provisions of Rule 11.

(7) Whenever a class of positions is divided into two classes, one of which has duties, qualifications, and a pay grade higher than the former class, and the other which has duties, qualifications, and a pay grade lower than the former class, employees affected shall be entitled to status in the lower grade as provided in Subsection 3 of this Rule and in the higher grade, as provided by Subsection 6 of this Rule.

(8) Whenever the class of positions is abolished, an employee in a position in that class is subject to Rule 11.

**4.034 Effect on Provisional Employees of a Change in Qualification Requirements:**  
[Amendment No. 120, 05/29/82]

(a) Whenever the minimum qualification requirements for a particular classification are changed or increased at a time when there are employees who possess provisional status in that class, each provisional employee, if he possessed the qualifications of education, licensure, and experience in effect at the time he originally obtained provisional status, shall be permitted to compete in each entrance examination for that class, even though such provisional employee does not possess the current qualifications of education, licensure, and experience.

(b) Whenever the promotional qualification requirements for a particular classification are changed or increased at a time when there are employees who possess provisional status in that class, each provisional employee, if he possessed the promotional qualifications in effect at the time he originally obtained provisional status, shall be permitted to compete in each subsequent promotional examination for that class, even though such provisional employee does not possess the current promotional qualifications.

This Rule shall apply to all persons possessing provisional status when it becomes effective or obtaining provisional status thereafter, provided that in either case he retains provisional status without interruption in that class.

**4.04 Compliance with Class Specifications:** Whenever the Director of Human Resources finds that the duties and responsibilities which are actually assigned to or performed and discharged by an employee materially differ from the duties and responsibilities set forth in the specifications for the position which the employee occupies, he shall notify the Department Head or other responsible officers that he is required either to change the assignment of the employee so that it accords with the specifications for the position or to fill the position properly under these Rules. A copy of the notification shall also be sent to the employee. It shall be the duty of the responsible officer within twenty (20) days after receiving such notification to change the assignment or fill the position properly; provided that the Executive Director, the Department Head, or the employee (if he has permanent or probationary status) within ten (10) days after receiving notification may appeal the decision of the Director of Human Resources to the Civil Service Board.

**4.05 Use of Class Titles:** The title which is fixed for any class of positions in the classification plan shall be the official title of all positions allocated to that class and all positions shall be cited or referred to by the proper class title in all human resources transactions and records, budget and appropriation actions and records, payrolls and vouchers, and other official acts and records in which proper designation of position titles is necessary or desirable. No employee shall be appointed, employed, or paid under any title other than that of the class to which the position he occupies has been allocated.

**4.06 Lines of Promotion:** The classification plan shall specify the classes of positions to be included in the District service, as required by Section 4.7 of the Statute, and shall fix lines of promotion for positions or classes of positions as required by Section 4.10 of the Statute. [Amendment No. 228, 10/03/90]

## RULE 5

### ADOPTION AND ADMINISTRATION OF THE COMPENSATION PLAN

**5.01 Compensation Policy:** The compensation of District employees shall be provided in accordance with the following basic policies and as interpreted by the succeeding provisions of this Rule for the adoption and administration of the District Compensation Plan

**5.011** The salary ranges of classifications shall be based on the relative value of the work performed as determined by the objective evaluation of classes of like positions using the Hay Guide-Chart Method. [Amendment No. 225, 07/02/90] [Amendment No. 360, 11/16/99]

**5.012** Insofar as practicable, while maintaining internal balance as established by the relative evaluation of classes, the compensation for District positions not covered by collective bargaining agreements shall be at least equal to the median compensation provided by other employers for similar work in the Metropolitan Chicago labor market or other appropriate labor market. [Amendment No. 225, 07/02/90] [Amendment No. 360, 11/16/99]

**5.013** Salary advancement within salary ranges shall be provided to recognize growth in the job. [Amendment No. 360, 11/16/99]

**5.014** Employees in positions covered by collective bargaining agreements shall be compensated on the basis of negotiations between unions representing such employees and the management of the District. The rates paid to all such employees shall be adjusted in accordance with changes caused by the duly prescribed negotiations; provided that any change in rates may be made applicable at the beginning of the budget year next following the date of change in the rate, in the event necessary funds are not available. [Amendment No. 225, 07/02/90]

**5.02 Definition and Adoption of the Compensation Plan:** The Compensation Plan includes the salary and wage schedules, provisions for application and administration of the schedules, and provisions for premium pay, all contained in this Rule; the Compensation Plan also includes any separate provisions for paid Holiday, Vacation and Sick Leave, and other authorized paid absences. The Compensation Plan is hereby adopted on the effective date of this Rule and may be revised from time to time by amendment of this Rule. [Amendment No. 225, 07/09/90] [Amendment No. 360, 11/16/99]

**5.021 Definitions:** [Amendment No. 82, 05/23/77] The following terms, as they are used in these Rules, have the meanings described in the paragraphs below:

**Classification or class:** A group of positions that are sufficiently similar with respect to duties and responsibilities to apply the same job title, qualification requirements, tests of fitness, pay grade, and to treat alike for other human resources purposes.

**Classified positions:** All positions in the classified service of the District, i.e., all budgeted positions except those which are specifically cited as not included in the classified service in Section 4.13 of the Statute.

**Grade:** The numerical designation for a particular pay range in a salary or wage schedule.

**Position:** An aggregation of duties, tasks and responsibilities requiring the service of one individual.

**Salary range:** The range between the minimum and maximum pay rates for any classification. [Amendment No. 225, 07/02/90] [Amendment No. 360, 11/16/99]

**Steps:** The series of pay rates within a particular pay grade.

**5.03 The Salary Schedules:** [Amendment No. 82, 05/23/77] [Amendment No. 225, 07/02/90] [Amendment No. 349, 12/17/98] Compensation for all employees in classified positions not covered by collective bargaining agreements shall be based on the provisions of this Rule. Pay schedules for such employees shall be identified as follows and are made a part of this Rule:

**Schedule GS** – The General Service Salary Schedule shall consist of 4 sub-schedules (A – D) encompassing 14 grades (GS 1 – GS 14).

Sub-schedule A: Grades GS 1 through GS 5 shall contain 6 steps

Sub-schedule B: Grades GS 6 through GS 9 shall contain 7 steps

Sub-schedule C: Grades GS 10 through GS 13 shall contain 8 steps

Sub-schedule D: Grade GS 14 shall contain 9 steps.

**Schedule PM** – The Professional and Managerial Salary Schedule shall consist of 22 grades (PM 1 – PM 22). Each grade shall contain 9 steps.

**Schedule TAM** – The Technical, Administrative and Managerial Salary Schedule shall consist of 17 grades (TAM 7 – TAM 23). Each grade shall consist of 9 steps. [Amendment No. 360, 11/16/99]

**Cooperative Student and Trainee Schedule** – The Cooperative Student and Trainee Schedule shall consist of a single pay rate. [Amendment No. 360, 11/16/99]

**Schedule LT** – These classes are covered by collective bargaining agreements and their salary rates shall be in accordance with these collective bargaining agreements.

**5.04 Administration of Salaries:** [Amendment No. 360, 11/16/99] Salary rates of employees paid according to the General Service, Professional/Managerial and/or Technical, Administrative and Managerial Salary Schedules shall be determined as follows:

**5.041 Salary Rate Upon Initial Appointment:** Upon initial appointment, the entrance rate shall normally be the minimum rate of the range for the class of positions involved. In exceptional cases where an applicant for a position may have qualifications distinctly above and beyond the minimum qualification requirements for the class, the Director of Human Resources may authorize entrance at a rate above the minimum rate but in no case higher than the fifth step



of the range. In cases where the Director of Human Resources determines that appointment above the first step is necessary to ensure effective recruitment, he may authorize entrance at a rate above the minimum rate, but in no case higher than the fifth step of the range. In the latter case, any current employee in a position in the same class whose rate is below the rate at which the vacant position finally is filled shall have his/her rate adjusted to the rate at which the vacant position finally is filled. [Amendment No. 82, 05/23/77] [Amendment No. 225, 07/02/90] [Amendment No. 360, 11/16/99]

**5.042 Salary Rate Upon Return to Duty:** When an employee returns to duty in a position of the same class after separation from the District service for a period of no more than one year, which separation was not due to discharge, such employee shall receive the rate in the applicable salary range corresponding to the step at which paid at the time of separation, and shall subsequently serve thereat for at least the period normally required for advancement to the next higher rate.

**5.043 Salary Rate Upon Promotion:** [Amendment No. 82, 05/23/77] [Amendment No. 360, 11/16/99]

- (a) Upon promotion from one classification paid according to schedule GS, PM or TAM to another classification paid according to Schedule TAM, the new rate shall be the minimum rate of the range of the classification to which promoted, or that rate within the range that provides a salary increase of at least 10% but not more than 15%. However, in the event that the classification to which the employee is promoted is only one grade higher than the former classification according to Schedule TAM, the new rate shall be the minimum rate of the new range or that rate which provides a salary increase of at least 5% but not more than 10%, whichever is higher.

Upon promotion from a classification covered by a collective bargaining agreement to a classification paid according to Schedule TAM, the employee shall be placed at the lowest step of the grade of the classification to which promoted that provides a salary increase of at least 5% but not more than 10%. For this purpose, promotion shall be defined as the movement of an employee from a subordinate LT classification to a superior TAM classification as listed in the official Lines of Promotion. In the event an employee moves from a classification covered by a collective bargaining agreement which is not in the official Lines of Promotion to a TAM classification, the employee shall be placed in Step One of the TAM pay grade. In the event that such placement would result in a reduction in pay, placement shall be in that step which would be appropriate based on length of service to the District. Such placement, based on length of service, shall not result in an increase greater than 5%. [Amendment No. 102, 10/08/79] [Amendment No. 225, 07/02/90]

**5.0431 Salary Rate Upon Demotion:** [Amendment No. 462, 04/22/16] Upon demotion, an employee shall be placed in that step of the grade under the GS, PM or TAM schedule that the employee would have attained had the employee continued to work in the most recent former classification. If the former classification is covered by a collective bargaining agreement, the rate

of pay shall be the rate currently in effect under the terms of the current collective bargaining agreement.

**5.044 Salary Rate upon Accepting a Position in a Lower Class:** [Amendment No. 82, 05/23/77]

(a) When an employee reverts back to his/her civil service status, he/she shall be placed in that step of the grade which will provide a salary rate equal to that which would have been received had the promotion not occurred and the employee had continued to work in the lower classification, provided the conditions set forth in Rules 5.045 and 5.07 are satisfied.

(b) When an employee is granted a leave of absence or is terminated from a classification to accept a temporary provisional appointment in a classification in a lower grade, the determination of the salary rate in the lower grade shall take into account the employee's length of service with the District in former classifications, provided the conditions set forth in Rules 5.045 and 5.07 are satisfied. [Amendment No. 462, 04/22/16]

**5.045 Performance Salary Advances:** [Amendment No. 82, 05/23/77] [Amendment 225, 07/02/90] Salary advancement within the grade of the appropriate schedule shall depend upon meeting the minimum requirements of service as indicated in the Schedule, and upon the employee's performance, noted as Overall Performance Evaluation on the annual Performance Appraisal, Planning and Development or the Probationary Report Form, in accordance with the following:

(a) In case performance is less than "meets standards," the salary advance shall be deferred to a date when a subsequent performance evaluation indicates that performance has been at least "meets standards." In the event that a salary increase is deferred, performance will be re-evaluated in six months.

(b) In case performance is "meets standards" or better, a salary advance of one increment shall be granted.

**5.046 Salary Advances for District Employees in the Employ of the District on December 31, 1976** [Deleted by Amendment No. 260, 11/16/99]

**5.047** [Renumbered to Section 5.046 above, by Amendment No. 225, 07/02/90]

**5.048 Transitional Rules for District Employees in the Employ of the District on December 31, 1999** [Amendment No. 360, 11/16/99] Employees in the employ of the District on December 31, 1999, who are compensated under Schedule GS or PM shall transition to Schedule TAM according to the following provisions:

(a) Employees will be placed in the same step under Schedule TAM they held under Schedule GS or Schedule PM. If such placement would result in a reduction in salary, such employees shall continue to be compensated under Schedule GS or PM. Upon promotion or reclassification, such employees shall be placed in Schedule TAM.

(b) Those employees who retain their grade and step under Schedule GS or PM pursuant to Rule 5.048(a), whose salary potential would improve under the corresponding salary grade under Schedule TAM, shall be placed in that step of Schedule TAM which would be appropriate based on length of service to the District.

(c) Employees in classifications appropriately allocated to the Cooperative Student and Trainee Schedule will receive a salary corresponding to this schedule.

**5.05 Pay Rates for Part-Time Service:** An employee in a position paid according to one of the salary schedules shall be paid for part-time service at the equivalent hourly rate for each hour worked. [Amendment No. 132, 04/06/84] [Amendment No. 225, 07/02/90]

**5.051 Salary Rates Represent Total Compensation:** In the event an employee receives compensation for services performed during the employee's regular District working hours for any other government agency, such as the City, County, State or Federal Government, any such payments shall be deducted from the compensation paid by the District. It is the intent of these Rules that the total compensation paid to any employee for regular full-time services from all sources combined shall equal the amount prescribed as the employee's regular rate of pay (exclusive of overtime pay). No additional compensation of any kind shall be authorized except as otherwise provided in these Rules. Consequently, compensation received by an employee while on military leave for annual training, or while absent from work to fulfill jury duty requirements shall be deducted from the salary paid by the District to the employee. [Amendment No. 87, 03/06/78]

**5.06 Salary of Supervisors:** The salary of a bona fide supervisor being paid according to Schedule GS, PM or TAM shall be adjusted to provide a salary differential between the supervisor and subordinates, so that the supervisor shall be paid an amount 5% above the salary of the highest paid subordinate. A "bona fide supervisor" shall be defined as the rater on the subordinate's Performance Appraisal, Planning and Development or Probationary Report forms. Any change in the salary of the supervisor or the subordinate may result in an adjustment to the supervisor's differential. [Amendment No. 87, 03/06/78] [Amendment No. 225, 07/02/90] [Amendment No. 356, 09/21/99] [Amendment No. 360, 11/16/99]

**5.07 Continuity of Service:** Service requirements for advancement within the salary ranges and for other purposes as specified in the Rules shall have the implication of continuous service with the District. This means employment without a break or interruption; provided that any absence on authorized leaves with pay or absence on leave without pay for thirty (30) days or less shall not affect the continuity of service. All days of a leave without pay for six (6) months or less which are in excess of thirty (30) days, all leaves without pay for more than six (6) months,

all suspensions, time after lay-off and prior to reinstatement, and all absences without leave shall be deducted in computing total continuous service. All discharges, and resignations not followed by reinstatement within one year, shall interrupt continuous service and shall result in loss of all prior service credit, except that an employee who resigns and is reemployed, and subsequently completes at least two (2) years of satisfactory service shall have prior service credit restored. Service credit so restored shall not be used to determine seniority for layoff.

**5.08 Accumulation of Service in One Class of Positions:** Whenever an employee is promoted or accepts appointment in an unclassified (exempt) position on formal leave of absence and later returns to this former position, his term of employment under such different class of positions shall apply on and be added to, his term of service in the former class upon his return to same for the purpose of determining the appropriate rate of pay within the range appropriate for the class. [Amendment No. 360, 11/16/99]

**5.09 Shift Premium:** When all positions in a class are on a shift basis, as noted in the class specifications involved, the compensation specified for the class includes recognition of the shift basis of work. When an employee engaged in work of a class not normally on a shift basis is assigned permanently or temporarily on a shift basis, his normal compensation shall be increased by five percent (5%).

**5.10 Overtime Administration:** [Amendment No. 225, 07/02/90] A department head may prescribe reasonable periods of overtime work to meet operational needs. Such overtime shall be reported separately on the time records and the payrolls of the department.

Any employee compensated under the GS Salary Schedule or PM employee at PM08, or TAM Salary Schedule at Grade 16, and below, who is obliged to work overtime shall be compensated in time off or paid in cash. Such employees shall be allowed two (2) hours off for each hour of authorized overtime worked. If compensated in cash, such overtime will be paid at the rate of one and one-half hours for each hour of authorized overtime worked. [Amendment No. 360, 11/16/99] [Amendment No. 414, 12/22/10]

Employees at PM09 or TAM 17 and above shall not be eligible for overtime compensation. [Amendment No. 360, 11/16/99] [Amendment No. 414, 12/22/10]

**5.101 Operational Circumstances:** From time to time, an operational need may necessitate the use of special duty pay. The Director of Human Resources may recommend such pay to employees at PM 09 or TAM 17 pay grades and above. Special duty pay shall be administered according to current state and federal laws and regulations and/or policies of the Executive Director. [Amendment No. 414, 12/22/10]

**5.11 Responsibility for Compensation Administration**

**5.111 Responsibility of the Director of Human Resources**

(a) The Director of Human Resources has overall responsibility for the administration and maintenance of the Compensation Plan. The Director of Human Resources shall make necessary surveys and analyses of wages, salaries, fringe benefits, and working conditions in the appropriate labor market areas. The Director of Human Resources shall recommend to the Board of Commissioners in time for budget consideration any changes in the Compensation Plan.

(b) The Director of Human Resources shall assure that the compensation of District positions provided for in the annual budgets for personal services are in accordance with the salary schedules and these Rules. The Director of Human Resources through prescribed payroll audits shall assure that all forms of compensation during a fiscal year are in accordance with the Compensation Plan and the budget of funds for personal services.

**5.112 Responsibilities of the Board of Commissioners for Compensation Administration:** The Board of Commissioners has the responsibility of reviewing and approving the recommendations of the Director of Human Resources in the Compensation Plan for the District service including the salary schedules and the regulations for compensation administration as contained herein. The compensation rates for individual positions or groups of positions as provided in the annual budget or specified in any other ordinance or order shall be in accordance herewith.

**5.12 Limitations of Available Funds:** All ordinary and special compensation provisions in these Rules shall be effected only in the event sufficient funds for the respective purposes are available and have been budgeted.

**5.13 Repeal of Conflicting Ordinances and Orders:** All ordinances and orders in conflict with the provisions in these Rules be and the same are hereby repealed.

**RULE 6**  
**EXAMINATIONS**

**A. General Provisions**

**6.01 Purpose of Examinations:** The purpose of each examination is to obtain for the District the best qualified employees available, by means of evaluating the knowledges, skills and abilities of the candidates and predicting the degree to which each is competent to perform the duties of the class of positions, or to learn the duties, as may be appropriate. ++[Amendment No. 125, 03/04/83]

**6.02 Definitions:** The following terms, as they are used in these Rules, have the meanings described in the paragraphs below:

**Actual Residence:** Means bona fide residence with the added fact that the person has moved his household belongings from his state of origin and has established his home in Illinois. [Amendment No. 14, 08/12/68]

**Applicant:** A person who files an application to take an examination. An applicant becomes a candidate when his application is approved for admission to the examination.

**Bona Fide Residence:** Means residence acquired or established by a person who has come into the State of Illinois and has manifested his intention to remain therein and not to return to his state of origin. [Amendment No. 14, 08/12/68]

**Candidate:** A candidate is an applicant who has been approved for admission to an examination and who has, or will, compete in a test or tests.

**Domicile:** That place where a person has his true, fixed, and permanent home and principal establishment and to which whenever he is absent he has the intention of returning; the permanent residence of a person or the place to which he intends to return even though he may actually reside elsewhere; the established fixed, permanent, or ordinary dwelling place or place of residence of a person, as distinguished from his temporary and transient, though actual, place of residence; his legal residence, as distinguished from his temporary place of abode; or his home, as distinguished from a place to which business or pleasure may temporarily call him. [Amendment No. 176, 01/01/88]

**Efficiency Rating:** A test in which the ratings are based on the efficiency and competence with which the employee performs the duties of his position, as rated by his supervisors. Required by Section 4.10 of the Statute.

**Eligible:** An “eligible” is a candidate who has successfully passed all of the required tests and whose name is placed on an eligible list.

**Examination:** A comprehensive term which includes all of the selection processes which are involved in establishing a single eligible list for a single class of promotions. An examination may be made up of one or more tests.

**Group Oral Test:** An oral test in which a number of candidates are examined simultaneously by the Board of Examiners.

**Individual Oral Test:** An oral test in which the examiners interview one candidate at a time.

**Medical Test:** A test in which the candidate’s health of body is evaluated by a medical doctor.

**Oral Test:** A test in which the candidates are asked questions in spoken form by a Board of Examiners and respond in spoken form and are rated on their responses by the Board of Examiners.

**Oral Performance Test:** An oral test in which candidates are required to perform tasks related to the duties of the position often called a “Performance-Simulation Test.” The performance is in spoken form and is rated by a Board of Examiners who observe the oral performance.

**Performance Test:** A test in which the candidates perform tasks, typical of the class of positions being examined, in which the performance is in other than written form. Generally, a performance test involves manual skills or machine operation skills.

**Physical Condition Test:** A test designed to rate physical traits such as coordination, agility, endurance, strength and similar traits.

**Psychiatric Test:** A test in which the mental health and emotional stability of a candidate is rated by a qualified examiner.

**Rating of Training and Experience:** A test in which the competence of candidates is rated by means of evaluating, quantitatively and qualitatively, the prior education and experience of each candidate, against a pre-established rating scale. The rating may be based on the statements made in the candidate’s application or on a supplementary, special application completed by the candidate or on checks with educational institutions and prior employers or on any other valid information about the candidate’s training and experience.

**Security:** Keeping tests and test materials under such control that no candidate or unauthorized person has any access to them or opportunity to read or copy any test

material, except when competing in the examination or when reviewing his paper, as provided in Rule 6.50.

**Subtest:** A part of a test which may be rated separately, and which may also be weighted separately, as part of the process of arriving at the total score on the test of which it is a part. A separate passing grade is rarely required on a subtest.

**Test:** A homogeneous part of an examination, designed to rate one or more related knowledges, skills and abilities, by a single selection process. A test is a weighted part of an examination and often a separate passing score is required for each test. The term “test” not only includes written, oral and performance tests, but in addition, rating of training and experience or of seniority or of performance (efficiency) is a test. While most tests are rated numerically, some tests are rated only “pass” or “fail.”

**Unassembled Examination:** An examination in which the only test is a rating of training and experience.

**Written Test:** A test in which candidates record their answers to questions in writing on paper.

**Performance Rating:** See Efficiency Rating.

**6.03 Competitive Examinations Required:** Every examination and every test except the medical and psychiatric test shall be competitive in character and no person shall be placed upon an eligible list or certified for appointment unless he has successfully passed the competitive examination.

No examination, properly announced under these Rules, and adequately publicized, shall be deemed not to be competitive solely because only one person applies or because only one of the persons who applies is found to meet all of the qualifications or because, in an examination with more than one part, only one competitor successfully passes the earlier part(s).

**6.04 Nature of Examinations:** Every examination shall be competitive in nature and shall consist of tests which are designed to determine the comparative qualifications of candidates for the position or positions to be filled. Examinations shall be of two types: entrance examinations and promotional examinations.

(1) **Entrance Examinations:** Entrance examinations shall be open to employees of the District and to persons not employed by the District who meet qualifications for admission to the examination. Examinations for an eligible list for each position in the Classified Service above mentioned shall be held at least once in three years and at least annually for student programs and entry level engineering positions if the Director of Human Resources has limited the duration of the registers for these positions to one year, unless the Director of Human Resources determines that such examinations are not



necessary because no vacancy exists. [Amendment No. 210, 07/10/89] [Amendment No. 307, 10/20/95]

(2) **Promotional Examinations:** Promotional examinations shall be open only to employees in the classified service who occupy positions next lower in line of promotion which has been established for the position to be filled, and who meet qualifications for admission to the examination. The Director of Human Resources may, if he decides it is in the best interest of the District service, hold an original entrance examination in lieu of a promotional examination.

**6.05 Kinds of Tests:** An examination may be composed of one or more of the kinds of tests which are defined in Rule 6.02 or any other kind of test which will contribute to the basic purpose stated in Rule 6.01.

**6.06 Notice of Vacancies:** The Appointing Authority shall keep the Director of Human Resources informed, as far in advance as is feasible, of vacancies which are expected to occur.

**6.07 Authority of Director of Human Resources:** All examinations shall be scheduled, prepared, administered, and scored by or under the direction of the Director of Human Resources.

**6.08 Consultation Regarding Examinations:** In the preparation and rating of examinations, and the preparation of announcements, the Director of Human Resources may consult with District officials and outside resource persons in order to obtain any information he deems to be necessary or helpful.

**B. Examination Announcements, Application Filing Periods and Eligibility for Admission** [Amendment No. 426, 5/16/12]

**6.09 Notice of Examinations:** The Director of Human Resources shall give notice of examinations by:

(1) Publication for two (2) calendar weeks in one or more daily newspapers of general circulation in Cook County, beginning not later than two weeks prior to the last date on which applications will be accepted.

(2) Posting the official announcement, for the entire application filing period, in or near the office of the Human Resources Department, on the website and in other prominent places readily accessible during working hours to the employees of the District. [Amendment No. 426, 5/16/12]

(3) Posting the official announcement, for the entire application filing period, in such public buildings and other places as may be appropriate, in order to bring the examination to the attention of persons who may be interested and qualified for admission. [Amendment No. 426, 5/16/12]

**6.10 Application Filing Period:** A period of at least thirty (30) consecutive calendar days shall be provided in each examination for the filing of applications, except that, in emergencies or when the anticipated number of applicants is expected to far exceed the requirements for an adequate number of applicants, the Director may reduce the announcement period to not fewer than seven (7) consecutive calendar days. Amended announcements shall have an application filing period equal to the number of days provided in the original announcement or at least fifteen (15) consecutive calendar days, whichever is fewer. [Amendment No. 129, 10/30/83] [Amendment No. 426, 5/16/12]

**6.101 Continuous Examinations:** Notwithstanding anything to the contrary in the existing Personnel Rules, when necessary to meet continued requirements for filling positions, the final filing date for any examination may be indefinite and candidates may be tested continuously in such manner and at such times as the Director may provide. No candidate may compete again in the examination for a period to be determined by the Director and stated in the official examination announcement. The final filing date for any continuous examination may be set at any time by the Director, but notice of this action shall be posted in or near the office of the Human Resources Department at least ten (10) days prior to the effective date of the action. [Amendment No. 96, 01/25/79] This rule and amendment shall become void after (2) years following the effective date of Amendment No. 96. [Amendment No. 110, 01/08/81; deletion]

**6.11 Official Examination Announcement:** The Director of Human Resources shall issue an official announcement of each examination, which shall be distributed to all interested parties and, subject to these Rules, which shall specify all of the terms governing that examination, including the following information:

- (1) The title and information about the pay for the class of positions for which the examination is being announced. [Amendment No. 5, 06/25/67]
- (2) The statement of the duties and responsibilities of the class of positions and the qualifications required for admission to the examination.
- (3) The last dates on which applications will be accepted, the place and manner of making application for admission to the examination, and the date on which the official announcement was issued.
- (4) Candidates will be notified by mail as to date, time, place, type, weights, and content areas of tests, if such information has not been determined in advance of the filing period. When mail notification of such test information to candidates is necessary, a period of not less than four (4) weeks will be allowed between the date of mailing such notices and the test date. Information on content areas (knowledges, abilities and skills) shall be sufficiently detailed so as to permit candidates to know how to prepare themselves to compete in the test(s). [Amendment No. 305, 08/16/95]

(5) A statement of the amount of fee, if any, required of each applicant who desires to take the examination. [Amendment No. 125, 03/04/83]

(6) [Deleted by Amendment No. 305, 08/16/95]

(6) [Renumbered from 7 to 6 by Amendment No. 305, 08/16/95] If required, a statement that candidates will be required to pass one of more of the tests separately, in order to be eligible to compete in the succeeding test(s).

(7) [Renumbered from 8 to 7 by Amendment No. 305, 08/16/95] A statement that the Director of Human Resources will determine the minimum passing grade(s), as required by Rule 6.47.

(9) [Deleted by Amendment No. 305, 08/16/95]

(8) [Renumbered from 10 to 8 by Amendment No. 305, 08/16/95] The method of certification of eligibles, i.e., either (a) the five candidates standing highest on the eligible list, or (b) the candidates in the highest ranking category and the category or categories upon which selection will be made. [Amendment No. 125, 03/04/83]

(9) [Renumbered from 11 to 9 by Amendment No. 305, 08/16/95] Any other material fact which will govern the terms and conditions of competition. [Amendment No. 125, 03/04/83]

**6.12 Extension of Period for Application:** If, in the judgment of the Director of Human Resources, it is in the best interests of the service to do so, he may extend the period for receiving applications. Such extension shall be made by issuing an amended announcement which complies with all of the requirements of Rules 6.09, 6.10 and 6.11

**6.13 Amendment of Announcement:** If, in the judgment of the Director of Human Resources, it is in the best interest of the service to amend any of the qualifications or other terms contained in the official announcement, the Director shall do so by issuing an amended announcement which provides for a new application filing period equal to the number of days provided in the original announcement or at least fifteen (15) consecutive calendar days, whichever is fewer. Such amended announcement shall conform to all of the requirements of Rules 6.09, 6.10 and 6.11. [Amendment No. 426, 5/16/12]

**6.14 Eligibility for Admission to Examinations:** The official announcement of every examination shall specify the qualifications of education, licensure and experience required by the specification and such other qualifications as the Director of Human Resources deems appropriate. No person shall be admitted to an examination unless he possesses the qualifications specified in the official announcement.

In addition to the qualifications so prescribed, the following shall be prerequisites for admission to all examinations, and failure to include any of the same in the official announcement of an examination shall not be deemed to be a waiver of any of these requirements:

- (1) The applicant must be a permanent resident of the United States.  
[Amendment No. 50, 08/27/73]
- (2) The applicant must possess the qualities of physical fitness and command of faculties essential for acceptable performance of the duties of the position to be filled, and must be free of mental or physical maladies or deficiencies which would make his employment hazardous to himself or other employees or in any other way be a detriment to the service of the District.
- (3) The applicant must be free of addiction to habit-forming drugs and free of excessive use of intoxicating liquors.
- (4) The applicant must be of good moral character.
- (5) The applicant must not favor the overthrow of government within the United States by force or violence nor be a member of or have affiliation with any organization which he knows or has reason to believe favors overthrow of government within the United States by force or violence. Prior memberships or affiliations of any person with such an organization shall be presumptive proof that the person favors overthrow of government by force or violence.
- (6) [Amendment No. 2, 02/01/66] [Amendment No. 14, 08/12/68]  
[Deleted by Amendment No. 176, 01/01/88]

**6.15 Date as of Which Qualifications are Determined:** The date as of which possession of qualifications is determined and by which each candidate must possess the full required qualifications of education, licensure, and experience shall be the date which is thirty (30) days after the last date for filing of applications as announced on the official announcement, except as provided in Rule 6.16.

**6.16 Anticipation of Eligibility:** Whenever the Director of Human Resources determines that the special conditions, described hereafter, exist, he may anticipate the eligibility of applicants in an examination by specifying in the official announcement an anticipated date for determining possession of all or specified portions of the qualification requirements. This date for eligibility may be not more than twelve (12) months after the last date for filing applications except that for determining that candidates meet the absolute requirements for typing, stenographic, and similar clerical skills, the date of eligibility may be not more than the duration of the eligible list.  
[Amendment No. 199, 02/17/89] [Amendment No. 335, 10/28/97]

**6.161 Reasons for Anticipating Eligibility:** [Amendment No. 199, 02/17/89] Eligibility may be anticipated for any examination, whenever the Director of Human Resources finds any one of the following conditions to exist:

- (1) Effective recruitment requires that job offers of probationary status from an eligible list be made before graduation from high school or college and the qualification requirement includes graduation.
- (2) When the qualification requirement includes licensure and candidates otherwise eligible and qualified, may not be able promptly to obtain licensure because license examinations are held, or licenses issued, only periodically.
- (3) When there are permanent employees in the class of positions from which promotion is made who, within the period of anticipated eligibility, will meet the qualification requirements. [Amendment No. 275, 05/10/93]
- (4) When the absolute requirements include typing, stenographic, and similar clerical requirements that are not tested for as part of the examination. Individuals on the eligible list would be required to demonstrate the required skills prior to appointment.

**6.162 Announcement of Anticipated Eligibility:** Whenever the Director of Human Resources determines to anticipate eligibility under this Rule, the official announcement shall clearly specify the terms of the anticipation.

**6.163 Application of Anticipated Eligibility:** Anticipated eligibility shall apply equally to all applicants in an examination for which it is announced who can reasonably be expected to complete the qualification requirements within the anticipated eligibility period either by reason of their current attendance in school or college or their current employment or such other facts as may demonstrate the likelihood of completing the requirement. An applicant who cannot complete the qualification requirements within the period of anticipated eligibility shall be disapproved.

**6.164 Restriction on Appointment:** Every candidate admitted to an examination under anticipated eligibility who, by passing all required test, is successful in the examination, shall have his name placed on the eligible list in the position determined by his final average score, with veterans' preference, if appropriate, together with a notation that his eligibility is restricted (see Rule 7.047) and that he may not begin employment until he has given evidence to the Director of Human Resources that he has completed fulfillment of the qualification requirements. [Amendment No. 368, 11/17/00]

**6.17 Determining Possession of Qualifications:** The Director of Human Resources and his technical staff shall be responsible for reviewing the application of each applicant, together with any other information about his education and licensure and experience, to determine whether he possesses the required qualifications of educations, licensure, and experience. In making such determinations, interpretation of the announced qualifications, either in terms of equivalent

combinations of education and experience or in terms of substitution of education for education or experience for experience, shall be limited to those interpretations that a reasonable individual of competence in the occupational field of the examination would ordinarily make. A record in the examination folder shall be made of all interpretations authorized under this Rule.

Should the interpretation be one which a reasonable person, of competence in the field, would not ordinarily make, then the interpretation should not be made. Instead, the official announcement should be amended and reissued under Rule 6.13.

**6.18           Waivers:** Waivers of qualification requirements shall not be granted. In lieu thereof, if necessary, the specification and the official announcement shall be amended and a new filing period shall be allowed under Rule 6.09, 6.10 and 6.11.

**6.19           Application for Admission to Examinations:** All applications for admission to examinations shall be made on forms supplied by the Director of Human Resources. The original signature of the applicant shall be obtained on the application prior to the first day of employment. [Amendment No. 359, 11/16/99]

**6.20           Falsification of Applications:** Information called for by the application form shall be conscientiously supplied and all statements must be truthful to the best knowledge of the applicant. Falsification of a material statement in an application shall constitute grounds for:

- (1) Rejecting the application.
- (2) Exclusion from the examination.
- (3) Removal from the eligible list.
- (4) Discharging an employee from his position in the Classified Service.

**6.21           Stamping of Applications:** Each application for admission to an examination, immediately upon its receipt by the Human Resources Department, shall be stamped to show year, month, day, and hour of the receipt. [Amendment No. 54, 01/31/74]

**6.22           Payment of Fee:** Any fee required of applicants for admission to an examination shall be paid at the time of filing the application with the Human Resources Department. If the examination is cancelled, the fee shall be returned to the applicant. [Amendment No. 125, 03/04/83]

**6.23** [Deleted by Amendment No. 305, 08/16/95]

**6.24           Rejection of Applications:** The Director of Human Resources shall reject an application for admission to an examination and shall exclude the applicant from participation in the examination or any test thereof whenever he finds:

- (1) That the application contains untrue statements which, in the judgment of the Director of Human Resources, are material.
- (2) That the application has not been properly filled out or that the fee, if required, has not been paid, or that the applicant refuses to be fingerprinted. [Amendment No. 125, 03/04/83]
- (3) That information or evidence on the application, or other knowledge which the Director of Human Resources may possess, indicates that the applicant has failed to meet all of the required qualifications for admission to the examination.
- (4) That the application was filed after the last date for accepting applications, as specified in the official announcement.

### **C. Test Preparation, Conduct, and Rating**

**6.41 Determining Test to be Used:** The Director of Human Resources shall determine the number and kind of test(s) which make up the examination. At the Director's discretion, these may be (a) included in the announcement or (b) included in the information furnished to candidates subsequent to the close of the filing period as provided for in Rule 6.11. [Amendment No. 305, 08/16/95]

**6.42 Weights of Tests:** Whenever an examination consists of more than one test, the Director of Human Resources shall determine the weights to be assigned to each test, so that this information (a) may be included in the official announcement, if known at that time, or (b) furnished to candidates at a later date, as provided for in Rule 6.11. If such information is not included in the announcement or is not later furnished to candidates, each test shall have equal weight, except that in promotional examinations, the test of seniority and the test of efficiency, while being equal to each other, shall not together amount to more than one quarter of the total weight of the entire test. [Amendment No. 305, 08/16/95]

Weights may be expressed in percentages, and the total of all weights shall be 100 per cent, or weights may be expressed by any other system of numbers, in which case the total of the weights of individual tests shall be equivalent to 100 per cent.

**6.421 Weights Shall be Applied Uniformly:** The weights to be applied to each test shall be uniform for all candidates.

**6.422** The weights assigned in promotional examinations to the test of seniority and the test of efficiency (4.10 of the Statutes) shall not together amount to more than one-quarter (25 per cent) of the total weight of the entire examination. The Director may require candidates to separately pass the efficiency and seniority parts of the examination in order for the candidates to be eligible to take the subsequent parts of the examination. If the Director requires candidates to separately pass the efficiency and seniority parts of the examination, then any candidate who does

not pass the efficiency and seniority parts of the examination shall fail the entire examination. [Amendment No. 423, 02/15/12]

**6.423 Subdividing Weights:** The weight assigned to any test may be subdivided among subtests which make up that test, or among questions which make up that test, provided that the decision to subdivide the weights is made before any part of the test is administered to the candidates and provided further that the subdivided weights are announced to the candidates in accordance with Rule 6.44.

**6.43 Weights of Questions or Parts:** The weights of individual questions in each multiple-choice or essay written test and the weights of individual parts of each performance test shall be determined in advance of the administration of the test to the candidates and shall be announced to candidates in accordance with Rule 6.44.

**6.44 Announcement of Subdivided Weights:** When the weights of tests, as announced in the official announcement, or furnished to candidates subsequent to the filing period, under Rule 6.11, are subdivided and when weights are determined for questions or parts of tests, the weights shall be announced to all candidates not later than the beginning of the test to which the announcement applies. In the case of written tests, this announcement shall be made by a clear written statement on the cover or at the beginning of the written test booklet to which applicable. In the case of performance tests, or other tests in which there is no written test booklet, the announcement shall be in appropriate written form and given to each candidate before he commences the test to which applicable. [Amendment No. 305, 08/16/95]

**6.45 Rating of Seniority:** Seniority shall be rated in accordance with an approved rating scale, on which the ratings are in proportion to the length of service, but not necessarily in direct proportion. The same rating scale shall be applied to all candidates in any examination. Different rating scales may be used for different examinations, as may best serve the purpose stated in Rule 6.01

**6.46 Rating of Efficiency:** [Amendment No. 264, 10/21/92] The rating of efficiency required as a weighted test in every promotional examination shall be the performance evaluation made in accordance with Rule 10. The most recent regular performance evaluation on file in the Human Resources Department on the thirtieth day after the last date for filing applications shall be the rating which shall be used.

**6.47 Passing of Tests Required:** Whenever the official announcement requires candidates to pass one or more tests separately of the entire examination (Rule 6.11), the Director of Human Resources shall determine the minimum passing score on that test, in accordance with Rule 6.58. Every candidate whose score is below the minimum passing score on such test shall thereby fail both that test and the entire examination and shall be removed from competing in subsequent tests of that examination. If, for administrative reasons, candidates had been permitted to compete in a subsequent test, before passing and failing on the prior test had been determined, then the candidates who fail the prior test shall be eliminated from consideration on the subsequent



test and their competition on the subsequent test shall be regarded as though they had not competed.

**6.48 Concealment of Candidates' Identities:** The purpose of this Rule is to conceal the identity of each candidate so as to eliminate any possibility of any candidate being given an unfair advantage or preferential treatment or being unfairly discriminated against, either in scoring, in determining the scoring key, or in establishing the minimum passing score.

In every written test and every performance test, the identity of each candidate shall be concealed from the beginning of the test and until the final rating scale has been determined, the scoring completed, and the minimum passing score established and, thereafter, until the identity of the candidate needs to be disclosed whether to notify him to participate in a subsequent test or to establish an eligible list.

In oral tests and other tests, the identity of candidates shall be similarly concealed, wherever it is practicable and meaningful to do so.

**6.481 How Identity is Concealed:** The identity of candidates shall be concealed by the use of prenumbered identification sheets and identification envelopes. The identification sheet shall be the only document which records both the candidate's name and his identification number in that examination. The identification sheets will be distributed at random to candidates at the test. Each candidate shall enter his name and other identifying data and shall sign the identification sheet. Only his identification number shall be shown on his multiple-choice answer sheet or on each essay answer page or on the rating sheet for the performance test and on any other papers which record the candidate's responses to tests. Before the test commences, the identification sheet(s) shall be sealed into an identification envelope(s).

The Identification envelopes for each examination shall be stored under maximum security conditions. The Identification envelopes shall be stored separately from the answer sheets, and procedures shall be implemented so that candidate identities are appropriately concealed. [Amendment No. 382, 06/11/04]

No candidate shall write his name or any other identifying mark on his multiple-choice answer sheet or his essay answer pages or his rating sheet for a performance test or on any other papers which record the candidate's responses to tests. Deliberate violation of this Rule shall be a basis for disqualifying the candidate from the examination. [Amendment No. 54, 01/31/74]

**6.49 Date and Place of Holding Test:** The first test in each examination shall be held on the date and at the place stated in the official announcement or furnished to candidates subsequent to the filing period, under Rule 6.11, except that the Director of Human Resources, for administrative reasons, may change the place of holding the test and, in the event of an emergency, may postpone the date of holding the test, for not more than a maximum of sixty (60) calendar days. In either event, all candidates shall be notified in writing of the change, at least one week in advance of the specified date.

In the event that the first test is not held within sixty (60) days after the specified date, the examination shall be reannounced with a new application period, under Rules 6.09, 6.10 and 6.11, before the test is held. [Amendment No. 305, 08/16/95]

**6.491 Notice to Take Subsequent Test:** Whenever an examination involves more than one test, held on different dates or at different places, every candidate who is to be admitted to each subsequent test shall be notified of the time and place of that subsequent test. Such notice shall be delivered by mail, not less than seven (7) days in advance of the date of holding except that, in emergency, less notice may be permitted, provided every candidate signs a waiver of the full notice.

**6.50 Security of Tests:** The purpose of this Rule is to provide that all tests shall be prepared and rated under conditions of maximum security so that no candidate has any unfair advance knowledge of the questions or of the tests.

All files of examination questions shall be stored under lock and key in secure, steel, storage cabinets or files whenever they are not in use. All tests or subtests compiled of examination questions and all scoring keys shall be reproduced under maximum security conditions, not sooner than is administratively necessary for the prompt administration of the test to candidates, they shall be stored under maximum security conditions under lock and key in steel cabinets or safes, they shall be transported under maximum security conditions and, when no longer needed, they shall be destroyed under maximum security conditions by burning, shredding, or maceration.

**Disclosure of Questions or Tests:** No officer or employee of the Human Resources Department or of the District, who has any access to or knowledge of the questions or tests in any examination, shall disclose any information to any candidate or any other unauthorized person whatsoever. Violation of this Rule shall be a violation of Section 4.21 of the Statute. The penalty for the violation shall be dismissal of the employee who disclosed the information and such other penalties as may be applicable under the Statute.

**6.51 Denial of Further Participation and Disciplinary Failure:** The Director of Human Resources shall exclude any candidate from further participation in an examination, shall record disciplinary failure for any candidate, and may subject the candidate to the penalties of Section 4.21 of the Statute, if, at any time in the course of the examination, he finds:

- (1) That in the course of the examination the candidate engaged in any conduct deleterious to the administration of the examination or participation in the examination by other candidates, or received any aid other than that made available to all candidates from the person administering the examination, or gave aid to any other candidate, or refused to obey any lawful instruction of the examination monitor or engaged in or was a party to any deceit.

(2) That before, during, or after the examination the candidate offered to give or gave any inducement, monetary or otherwise to any person with the intention of or which may have the effect of influencing the character of the examination, or affecting the administration of the examination or affecting the scoring of the examination or the marks or points given, or affecting the placement of his name on an eligible list, or affecting his subsequent appointment.

**6.52 Simultaneous Administration of Tests:** All of the candidates authorized to take any written test shall be given that test simultaneously, except that in a promotional test, if simultaneous administration cannot be accomplished without seriously stripping operating facilities of employees to the extent of creating the danger of an emergency, the Director of Human Resources may authorize the administration of the test in two consecutive sessions, under conditions designed to minimize the likelihood of any loss of security.

Performance tests, oral tests, and other tests shall also be administered simultaneously to all candidates in every case in which it is administratively feasible and practicable so to do. In tests in which the Director of Human Resources determines that simultaneous administration is impracticable, each candidate shall be required to execute an affidavit, under penalty of perjury, which states that he has not in any way disclosed the nature or contents of the test to any other candidate nor has he received any disclosure from any other candidate.

**6.53 Administration of Tests to Candidates:** Every test shall be administered under the Director of Human Resources by employees of the Human Resources Department. The Director of Human Resources may engage persons not in the service of the District to assist in the administration of the tests.

Persons administering or assisting in the administration of tests shall give no undue or improper aid to any candidate or candidates and shall, in all their behavior, seek to further fair and impartial examinations of all candidates.

Tests shall be administered in appropriate buildings of the District, school rooms, lecture halls, or any other places determined to be adequate and convenient.

All candidates taking an examination shall be identified at each test of the examination by appropriate means, such as by one or more of the following: fingerprinting, signature, and/or photo identification. [Amendment No. 305, 08/16/95]

**6.54 Oral Interviews:** Where oral tests are provided for in any examinations, the oral interview for any candidate shall ordinarily be conducted by at least three interviewers except that for on-campus interviews and other interviews where it is impractical to convene an interview board, the interview may be conducted by one or more interviewers. In all cases, each interviewer shall have knowledge and understanding of some substantial and significant part of the duties and responsibilities of the positions to which the examination applies. [Amendment No. 5, 06/25/67]

Every precaution shall be taken to assure that no interviewer has any personal interest in the employment or advancement of any candidate appearing before him, and to assure that all interviewers will conscientiously endeavor to examine and evaluate all candidates with complete fairness and impartiality.

**6.55 Scoring of Tests:** Written tests shall be scored, either by employees of the Director of Human Resources or by experts, if the Director of Human Resources deems it advisable, not in the service of the District, who are employed on a consultative basis to score the tests.

Scoring of oral tests, performance tests, and other tests shall be done either by employees of the Director of Human Resources or by the Examining Board, engaged for that purpose, or by consultants as the Director of Human Resources may determine.

In every test, scoring shall be as objective as is possible and practicable and shall fairly represent the relative degree of possession of the knowledges, skills, and abilities by each of the several candidates.

**6.56 Scoring Oral Tests:** Each oral test candidate shall be scored on several rating factors, each of which shall define clearly the trait or traits to be rated as part of that factor.

Numerical ratings shall be assigned in accordance with a predefined scale, in which the score of seventy (70), or its equivalent, is assigned to a candidate who is barely acceptable, in which higher scores are assigned for higher degrees of acceptability, and lower scores are assigned for lower degrees of unacceptability. The established scale shall be applied fairly and equally to all competitors by the Oral Examining Board.

For each candidate whose average score of all examiners combined is less than seventy (70) and who fails the examination therefore, the Oral Board shall prepare a statement of its reasons for finding that this candidate is less than acceptable.

**6.57 Scoring Keys for Multiple-Choice Tests:** Before a multiple-choice test, or subtest, is administered to candidates, the Director of Human Resources shall establish the key answer to each question. The key answer shall be the best, or most correct, of the alternative answers to the question.

The Director of Human Resources shall also establish an official scoring key, which shall be used in scoring all of the candidates' answers. The official scoring key shall be established before any candidate's identity is disclosed by the opening of identification envelopes.

A preliminary scoring key may be established and used for a preliminary scoring of candidates' answers, as part of item analysis procedure.

Upon the basis of item analysis data or of appeals, or both, the Director may, for good and sufficient reason, make changes in the key answer to any question. All such changes

shall be made before the official rating key is adopted and before the identification envelopes are opened.

**6.571 Kinds of Changes Permitted:** The kinds of changes permitted in key answers are as follows:

- (1) He may determine that the answer, originally established as the key, is not the best or most correct answer and that another answer is the best and most correct answer, and he may change the key to whichever choice he determines to be the best and most correct answer.
- (2) He may determine that two or more answers are so nearly equivalent that it is impractical to determine that one is better than the other and he may therefore determine that there are two or more key answers, so that any candidate who chooses either of the key answers receives full credit for the question.
- (3) He may determine that there is no correct answer to a question or that it is impossible to determine that any answer is better than any of the other answers and he may therefore omit that question from scoring and from the total number of questions in the test.

**6.572 Model Answers for Essay Questions:** Before any essay question test, or subtest, is administered to candidates the Director of Human Resources shall establish a model answer to each question. The Director of Human Resources may cause a preliminary scoring of candidates' essay answers to be made. On the basis thereof, or of appeals, or both, for good and sufficient reason, the Director of Human Resources may change the model answer.

After all necessary changes in the model answer are completed, and before any candidate's identity is disclosed by opening the identification envelopes, the Director of Human Resources shall establish a final official model answer which shall show the numerical point scores to be given for the various parts of the model answer. The official model answer and scoring chart shall be applied uniformly to all candidates in the essay test. [Amendment No. 55, 06/24/74]

**6.58 Application of the Minimum Passing Score:** In each test, and/or in the entire examination, there shall be a minimum passing score as specified in the official announcement. Every candidate who attains the minimum passing score or a higher score, shall be admitted to compete in subsequent tests, if any, or, if there are no subsequent tests, shall be included on the eligible list, and any candidate who fails to attain a score as high as the minimum passing score shall have failed that test and shall not be admitted to any subsequent test or placed on the eligible list. Such failing score shall be conclusive evidence that the candidate has been found not adequately qualified for the class of positions and not to possess the business capacity necessary for the proper discharge of the offices, positions, and place of employment for which the examination is held.

**6.59**            **70% Minimum Passing Score:** Unless the official announcement of the examination clearly specified that the Director of Human Resources shall determine the minimum passing score (see Rule 6.11), then the minimum passing score shall be 70%.

**6.591**           **Determining the Flexible Minimum Passing Score:** Whenever the Director of Human Resources is authorized by the official announcement to determine a minimum passing score other than 70%, he shall make that determination finally and irrevocably before any identification envelope is opened or the identity of any candidate is disclosed. This determination will ordinarily be made after all candidates' papers have been scored and when the scores without identities are known to the Director of Human Resources.

The determination of the minimum passing score shall be based on considerations stated in Rule 6.60. The minimum passing score determined shall be stated as 70.00, using one of the conversion methods authorized in Rule 6.61. The determination shall be recorded on an official form which clearly states the minimum passing score and the method of conversion and is signed and dated by the Director of Human Resources. This determination shall be made only by the Director of Human Resources, or, when he is absent from duty, by the Assistant Director of Human Resources.

**6.592**           **Scores Between 69.500% and 70.000%:** Any candidate whose score is 69.500% or higher and is less than 70.000%, shall be a passing candidate and be admitted to subsequent tests and/or placed on the eligible list. However, such score shall not be changed or corrected.

**6.593**           **Minimum Passing Scores Above 70%:** In tests in which a high degree of accuracy is essential to competence on the job, such as stenographic dictation tests, name and number checking tests, and other similar tests, the minimum passing score may be set as high as 95% if, in the judgment of the Director, such a high level of accuracy is necessary.

**6.594**           **Tests Not to be Converted:** In every oral test and in any other test which uses an official rating scale on which the score of 70 is set to represent the minimum level of acceptable competence, the minimum passing score shall be 70%, and the provisions of Rule 6.591 shall not apply.

**6.60**            **Considerations in Determining the Minimum Passing Score:** In determining a minimum passing score, the Director of Human Resources may take into consideration any or all of the following factors which may be pertinent: (a) the minimum competence required for the performance of the duties of the class; (b) the quality of the competitors competing; (c) the difficulty and length of the test; (d) the number of existing and anticipated vacancies to be filled; (e) the recommendations of appointing authorities or other experts; (f) reasonable economy of examining time and expense; (g) the shortage or surplus of qualified competitors; and (h) any other pertinent considerations.

**6.61**            [Renumbered from 6.611 to 6.61 by Amendment No. 305, 08/16/95] **Method of Conversion of Test Scores:** The raw score, based on a scoring procedure approved by the

Director of Human Resources, shall be converted to a final test score based on a scale of 10 through 100 by the following procedures:

- (1) The raw score determined to be the minimum passing score shall be converted to a score of 70.
- (2) Formulae will be determined to convert scores above and below the minimum passing score.

Such scoring procedures may include penalties for wrong answers. [Amendment No. 305, 08/16/95]

**6.62 Final Average Score:** The final average score of each candidate in an examination shall be determined by multiplying each passing percentage score or converted score, as may be appropriate in each test of the examination, by the respective weights assigned in the official announcement to such tests, adding the products thus arrived at and dividing by the total weight of 100%.

**6.63 Veterans' Preference:** Veterans' preference shall be granted only to those candidates who have attained passing scores on all of the tests on the entire examination.

The preference for veterans which is provided for by Section 4.32 of the Statute, or which may be provided for by subsequent legislation, shall be credited by adding to the points which the candidate attained in the examination, the number of points to which he is entitled by statutory provision, and the total number of points arrived at in this manner shall determine his position on the eligible list which is prepared as a result of the examination. Veterans' preference shall be validated in accordance with the following provisions:

- (1) Proof of military or naval service by virtue of which a candidate is entitled to claim veterans' preference shall be furnished to the Director of Human Resources within ten (10) days after the date of mailing of notice by the Director of Human Resources to do so. The Director of Human Resources, upon good showing, may extend the time for furnishing such proof; provided that in any event such proof must be furnished before any certification which would be affected by the grant of preference is made from the eligible list.
- (2) In addition, any candidate requesting grant of veterans' preference in a promotional examination shall certify in writing to the Director of Human Resources that he has not previously received a promotion by certification from an eligible list resulting from an examination held after September 1, 1949, in which examination he was given points for veterans' preference.
- (3) In any case where a claim for veterans' preference is denied because not allowable under the statutory provisions, or because not properly validated in accordance with these Rules, or for any other reason, the Director of Human

Resources shall promptly notify the applicant of such denial, giving reasons for his action.

**6.64 Notification of Results:** Each person who participates in any part of an entrance or promotional examination, immediately after the final average scores of all candidates have been computed and the list of eligibles has been prepared, shall be notified by mail, as to whether he passed or failed, and if he passed, his rank or category on the eligible list. [Amendment No. 125, 03/04.83]

**6.65 Preservation of Records:** The records relating to any examination shall be kept on file in the Human Resources Department until such time as the Director of Human Resources may order their retirement or destruction pursuant to the Statute. Records to be kept on file shall include the following: a master-keyed copy showing administrative procedures and contents, names and addresses of all candidates admitted to the examination, the marks and points attained by each candidate in each test and for the entire examination, test papers, materials submitted by candidates which are not returned to them, reports of interview, and notations relating to performance or evaluation of candidates.

**6.66 Correction of Scoring Errors:** At any time before or after an eligible list is established, and prior to the expiration or cancellation of said eligible list, the Director of Human Resources may correct any clerical or arithmetic error in scoring or averaging which he may discover or which may be brought to his attention. The candidate's score and rank or category on the eligible list, after the correction is made, shall be the score and rank or category to which he would have been entitled if no error had been made. If such correction changes a failing score to a passing score, the candidate's name shall be added to the eligible list. If such a correction changes a passing score to a failing score, the candidate's name shall be removed from the eligible list. Every candidate whose score is corrected under this section shall be notified of his corrected score and informed as to the reason therefore. [Amendment No. 125, 03/04/83]

**6.661 Voiding of Test or Examination:** If at any time the Director of Human Resources is of the opinion that the established examination standards have not been adhered to, he may declare such test or examination void.

#### **D. Review of Examination Papers and Appeals**

**6.70 Right to Review Papers:** Any candidate who completed all tests of an examination which the candidate was required and permitted to take shall, if the candidate so requests within ten days of the District's mailing of the examination results, be given an opportunity to review his or her examination.

**6.71** [Deleted by Amendment 402, 09/16/09]



## RULE 7

### EMPLOYMENT LISTS

**7.01 Preparation and Maintenance of Lists:** It shall be the duty of the Director of Human Resources to prepare and maintain lists of employees and applicants for employment, which lists shall determine the order in which employees shall be returned to duty and candidates for employment shall be certified for employment.

**7.02 Types of Employment Lists:** [Amendment No. 127, 05/26/83] The following types of employment lists shall be prepared and maintained:

- (1) Reemployment Lists: These contain the names of employees awaiting reinstatement.
- (2) Extended Leave Lists: These contain the names of employees who are on authorized leave.
- (3) Eligible Lists: These contain the names of persons who have been found qualified by competitive examination for appointment to the service. Eligible lists are of two types: Entrance Eligible Lists and Promotional Eligible Lists.

**7.03 Reemployment Lists:** [Amendment No. 127, 05/26/83] Reemployment lists shall be maintained in a manner which facilitates the return of employees to duty in the order of their rights of reemployment.

- (1) Extended Leave Lists: Employees who are awaiting return to work for reasons of extended leave, shall be returned to work at the expiration of their leaves in accordance with the Rules. (See Rule 9.09)

**7.04 Eligible Lists: Establishment:** It shall be the duty of the Director of Human Resources, promptly after scoring any examination as provided for earlier in these Rules, to prepare an eligible list containing the names and scores of candidates who passed the examination. Eligible lists shall consist of (a) a list of the names of candidates who passed the examination in the order of their final average scores in the examination with allowance for Veterans' preference, or (b) a list of the names of candidates who passed the examination grouped into categories based upon their final average scores in the examination with allowance for Veterans' preference. [Amendment No. 125, 03/04/83]

**7.041 Preparation of Eligible Lists – Numerical Rating:** When an eligible list is prepared on the basis of numerical ratings, and two or more candidates received an equal number of total points, the names of such candidates shall be placed on the eligible list in the order of the mark attained in the test to which the greatest weight was attached, and, if two or more of such candidates receive the same mark in such test, their names shall be placed on the eligible list in

accordance with the priority of time when their application for admission was received. [Amendment No. 125, 03/04/83]

**7.042 Preparation of Eligible Lists – Categories:** When an eligible list consists of the names of candidates who passed the examination grouped into categories based upon final average scores, the Director of Human Resources shall determine the range of scores to be included in each category finally and irrevocably before any identification envelope is opened or the identity of any candidate is disclosed. Candidates subsequently may be placed into a different category if their final score in the examination is affected by Veterans' preference. [Amendment No. 125, 03/04/83]

**7.043 Order in Which Names Appear on Categorical List:** The order in which names appear within any category on the categorical lists shall be alphabetical. [Amendment No. 125, 03/04/83]

**7.045 Duration of Eligible Lists:** Eligible registers shall remain in force for 3 years, except the eligible register for laborers, which shall remain in force for 4 years, and except for the eligible registers for student programs and entry level engineering positions which, in the Director's discretion, may remain in force for one year. [Amendment No. 210, 07/10/89] [Amendment No. 307, 10/20/95]

**7.046 Replenishment of Eligible Lists:** Any eligible list may be replenished from time to time by the addition of names of candidates who have passed examinations subsequently given for the class of positions to which the eligible list applies. Such persons shall take rank or be placed in the appropriate category upon the eligible list as determined by examinations, without preference as to priority of time of examination. [Amendment No. 7, 09/22/67] [Amendment No. 125, 03/04/83]

**7.047 Restricted Eligibility:** Whenever the official announcement of an examination specifies that the date as of which candidates must possess the qualifications is more than thirty (30) days after the last date for filing, candidates who pass all tests of the examination, will be placed on the eligible list, with the restriction that the candidate shall not be certified until the restriction is removed. The list shall state the qualification requirement yet to be met, which creates the restriction, and the date by which the requirement must be met.

As soon as the candidate has given evidence that he has met the qualifications, the Director of Human Resources shall order the restriction removed from the eligible list.

While the restriction remains, the eligible shall not be certified, but, rather, shall be regarded for certification purposes as though his name did not appear on the eligible list.

However, when eligibility has been anticipated for reasons outline in Rule 6.161(1), a restricted eligible may be certified and conditionally offered employment, as long as employment does not begin until all requirements have been met, in accordance with Rule 6.164. [Amendment No. 368, 11/17/00]

**7.05 Correction of Lists:** If at any time the Director of Human Resources finds that an error was made in placing a name on a list, or in omitting a name from a list, or in determining the order in which names appear on a list, he shall make such changes as may be necessary to correct the error.

A correction which removes a name from the list shall affect all outstanding certifications, so that the person whose name is removed from the list shall not be appointed from the outstanding certification. A correction which adds a name to the list shall not affect outstanding certifications. However, the Director of Human Resources, with concurrence of the Appointing Authority, may cancel the outstanding certification and make a new certification which shall include the name added to the list, if within reach for certification.

The Director of Human Resources shall also remove names from lists where such action is required for any of the following reasons:

- (1) If the candidate has died;
- (2) If the candidate is found not to be a permanent resident of the United States; [Amendment No. 59, 04/17/75]
- (3) If the name is subject to removal under Section 7.042 of these Rules;
- (4) If the name is subject to removal for accepting or refusing appointment, as provided for in Section 7.06 and 7.07 of these Rules;
- (5) If at the time when the name is reached in the order of certification, the candidate is found to be permanently incapacitated, physically or mentally, to perform the duties of the position to which the list applied.
- (6) If at any time after his name was placed on the eligible list it is found:
  - a. That the candidate does not possess every qualification requirement for admission to the examination which resulted in the placement of his name on the list, or
  - b. That the candidate was subject to exclusion from the examination under the provisions of Paragraphs 1 or 2 of Section 6.24 of these Rules, or
  - c. That the candidate should have been marked failed in the examination for any reason cited in Section 6.47 and 6.51 of these Rules, or
  - d. As a result of a correction of a scoring error under Rule 6.66.

e. That the candidate cannot be reached at the latest address supplied to the Director of Human Resources.

f. That the candidate no longer has status in the subordinate classification for the promotional qualification requirements set forth in Rule 4.025 due to voluntary or involuntary demotion. [Amendment No. 462, 4/22/16]

**7.06 Effect of Accepting Appointment:** When any person is appointed to a position after certification from an eligible list, his or her name shall immediately be removed from the eligible list for the class to which he or she has been appointed. [Amendment No. 206, 04/25/89]

**7.07 Effect of Refusing Appointment:** From time to time as the need for certification of names for appointment makes appropriate, the Director of Human Resources shall ascertain whether persons whose names appear on the eligible lists will accept appointment to a position to which the list applies. Each person shall be given opportunity when such inquiry is made to indicate the approximate date and the circumstances under which he is willing to accept appointment. The Director of Human Resources may remove the names of any candidate from an eligible list for any of the following reasons:

(1) If any person states over his signature that he will not accept appointment.

(2) If, when the name of any person is reached in the order of certification, he cannot be reached at the latest address supplied to the Director of Human Resources, or if he does not respond within ten (10) days from the date of certification.

(3) If any person specifies a date and circumstances of his availability for appointment which, in the judgment of the Director of Human Resources, are not compatible with the best interest of the service and make it desirable to remove his name from the eligible list.

## **RULE 8**

### **TRANSFER, RETURN TO DUTY, APPOINTMENT AND DEMOTION**

[Amendment No. 462, 04/22/16]

**8.01 Filling of Positions:** Employees may be placed in positions by the following actions: (1) Transfer, (2) Return to Duty, (3) Entrance Appointment, (4) Promotional Appointment, (5) Temporary-Provisional Appointment, (6) Temporary-Emergency Appointment, and (7) Demotion. [Amendment No. 462, 04/22/16]

**8.02 Transfer to Position of Same Class:** The Executive Director with the department head, with the approval of the Director of Human Resources, may transfer any employee from his position to another position in the same class.

**8.03 Return to Duty:** Employees who are temporarily separated from their positions shall be returned to duty in accordance with their rights to reemployment as provided later in these Rules. (See Rules 9.09 and 9.102) The Director of Human Resources in consultation with the Appointing Authority or other proper official, shall determine when any such employee may return to duty and shall authorize such return to duty. Return to duty shall not be deemed to be an appointment and employees returning to duty shall not be required to undergo a working test during a probationary period.

**8.04 Entrance and Promotional Appointments:** When any position is to be filled by entrance or promotional appointment, the appointing officer shall request certification by the Director of Human Resources on forms supplied by the Director of Human Resources for that purpose

**8.05 Procedure of Certification:** Upon receipt of a request for certification, the Director of Human Resources shall:

- (1) Fill the position by return of an employee to duty if it can be filled in that manner.
- (2) Whenever a position is to be filled, the Executive Director shall make requisition upon the Director, and the Director shall certify to him or her the names (a) of the five (5) candidates standing highest upon the register of eligibles for the position, or (b) of the candidates within the A category upon the register of eligibles if the register is by categories designated as A, B, and C provided, however, that any certification shall consist of at least five (5) candidates, if available. If fewer than five (5) candidates are in the A category so certified, then the Director shall also certify all of the candidates in the B category. If fewer than five (5) candidates are in the A and B categories combined, then the Director shall also certify all of the candidates in the C Category.

The Executive Director shall notify the Director of Human Resources of each position to be filled separately and shall fill such position by appointment of one of the certified candidates. [Amendment No. 125, 03/04/83] [Amendment No. 422, 02/15/12]

(3) If the position cannot be filled by certification from an eligible list, he may authorize the position to be filled by a temporary-provisional appointment in accordance with later provisions of these Rules. (See Rule 8.07)

**8.06 Probationary Status and Working Test Period:** Every person who is given an entrance or promotional appointment to any position in the classified service shall first occupy that position on probationary status as a probationary appointee. The probationary status is intended to constitute a working test period during which time it will be finally determined whether the probationary appointee can satisfactorily perform the duties of the position. Excluding probationary appointees in positions exempt from examination pursuant to Section 4.7 of the Metropolitan Water Reclamation District Act, 70 ILCS 2605/4.7, the probationary status shall continue for 250 days worked by the probationary appointee in the position of the probationary appointment. Excluding probationary appointees in positions exempt from examination pursuant to Section 4.7 of the Metropolitan Water Reclamation District Act, no probationary period shall exceed 250 days worked by the probationary appointee in the position of the probationary appointment. The probationary status of persons appointed to positions exempt from examination, pursuant to Section 4.7 of the Metropolitan Water Reclamation District Act, shall continue for 250 days worked by the probationary appointee in the position of the probationary appointment except that the Executive Director, on the recommendation of the department head concerned, may require a longer period of time, not to exceed two (2) years. [Amendment No. 5, 06/25/67] [Amendment No. 69, 10/24/75] [Amendment No. 425, 6/20/12]

**8.061 Transfer of Probationary Employees:** An employee may be transferred, with the approval of the Director of Human Resources, from one position to another within the same class during the probationary period, and the time served in all positions shall be counted toward completion of the probationary period.

**8.062 Termination of Probationary Appointee:** [Amendment No. 16, 11/16/68] [Amendment No. 425, 6/20/12] At any time during the period of probation, the Executive Director, with the approval of the Director of Human Resources, may terminate a probationary appointee and shall notify the Civil Service Board in writing of the termination; however, the Executive Director's termination of a probationary appointee shall be final and not subject to review. [Amendment No. 425, 6/20/12] At any time during the period of probation, a probationary appointee may make a written request to voluntarily terminate a probationary appointment, and if approved by the Executive Director, such voluntary termination shall be final and not subject to review. [Amendment No. 462, 04/22/16]

**8.063 Conclusion of Probation and Permanent Appointment:** Not later than the 220<sup>th</sup> day worked by the probationary appointee during the probationary period, the Director of Human

Resources shall provide the Executive Director with a Probationary Report Form to be executed by the Executive Director and the department head within twenty (20) calendar days. The Probationary Report Form shall provide for a rating of the probationary appointee's performance during the probationary period, and (1) a statement that the probationary appointee should be given permanent status, or (2) a statement that the Executive Director has terminated the probationary appointee prior to the expiration of the probationary period. [Amendment No. 5, 06/25/67] [Amendment No. 425, 6/20/12]

The Probationary Report Form for a probationary appointee in a position exempt from examination pursuant to Section 4.7 of the Metropolitan Water Reclamation District Act may also include a statement that the probationary period should be extended per Rule 8.06. If the probationary period of a probationary appointee in a position exempt from examination pursuant to Section 4.7 of the Metropolitan Water Reclamation District Act is extended, a final Probationary Progress Report Form shall be executed by the Executive Director and the department head at least fifteen (15) calendar days prior to the expiration of the extended probationary period. [Amendment No. 425, 6/20/12]

**8.064 Probationary Progress Report:** Not later than the 50<sup>th</sup> day, the 115<sup>th</sup> day and the 175<sup>th</sup> day worked by the probationary appointee during the probationary period, the Director of Human Resources shall provide the Executive Director with a probationary progress report form, to be executed by the Executive Director and the department head within fifteen (15) calendar days. The probationary progress report form shall provide for a rating of the probationary appointee's performance since either the beginning of the probationary period or the execution of the most recent probationary progress report, whichever is applicable. [Amendment No. 36, 12/17/70] [Amendment No. 425, 6/20/12]

**8.07 Temporary-Provisional Appointment:** When a position cannot be filled either by return to duty or certification from an existing eligible list, the appointing officer, with approval of the Director of Human Resources, may make a temporary-provisional appointment to the position. A temporary-provisional appointment shall be effective only until such time as the position can be filled by return to duty of an employee who has right to reemployment in that position or by certification from an eligible list.

**8.08 Temporary-Emergency Appointments:** Temporary-emergency appointments may be made in accordance with Section 3.03 of these Rules.

**8.09 Demotion:** [Amendment No. 462, 04/22/16] Subject to the Executive Director's approval, an employee may make a written request for a voluntary demotion to the employee's most recent former classification. If granted by the Executive Director, such voluntary demotion shall be final and not subject to review. An employee may be involuntarily demoted in accordance with Rule 11 of these Rules.

## RULE 9

### LEAVE, LAYOFF, SENIORITY AND REEMPLOYMENT

[Entire Rule Revised by Amendment No. 403, 10/15/09]

**9.01 Absence from Post of Employment:** Appointment to a position in the District service creates an obligation of the employee to report for duty and perform the duties and discharge the obligations of his or her position. Employees in the classified service may absent themselves from their post of employment only in accordance with provision for such absences set forth in these Rules.

**9.02 Leaves of Absence:** Leaves of Absence from the post of employment, other than the authorized taking of sick leave and vacation leave, which extend for a period in excess of five (5) consecutive or non-consecutive working days in a thirty (30)-calendar-day period shall be governed by these Rules.

**9.021 Authorization of Leave:** The Director of Human Resources shall authorize duty leave and military leave in accordance with the succeeding provisions of these Rules. The Director of Human Resources may, at the Director's discretion and for reasons which, in the Director's judgment, are compatible with the best interests of the District's service, authorize leaves of absence for period not exceeding sixty (60) consecutive calendar days, provided that the total amount of leave authorized for any employee may not exceed sixty (60) calendar days in any period of six (6) months. If a leave request under this Rule is denied by the Director of Human Resources, the employee has the right to appeal this decision to the Civil Service Board in accordance with Rule 12.02.

**9.03 Duty Leave:** Whenever an employee is given a temporary-emergency, temporary-provisional or probationary appointment to a class different from the one in which he or she has Civil Service status, he or she shall be given a leave of absence without pay from the class in which he or she has Civil Service status. Such duty leave shall become effective upon appointment and shall continue for the duration of the temporary-emergency or temporary-provisional appointment or for the period spent on probationary status. However, no employee shall be given leave (except for military leave) from a temporary-emergency, temporary-provisional, or probationary appointment; but the employee's leave of absence from the class in which he or she has Civil Service status shall be extended to allow his or her temporary-emergency, temporary-provisional, or probationary appointment to a different class.

**9.04 Military Leave:** Leave shall be authorized by the Director of Human Resources for any permanent employee entering military training and service in the Armed Forces of the United States, including members of any reserve component, members of the National Guard, and Reserve Officers of the United States Public Health Service who are called to active duty. Such leave shall be authorized to begin not more than ten (10) days prior to date of entry into active service. Such leave shall be administered according to current state and federal laws and regulations, and/or policies of the Executive Director or the Board of Commissioners of the District.



**9.05 Extended Leave:** Extended leaves of absence without pay for a specified period of time exceeding sixty (60) consecutive calendar days may be granted by the Executive Director to permanent employees for proper cause, including illness, injury or disability extending beyond the period of accrued sick leave, election to public office, trial period in other employment, special duty with other governmental authorities, pursuit of education, family care and other causes for absence from post of employment which are compatible with the best interests of the District's service. All requests for extended leave shall state the cause for or purpose of leave, give supporting reasons for grant of leave, and indicate the period for which leave is requested. Extended leaves shall be requested for periods not exceeding one year; such leaves may be renewed upon application by the employee to the Department Head, and the Director of Human Resources, and may be approved by the Executive Director; however, requests for renewal that would cause the total leave to exceed two consecutive years shall only be granted in extraordinary circumstances and where such requests are compatible with the best interests of the District. If the application for leave of absence is disapproved, the employee has the right to appeal this decision to the Civil Service Board in accordance with Rule 12.02. All grants of extended leaves shall be reported to the Civil Service Board and noted in the minutes.

**9.06 Political Activity During Leave:** [Deleted by Amendment No. 419, 09/27/11]

**9.07 Cancellation of Leave:** Leaves authorized under this Rule 9 may be canceled on a finding after due inquiry and deliberation that:

- (1) The grounds or reasons given to support the grant of leave were not made truthfully or in good faith;
- (2) Leave was improperly granted;
- (3) The cause or grounds for grant of leave have ceased to justify leave;
- (4) The employee is not utilizing the leave period in keeping with the purposes and conditions governing his leave.
- (5) A catastrophic event (e.g., operational emergency) causes the District to cancel the leave and return the employee to work.

**9.08 Requests for Leave:** All requests for leave shall be made on forms supplied by the Director of Human Resources. Leave requests must be made within ten (10) calendar days of the first day of the need for leave. Leave requests which are made later than ten (10) calendar days after the first day of need for leave may be granted at the discretion of the Director of Human Resources, or, in the case of extended leaves of sixty (60) calendar days or more, at the discretion of the Executive Director, only in extraordinary circumstances and where such requests are compatible with the best interests of the District.

**9.09 Reemployment after Leave:** Absence from his or her post of employment during authorized leave shall not have the effect of separating the employee from the service. Excluding leave granted under the Family and Medical Leave Act (FMLA), the right of employees to return to duty at the expiration of authorized leave shall be in accordance with the following provisions:

- (1) The employee returning from leave shall be reemployed in the employee's class in accordance with his or her seniority. (See Rule 9.12)
- (2) Employees granted duty leave shall be returned to the class from which they have leave promptly upon expiration of such leave and according to their seniority. (See Rule 9.12)
- (3) Any employee returning from military leave shall notify the Director of Human Resources of the date on which the employee wishes to return to duty. The employee shall be returned according to applicable state and federal laws and regulations, and/or policies of the Executive Director or Board of Commissioners of the District.
- (4) Employees returning from extended leave shall notify the Director of Human Resources not fewer than thirty (30) days in advance of the termination of leave, of the date at which they wish to return to duty, and they shall be returned to duty at the date specified or within thirty (30) days after receipt of notice by the Director of Human Resources.
- (5) The right of employees on leave to return to duty in positions in a class from which other employees have been laid off shall be in accordance with the succeeding sections of these Rules.
- (6) The abolishment of a class of positions shall separate from the service any employee who is on leave from a position in that class.
- (7) In any case where an employee is returning to duty from military or extended leave, the employee's right shall be to employment in a position in the class from which the employee has leave and shall not be a right to return to the particular position which the employee occupied at time of leave.
- (8) Employees granted extended leave for more than sixty (60) consecutive calendar days for reasons other than illness or disability shall have their names placed upon a reemployment list, and their return to duty shall be in accordance with Rule 7.03.

**9.10 Layoffs:** Temporary termination of duty in the post of employment, other than suspension for disciplinary reasons, shall be known as layoff. Layoffs may be ordered by the proper administrative officer because of lack of work, lack of funds, or other necessities of the service. The administrative officer ordering the layoff shall notify the Director of Human Resources of the name and class title of each employee laid off, of the effective date of layoff, and of the anticipated date of return to duty if such latter date is known.

**9.101 Order of Layoffs:** When one or more but less than all the employees occupying the positions in a single class are to be laid off, such employees shall be laid off in the order of lowest seniority.

**9.102 Return to Duty from Layoff:** Where more than one employee has been laid off from positions in a single class and all are not to be returned to duty on the same date, they shall be returned to duty in the order of highest seniority.

**9.11 Obligation to Return to Duty:** Employees on duty leave or on leave granted at the discretion of the Director of Human Resources shall return to their posts of employment promptly at the expiration of such leave and employees on military leave or extended leave shall return to their posts of employment at the time fixed for return to duty by the Director of Human Resources in accordance with earlier provisions of these Rules. (See Rule 9.09) Failure of any employee to comply with this requirement shall be cause for disciplinary action or separation from the service in accordance with later provisions of these Rules. (See Rule 11.041)

**9.12 Seniority:** Seniority of employees shall be determined in the following manner:

(1) Seniority shall be measured by continuous service in the class in which the employee is employed at the time seniority is determined.

(a) Upon demotion, time served in the classification demoted from shall be credited for the purposes of determining seniority in the former classification that the employee is returned to. [Amendment No. 462, 04/22/16]

(2) The period of service which shall be taken into account shall begin with the effective date of first appointment on probationary status, or permanent appointment if the employee was not required to serve a probationary period, to any position in the class which the employee has occupied during the present period of continuous service; and shall not include any period of employment in the class which was terminated by separation from the service or by appointment to a position in another class without grant of leave of absence from a position in the class for which seniority is being determined.

(3) Time spent on authorized leave of absence shall not be counted toward seniority credit, except in cases of leave of absence granted for the purpose of serving in a position in the District other than that to which permanent appointment has been made, for military or naval service, or on account of sickness or injury found to be compensable under the Occupational Diseases Act or the Workmen's Compensation Act or as otherwise required by the laws in effect at the time that the leave is requested.

(4) A temporary-provisional employee who attains probationary status in that class as a result of the first examination held subsequent to his or her temporary appointment, will be credited, for purposes of seniority, with his or her temporary-provisional service in that class.

## **RULE 10**

### **PERFORMANCE MANAGEMENT**

[Entire Rule Revised and Renumbered by Amendment No. 239, 04/02/91]

**10.01 Performance Evaluation Program:** The Director of Human Resources shall establish and maintain a system for evaluating the performance of all employees in the classified service.

**10.02 Establishment of Key Accountabilities:** At the beginning of the evaluation period, the supervisor will identify the key accountabilities and indices of performance of the job and present them to the employee. The employee will have the opportunity for meaningful input into the accountabilities and indices of performance. Once there is agreement on the accountabilities and indices of performance, they will be forwarded up through the department channels for review. If the supervisor and employee cannot agree, the accountabilities and indices will be established by the Department Head or a person designated by the Department Head.

**10.03 Evaluations by Supervisor:** The employee's performance will be evaluated by the supervisor annually, or more frequently if necessitated by a personnel action, a change in accountabilities, or other reason determined by the supervisor, the Department Head, or the Director of Human Resources. The supervisor and employee will meet to discuss the evaluation by the supervisor. At or about the time of the performance evaluation meeting, accountabilities and indices of performance will be established for the next evaluation period.

**10.04 Review of the Evaluation:** After the employee and supervisor have met to discuss the evaluation, the evaluation shall be forwarded to the reviewer who is typically at the level above the supervisor, and then through the department channels to the Department Head or a person designated by the Department Head. If the employee feels that the evaluation does not accurately represent his or her performance during the evaluation period, a review of the evaluation by the reviewer may be requested. The request shall be made by indicating in the appropriate place on the evaluation form. The reviewer shall modify the evaluation if significant inaccuracy is found. If, after the review, the employee feels that the evaluation still inaccurately represents the performance during the evaluation period, a review of the evaluation by the Department Head or a person designated by the Department Head may be requested. The request for the review shall be indicated on the evaluation form. The Department Head or designee shall promptly investigate the evaluation and modify it if a significant inaccuracy is found.

Regardless of whether a review is requested by an employee, if the reviewer, Department Head or designee feels that the evaluation inaccurately represents the employee's performance during the evaluation period, he/she may change the evaluation and the reviewer, Department Head or designee shall meet with the employee to discuss the changes.

**10.05 Review of Performance Evaluation by the Director of Human Resources:** If an employee is not satisfied with the result of the review process described in Rule 10.04, the employee may appeal the evaluation to the Director of Human Resources by indicating such on

the evaluation form and further, by filing a written complaint in accordance with Rule 12.01. Employees in the Human Resources Department, whose evaluations are directly reviewed by the Director of Human Resources under Rule 10.04, may instead directly appeal to the Civil Service Board in accordance with Rule 12.02. [Amendment No. 404, 10/15/09]

**10.06 Inspection of Ratings:** The evaluation form and other information shall be retained by the Director of Human Resources and may be inspected only by the employee, other employees higher in the Department organization up through the Department Head, the Executive Director, or any member of the Board of Commissioners, or the Civil Service Board. Copies thereof may be retained by Department Heads and may be inspected by the same persons.

**10.07 Use in Examination:** Performance evaluations made pursuant to this Rule shall be evaluated in promotional examinations.

**10.08 Investigation of Administration:** In order to assure that the performance evaluation system is applied equitably to all employees, and pursuant to Section 4.16 of the Statute, the Director of Human Resources shall make such investigation as he deems necessary.

**10.09 Training Programs:** The Director of Human Resources shall investigate needs and opportunities for, and in consultation and cooperation with administrative officials and shall establish training programs for employees in the District. Participation in training programs may be considered in performance evaluations and may be considered in promotional examinations.

## RULE 11

### SEPARATION FROM THE SERVICE AND INVOLUNTARY DEMOTIONS

[Entire Rule Revised by Amendment No. 405, 10/15/09] [Amendment No. 462, 04/22/16]

**11.01 Methods of Separation:** Employees in the classified service may be separated from the service by resignation, severance, or discharge, in accordance with the provisions of these Rules.

**11.02 Resignation:** Employees in the classified service may resign from their positions at any time, and such resignations shall not constitute a forfeiture of any accrued salary.

**11.03 Severance:** Employees may be severed from the service because of:

- (1) The abolishment of a class of positions;
- (2) The abolishment of one or more positions in a class;
- (3) The omission of provision in the appropriation ordinance for all positions in the class.

**11.031 Order of Severance:** When one or more employees in the same class must be severed from the service, they shall be severed in the following order:

- (1) Employees holding temporary-emergency appointments;
- (2) Employees holding temporary-provisional appointments;
- (3) Employees holding probationary appointments;
- (4) Employees holding permanent appointments.

Where one or more employees holding permanent appointments are to be severed from the service, such employees shall be severed in the order of lowest seniority. In the event that one or more but less than all of the employees who have equal seniority are to be severed, the severance shall be made on the basis of service ratings, i.e., the employee having the lowest service rating shall be first severed, and the employee having the highest shall be the last severed.

**11.04 Discharge:** Employees in the classified service may be discharged in accordance with the following provisions:

- (1) Employees holding temporary-emergency or temporary-provisional appointments may be discharged by the Appointing Authority at his discretion.

(2) Employees holding probationary appointments may be discharged by the Appointing Authority in accordance with the provisions of Rule 8.063.

(3) Employees holding permanent appointments may be discharged only on charges citing cause and after investigation and hearing in accordance with the provisions of this Rule and Rule 12.

**11.041 Causes for Discharge:** An employee holding a permanent appointment may be discharged from the District if the employee is found by the Civil Service Board to:

(1) Have been convicted of a criminal offense which may tend to bring the District into disrepute.

(2) Have failed to maintain the minimum standard of performance as determined by a service rating.

(3) Have incurred a disability or condition which:

a. poses a threat to the health or safety of the employee or others and, if a disability, that no reasonable accommodation can be made that would eliminate the risk or reduce the risk to an acceptable level; or

b. results in the employee being unable to perform an essential function of the position held, even with reasonable accommodation for the disability.

(4) Have violated any of the provisions of the Metropolitan Water Reclamation District Act, 70 ILCS 2605 et seq., the Personnel Rules, the MWRDGC Administrative Procedures Manual, the provisions of applicable collective bargaining agreements, or any official regulation of the Executive Director, Board of Commissioners or orders of the Civil Service Board, or have disobeyed any proper order or directions made or given by any superior officer of the District.

(5) [Deleted by Amendment No. 31, 07/05/70]

(6) Have made a false statement of material fact in an application for employment, or have violated any provisions of these Rules governing examinations or to have been guilty of any conduct in the course of an examination which tends to bring the District service into disrepute.

(7) Be unable to comply with any condition of employment established by the Executive Director, Board of Commissioners or the Director of Human Resources.

(8) Have been absent from his or her post of employment without authorized leave.

(9) Have been guilty of any conduct which tends to render the employee's continued employment detrimental to the discipline, efficiency, or reputation of the District.

**11.042 Suspension:** The Executive Director may suspend employees for any violation of District work rules or for any one or combination of the causes specified in Rule 11.041.

The Executive Director shall notify employee of the suspension and the suspension notice shall set forth the grounds for suspension.

A suspension may be for any period of time not in excess of thirty (30) days; however, if charges are filed against a suspended employee, the suspension shall be extended until the Civil Service Board enters its finding and decision regarding the charges, unless, prior to this time, the Board enters an order approving an agreement between the District and the employee that the suspension should terminate at an earlier date.

An employee who is suspended shall be returned to employment at the expiration of the suspension period, unless charges are filed in accordance with Rule 11.051.

An employee may appeal a suspension pursuant to Rule 12.02; however, if termination charges are filed against an employee for the causes set forth in the suspension, the employee shall not have the right to a hearing on any appeal from a disciplinary suspension separate from the hearing provided on the charges supporting discharge.

**11.043 Involuntary Demotion:** [Amendment No. 462, 04/22/16] Employees holding permanent appointments may be involuntarily demoted for cause only upon the filing of charges citing any one or combination of the causes for discharge specified in Rule 11.041 and after a hearing before the Civil Service Board.

**11.05 Filing of Charges:** Charges in accordance with these Rules may be filed by any member of the Board of Commissioners, the Executive Director, a plant or department head, or by the Director of Human Resources.

**11.051 Time for Filing Charges:** The District may file charges with the Civil Service Board at any time, provided that if an employee has been suspended for the cause set forth in the charges, such charges shall be filed with the Civil Service Board within thirty days from the date of suspension under the charges.

**11.052 Service of Charges:** If the District files charges against any employee, it shall serve a copy upon the employee either by (1) personal service upon the employee or (2) first class U.S. mail addressed to the employee at the employee's last known address on file with the Human Resources Department, in which case service shall be complete upon mailing. Such service shall include notice to the employee informing him or her of the time and place of the hearing on such charges and of the employee's right to be represented by counsel of the employee's own choosing. [Amendment No. 462, 04/22/16]



**11.053 Investigation of Charges:** The Director of Human Resources shall investigate all charges filed in accordance with these Rules against an employee, and upon completion of an investigation, shall refer the matter to the Civil Service Board for a hearing in accordance with Rule 12.

## **RULE 12**

### **HEARINGS AND APPEALS**

[Entire Rule Revised by Amendment No. 406, 10/15/09]

**12.01 Complaints to the Director of Human Resources:** Excluding suspensions, demotions and denials of leave requests under Rules 9.021 and 9.05, any employee or candidate for employment may challenge any adverse decision affecting his or her employment by filing a written complaint with the Director of Human Resources stating all reasons and facts in support of the complaint. The complaint must be signed and filed with the office of the Director of Human Resources within fourteen (14) calendar days of the date complainant receives oral notice of the adverse decision or within fourteen (14) calendar days of the date a written adverse decision is served upon the complainant. A written adverse decision shall be deemed to have been served upon the complainant either when the decision is personally delivered to the complainant or deposited in the United States mail, addressed to the complainant at the last known address on file with the Human Resources Department. Before any complaint may be filed under this Rule, all preliminary steps, to the extent mandated by these Rules, the MWRDGC Administrative Procedures Manual, any applicable collective bargaining agreements, and the official regulations of the Executive Director, must first be utilized and exhausted.

Employees of the Human Resources Department may bypass the requirements of this Rule and appeal directly to the Civil Service Board under Rule 12.02, provided they have already received an adverse decision from the Director of Human Resources pursuant to any other Rule contained herein.

The Director of Human Resources shall investigate all complaints filed in compliance with the requirements of this Rule and shall serve a written decision upon the complainant. [Amendment No. 462, 04/22/16]

**12.02 Appeals to the Board:** Any employee or candidate for employment may challenge a written adverse decision made by the Director of Human Resources by filing a written appeal with the Civil Service Board stating all reasons and facts in support of the appeal. The appeal must be signed and filed with the Civil Service Board within fourteen (14) calendar days of the date the Director of Human Resources' adverse decision is served upon the complainant. The Director of Human Resources' written decision shall be deemed to have been served upon the complainant either when the decision is personally delivered to the complainant, or when the decision is deposited in the United States mail, addressed to the complainant at the last known address on file with the Human Resources Department.

An employee may appeal a suspension under this Rule by filing a written appeal with the Civil Service Board stating all reasons and facts in support of the appeal. The appeal must be signed and filed with the Civil Service Board within fourteen (14) calendar days of the first day the employee serves the suspension.

An employee may appeal denials of Rule 9.021 or Rule 9.05 leave requests under this Rule by filing a written appeal with the Civil Service Board stating all reasons and facts in support of the appeal. The appeal must be signed and filed with the Civil Service Board within fourteen (14) calendar days of the denial of the Rule 9.021 or Rule 9.05 leave request.

The Civil Service Board shall enter a written finding and decision regarding all appeals filed in compliance with this Rule. The Civil Service Board's finding and decision shall be deemed to have been served either when a copy of the decision is personally delivered or when a copy of the decision is deposited in the United States mail, addressed to the complainant at the last known address on file with the Human Resources Department.

**12.03 Hearing of Charges Against Employees:** Charges shall be promptly investigated by or before the Civil Service Board, or by or before some officer or officers appointed by the Civil Service Board to conduct such investigation. Charges citing cause for discharge shall be filed with the Civil Service Board within thirty (30) days of the date of suspension under said charges. Both involuntary demotion and discharge hearings shall be public and the employee shall be entitled to call witnesses in his or her defense and to have the aid of counsel. Such hearings shall take place within one-hundred-twenty (120) days after charges are filed against the employee, unless the Civil Service Board continues a discharge or involuntary demotion hearing for good cause shown and with the consent of the employee.

After the hearing is completed, the Civil Service Board shall enter a finding and decision. The finding and decision of the Board or of the hearing officer or officers, when approved by the Board, shall be certified to the Executive Director, who shall forthwith enforce said decision. For discharge actions, if the Civil Service Board enters a finding and decision denying discharge, the employee shall be returned to the classification held at the time charges were filed. For involuntary demotion actions, if the Civil Service Board enters a finding and decision granting an involuntary demotion, the employee shall be demoted to the employee's most recent former classification.

A decision shall be deemed to have been served either when a copy of the decision is personally delivered or when a copy of the decision is deposited in the United States mail, addressed to the employee at the last known address on file with the Human Resources Department.

In the course of any investigation as provided in Rule 11 or in the course of any hearing, any member of the Board or any hearing officer shall have power to administer oaths and to secure by subpoena the attendance and testimony of witnesses and the production of books, papers, or other evidence. [Amendment No. 462, 04/22/16]

**12.04 Petition for Re-Hearing:** Either the District or the employee may file a written petition for rehearing of the finding and decision of the Civil Service Board within twenty-one (21) calendar days after the finding and decision is served as provided in 12.03. The petition shall state fully the grounds upon which application for further investigation and hearing are based. If a petition is denied by the Civil Service Board, the decision shall remain in full force and effect

and any further appeal by either party shall be in accordance with the provisions of the Administrative Review Law.

**12.05 Compensation to Employees Testifying Before the Civil Service Board:**  
[Amendment No. 462, 04/22/16] An appearance by an employee as a witness before the Civil Service Board will generally be considered time worked and compensated as such when:

- (1) The employee's presence is requested by the District; or
- (2) The employee is required pursuant to a subpoena issued by the Civil Service Board to testify at a hearing, and the employee actually testifies, or does not testify, but attends the hearing and was reasonably anticipated to testify.

If the employee is required to appear as a witness during the employee's scheduled work time, the employee will be excused from work for the time the employee's presence is necessary, as determined and confirmed by the employee's supervisor, and will receive regular pay, and if applicable, reimbursement for mileage and parking.

If the employee is required to appear as a witness outside of the employee's scheduled work hours and the employee is eligible to receive overtime under the District's overtime policy or an applicable collective bargaining agreement, the employee will receive overtime pay for the time the employee's presence is necessary, as determined and confirmed by the employee's supervisor, and if applicable, reimbursement for mileage and parking.

An employee whose testimony is requested by a party other than the District must be subpoenaed in order to be eligible for regular wages and/or overtime. Whether a subpoena is issued by the District or a third party, any employee who testifies at a hearing or does not testify, but attends a hearing and was reasonably anticipated to testify must promptly submit copies of the subpoena and any check for subpoena fees to the Payroll Unit of the Finance Department to receive any applicable regular wages and/or overtime. If applicable regular wages and/or overtime are approved, the Payroll Unit shall deduct the subpoena fees from the employee's post tax earnings.

Subpoena fees for a witness' attendance shall be in accordance with the Circuit Courts Act, 705 ILCS 35/4.3 or any subsequent amendment thereto. Subpoena fees for mileage shall be in accordance with the District's current Standard Mileage Rate for personal vehicles used for District business.

## RULE 13

### ORGANIZATION OF THE CIVIL SERVICE BOARD FOR PERSONNEL ADMINISTRATION

**13.01            Organization of Civil Service Board:** The Civil Service Board shall be composed of three (3) members appointed in accordance with Section 4.2 of the Statute. The Board shall elect one of its own members as Chairman, Vice-Chairman, and the third as Secretary, each for a term of two (2) years or until a successor is elected.

**13.02            Duties of the Board:** The Board shall perform all the duties required in the Statute and shall:

- (1) Seek to advance the public interest in the improvement of personnel administration in the District.
- (2) Advise the Board of Commissioners, the Director of Human Resources, and the Executive Director on problems concerning administration.
- (3) Perform all duties as required by the Statutes.

**13.03            Duties of the Chairman:** The duties of the Chairman of the Board shall include the following. He shall:

- (1) Preside at all meetings, hearings, and investigations of the Board.
- (2) Represent the Board before the Board of Commissioners and officials and employees of the District.
- (3) Establish and maintain public contacts and relationships on behalf of the Board to acquaint citizens, civic groups, and others with the problems and work of the Board.
- (4) Perform such other acts as may be required of him by the Statute or by the Board.

**13.04            Duties of the Vice-Chairman:** The Vice-Chairman of the Board shall perform the duties of the Chairman in his absence or inability to perform them.

**13.05            Duties of the Secretary:** The duties of the Secretary of the Board shall include the following. He shall:

- (1) Record the minutes of meetings, hearings, and investigations of the Board.
- (2) Attest the signature of the Chairman where necessary.

- (3) Perform such other duties as may be assigned to him by the Board.
- (4) Certify the records, findings, and decisions of the Board

**13.06 Meetings of the Board:** The Board shall hold a regular meeting for the transaction of business at least once during each month. Public announcement of the time and place of scheduled regular meetings shall be made from time to time. Special meetings may be called by order of the Board, or by the Chairman, or by the other two members of the Board. Except by agreement of all members of the Board, no special meeting may be convened until all members have had forty-eight (48) hours advance notice in writing of the time and purpose of the meeting. Except where the circumstances of calling a special meeting prevent the Director of Human Resources at least three (3) days in advance of each regular and special meeting, shall send written notification of the time and place of the meeting to each member of the Board, the President, and each member of the Board of Commissioners, the Executive Director and the clerk of the Board.

**13.061 Rules of Order:** The Board shall determine its rules of order and procedures.

**13.062 Quorum:** Two members of the Board shall constitute a quorum for the transaction of business. Any meeting may be adjourned in the absence of a quorum to a certain day. Notice of the postponement or cancellation of a regular or special meeting because of a quorum not being present or for other reason shall be given all members of the Board at the earliest date feasible.

**13.063 Minutes of Meetings:** The minutes of the proceedings of the Board at all regular and special meetings shall be prepared and maintained by the Secretary of behalf of and subject to the approval of the Board. Such minutes shall become official minutes of the Board when they have been approved by the Board. At the request of any member of the Board, the minutes shall show the record of the vote on the items of business referred to. Any member of the Board may file a memorandum explaining his views on any matter of business which comes before the Board. Any person shall be permitted by the Board to examine the minutes of its meetings upon a proper showing of interest presented to the Director of Human Resources.

**13.07** [Deleted by Amendment No. 407, 10/15/09]