

ORDINANCE NO. 9394-57

AN ORDINANCE  
RELATING TO CIVIL SERVICE

WHEREAS, it is desirable and in the best interest of the City of Urbana, Illinois to revise and update its Civil Service System; and

WHEREAS, the current Section 2-99 of Article V, Chapter 2 of City Code is not wholly consistent with the City's desire to expand and open its employment process to a greater number of qualified candidates; and

WHEREAS, the Urbana City Council endorses the proposed changes in the Civil Service Code in the belief that these changes will provide additional flexibility in hiring by eliminating recognition of unnecessary restrictions the rule of 1 and expanding the ability of the hiring authority to consider a larger pool of applicants; and

WHEREAS, we believe this additional flexibility will allow us to hire the best people available, and at the same time, to continue to pursue and expand our firm commitment to affirmative action policies in the City of Urbana; and

WHEREAS, the Council is also aware if employed improperly, this expanded flexibility can be abused, and used in ways and for purposes other than intended, it is the intention of this Council that the staff and administration of the City of Urbana continue their efforts in affirmative action and use the added flexibility provided by these changes to ensure equal opportunity for all minorities in gaining and retaining employment in the City of Urbana. We salute past efforts and encourage all future efforts to achieve these ends. We are committed to a city which provides equal opportunity and non-discrimination in all levels of city government; and

WHEREAS, the City elects to further clarify its exceptions to the provisions of Division 1 of Article 10 of the Illinois Municipal Code (65 ILCS 5/10-1-1 etseq),

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, as follows:

Section 1. The existing provision of Section 2.99 of the Urbana City Code are repealed upon the taking effect of this ordinance.

Section 2. In place of the repealed Section 2.99 is enacted the following:

By exercise of its Home Rule powers, the Urbana City Council declares that those provisions of Division 1, Article 10 of the Illinois Municipal Code which conflict with this ordinance are hereby nullified and the provisions of the ordinance shall govern in the administration of the Civil Service System in the City of Urbana.

1. Officers who are elected by the people, or who are elected by the corporate authorities pursuant to ordinance or law, or whose appointment is subject to confirmation by the corporate authorities, judges of election, heads of any department or division, Corporation Counsel, City Attorney, seasonal employees, which means those persons whose employment does not exceed two hundred forty (240) work days in any fiscal year, one private secretary of each elected city official, and administrative assistants to the mayor, administrative officer, chief librarian, all part-time employees, which means those persons who work thirty-five (35) hours or less where the standard work week is forty (40) hours or more per week, city engineers, shall not be included in such classified service.
2. The head of the department or office in which a position classified under civil service is to be filled shall notify the commission of that fact, and the commission shall certify to the appointing officer the names and addresses of not more than (12) candidates standing highest upon the original entry register for the class or grade to which the position belongs. The Appointing Authority may select any candidate referred irrespective of where such candidate is ranked on such list and irrespective of the number of times such candidate's name was previously passed over for selection. In making such certification, sex shall be disregarded. If no candidate is found to fully meet the requirements or needs of the available position, a second list of not more than (12) candidates standing next highest upon the register for the class or grade may be requested and referred for consideration.
3. In addition to (2) above, the commission shall certify to the appointing officer the names and addresses of not more than four (4) candidates standing highest upon the internal promotional register for the class or grade to which the position belongs. The appointing authority may select any candidate referred irrespective of where such candidate is ranked on such list and irrespective of the number of times such candidate's name was previously passed over for selection. In making such certification, sex shall be disregarded. The appointing officer shall notify the commission of each position to be filled, separately, and shall fill such place by the appointment of one of the persons certified to him/her by the commission therefor.
4. Original appointment shall be on probation for a period not to exceed six (6) months to be fixed by the rules, provided that original appointment to the police department or fire department shall be on probation for a period not to exceed twelve (12) months to be fixed by the rules of the department. At or before the expiration of the period of probation, the appointing authority may discharge him/her upon assigning in writing his/her reason therefor to the commission. If he/she is not then discharged, his/her appointment shall be deemed complete.
5. When an opening occurs within an original entry classification where the appointing authority determines

there is a clear and long standing under-utilization of members of a protected class, the appointing authority may reach into the full and complete register to consider for selection a minority or female candidate.

6. The commission may strike off names of candidates from the register after they have remained thereon more than two (2) years with the exception of Public Safety classifications where the Commission will have the option to void a register and retest annually.
7. To prevent the stoppage of public business, or to meet extraordinary emergencies, the Appointing Authority may make temporary appointments to remain in force not exceeding one hundred twenty (120) days, and only until regular appointments under the provisions of civil service can be made.
8. No person over the age of twenty-one (21) shall be disqualified because of age from taking an examination for a position of Fire Fighter or Police Officer in classified service.
9. Military preference is only applicable upon original entry.

Persons who were engaged in the military or naval service of the United States at any time between September 16, 1940 and July 25, 1947, at any time during the national emergency between June 25, 1950 and January 31, 1955, or at any time between January 1, 1961 and December 31, 1976 (the date that Congress declared the Vietnam Conflict had ended), and who were honorably discharged therefrom, shall be preferred for appointments to Civil Service Positions of the City of Urbana provided they are found to possess the business capacity necessary for the proper discharge of the duties of such position as determined by examination. The civil service commission shall give preference for original appointment to persons as hereinabove designated whose names appear on any register of eligibles resulting from an examination for original entrance held under the Urbana Civil Service Commission jurisdiction on or after September 1, 1949\* by adding to the final grade average which they received or will receive as the result of any examination held for original entrance, 5 points. The numerical result thus attained shall be applied by the civil service commission in determining the position of such persons on any eligible list which has been created as the result of any examination for original entrance commenced on or after September 1, 1949 for purposes of preference in certification and appointment from such eligible list. The application for military preference must be submitted to the Personnel Office of the city as directed by the personnel officer. The personnel officer will direct this process, determine eligibility and adjust eligibility registers accordingly. Persons who are competing in promotional examinations under civil service shall not be eligible for military preference. The words 'engaged in the military or

naval service of the United States' shall mean such person was on active duty status with the military or naval forces of the United States for at least one (1) continuous 24-hour period at a military or naval installation under orders which required further continuing active duty for a minimum of an additional 364 days. The military designation of 'reserve component' or similar words shall not be controlling in the determination of whether or not such person is entitled to military preference status.

\*Nothing in this Ordinance shall be construed to deprive a person otherwise qualified for military preference, from receiving such preference if such person took, and successfully passed, a Civil Service examination for original entrance commencing prior to September 1, 1949. As to any such persons, the relevant provisions of 65 ILCS 5/10-1-16 shall continue to apply.

10. a. Classified employees, including probational employees, who are notified that they are to be suspended without pay or terminated may request a hearing by the Appointing Authority before such suspension or termination is final in order to determine and review the facts upon which such action is based.
  - b. Except as provided in 10.c., classified employees with non-probational status who are notified that they are to be or have been suspended without pay or terminated by the Appointing Authority may appeal such action to the Civil Service Commission in accordance with the Rules of the Commission; however, no hearing shall be required in the event of a suspension of less than 30 days unless such hearing is required under the rules of the Commission. After hearing such appeal the Civil Service Commission may order either a reduction of the severity of such action or a confirmation of the initial action. The order of the Civil Service Commission shall be binding upon the Appointing Authority.
  - c. Classified employees whose conditions of employment are covered by a collective bargaining agreement as provided for in the Illinois Public Labor Relations Act shall have only the right to appeal actions provided under such agreement.
11. The City's personnel officer shall serve as the chief examiner, secretary and agent for the Urbana Civil Service Commission.

Section 3. All non-probationary incumbents employed in job classifications incorporated into Civil Service as a result of Section 2 of this ordinance are hereby enrolled and will immediately receive Civil Service status.

Section 4. This Ordinance shall become effective immediately

upon its passage and approval as required by law.

This ordinance is hereby passed by the affirmative vote of the "ayes" and "nays" being called, of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said City Council.

1993. PASSED by the City Council this 3<sup>rd</sup> day of January

Phyllis D. Clark  
Phyllis Clark, City Clerk  
*by Sharon Menger, Deputy Clerk*

1993. APPROVED by the Mayor this 13<sup>th</sup> day of January,

Tod Satterthwaite  
Tod Satterthwaite, Mayor

