

**CIVIL SERVICE RULES
OF THE
CITY OF LINCOLN, ILLINOIS**

Adopted September 8, 1976

Modified June 1, 2019

Civil Service Commission

of the

City of Lincoln, Illinois

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DEFINITIONS

Allocate – The act of assigning each position to a class.

Applicant – A person requesting permission to take an examination.

Appoint - The act of the appointing officer, in assigning to positions such applicants as have been certified to him.

Appointing Authority – The appointing authority is the Mayor. The Mayor may delegate the power to department heads or may, with the advice of the department head, make appointments except that the City Clerk, as an elected official is the appointing authority for the City Clerk’s Office and the Collector’s Office.

Assignment (Temporary) – Shall mean the temporary change in duties of a member of the classified service.

Candidate – A person on an eligible register, as qualified by examination, seniority, or service.

Certify – To refer from an eligible register, in accordance with the Statute, the name of a candidate who shall be considered for employment. Certify shall also mean acceptance to the Classified Service after successful completion of the probationary period.

Class – A position, or a group of positions with similar duties and responsibilities, designated by a title indicating the kind of work to be done.

Classification – Assignment of a position to a class.

Classified Service – All offices and positions under the jurisdiction of the Commission which are required to be classified under the provisions of the Statute and City ordinances.

Commission – The Civil Service Commission of the City of Lincoln, Illinois.

Department – A major operating unit in the government of the City of Lincoln, Illinois, except the Police Department and the Fire Department.

Eligible Register – A list of one or more candidates who have qualified for appointment to a position within a certain class.

Examination – An open and competitive test held to determine the fitness of applicants.

Lay-Off – A separation of any employee from the City services which has been made necessary by lack of work or funds, or for other reasons not related to fault, delinquency, or misconduct on the part of the employee.

Position – A group of duties and responsibilities, assigned or delegated by competent authority, requiring the full-time service of one person, or the part-time service of one or persons, but not including seasonal, part-time, or intern positions.

Resignation – An act by which an employee voluntarily separates himself from his employment.

Rules – The Rules of the Civil Service Commission of the City of Lincoln.

Seniority – A term used to describe time worked in a class computed in accordance with the provisions of the Statute and these Rules, after completion of the probationary period

Statute – The Act of the General Assembly of Illinois entitled ILCS Chapter 65, Article 10, Division 1, approved September 3, 1992 and subsequent amendments.

Suspension – The temporary removal of a member of the Classified Service or probationary employee from his position and the performance of functions and privileges due that position.

Termination – The discontinuance of service of an employee; failure of a provisional employee to meet certification requirements; and/or death, retirement, or inability of an employee to return from a leave of absence.

Title – The designation of a position or a class of positions.

Vacancy – A position duly created, which is not occupied, and for which a valid requisition has been received by the Commission.

RULE I

PURPOSE, AUTHORITY, ADOPTION, AMENDMENT

1. Purpose – To establish and foster the merit principle of personnel administration in the City of Lincoln, Illinois.

In the preparation of the Rules and Classifications presented herewith, the Civil Service Commission of the City of Lincoln has been guided by the objectives of equal employment opportunity for all qualified persons to compete for positions, and career system in the public service of the City based on efficiency.

These Rules and Classifications are published as required by Statute in such form that employees and citizens may read them and understand the administration of Civil Service in the City of Lincoln. In these Rules a genuine effort has been made toward the clarity of expression. In certain connections, however, it may be found that, due to the phrasing of Statute, the exact meanings of some words and phrases may not be entirely clear to all readers. To remedy this, a list of such words and phrases, with clarifying definitions, has been included in the Rules so that, by reference to this list, the great majority of unfamiliar words and phrases may be easily understood.

2. Authority – The Civil Service Commission of the City of Lincoln adopts the following rules under the authority of 65 ILCS 5/10-1.

3. Adoption & Amendment –

- a. These rules shall be known as the Civil Service Rules of the City of Lincoln, Illinois.
- b. These rules shall become effective as of the date of adoption by the Civil Service Commission.
- c. These rules may be amended by a 2/3 vote of the Civil Service Commission.
- d. All rule changes shall be published by the Commission. Notice of changes will be published in a newspaper giving notice of the places where the rules may be obtained. Also published will be the date the changes go into effect.

RULE II

CLASSIFICATION PLAN

1. Classification Plan – The Commission shall maintain a plan to be known as the Classification Plan of the Civil Service of the City of Lincoln, Illinois. Positions in the classified service shall be assigned to classes deemed desirable by the Commission.

This Classification Plan may be amended by the Commission in order to establish new classes, abolish existing classes or to combine two or more existing classes. The Commission shall have no power to create or abolish positions.

2. Class Specifications – The Civil Service Commission shall establish and maintain an up-to-date copy of the specifications for each class of positions. This copy of the specifications for various classes shall be open to inspection by the public during office hours. These specifications shall include:

- a. The official title of each position.
- b. A statement of the nature of work, examples of work, duties to be performed and responsibilities exercised for each position.
- c. Minimum qualifications necessary to be considered eligible to take the examination.
- d. Any special qualifications necessary for successful performance in the position.

All specifications and revisions shall be submitted by the Department Head or appointing authority to the Commission for approval.

3. Content and Meaning of Class Specifications – The specifications for any position or class are intended to be descriptive only, not restrictive. The employee is expected to perform any related tasks or under emergency conditions, any reasonable tasks as required by the department head.

4. Classification of New Positions – Before any new position is established, the appointing authority shall recommend to the Commission its allocation to an appropriate class. The department head desiring to establish a new position shall present, through the appointing authority, to the Commission a full statement of the duties, responsibilities of the new position, together with his/her recommendations regarding title, qualifications needed and rates of compensation.

5. Changes in Duties – No substantial change in duties or responsibilities, of any existing position shall be made, except for a temporary period of 30 days after which time the department head must revert the position back to what it was or request that a new position be created in accordance with procedures set for in Section 4.

6. Changes in Title – Changes in Allocation – In a case in which an employee has qualified for a position under one title, and the title of the position has been changed, the incumbent shall have the right to hold that position under its new title.

However, when an incumbent holds a position which is reallocated to a class with a higher minimum pay and with greater duties and responsibilities requiring higher qualifications, this position shall be filled by certification from the appropriate eligible list, and the person formerly holding the position shall not automatically become eligible to continue therein, but shall be transferred to a position in a class with similar duties and qualifications if there is such a position open.

7. Use of Official Title – When a position is allocated to a class, its title shall become the title of the position and shall be used in all records and communications referring to that position.

8. Change of Compensation – Changing the compensation of any position in the classified service, whether by ordinance or otherwise, shall not affect the tenure of the incumbent of such office unless such a change involves a change in duties and responsibilities.

9. Exemptions from the Classified Service – The classification plan shall include all classes as approved and amended by the Civil Service Commission except those exempted by Lincoln, Illinois City Code, Chapter 16 1-16-6.

Not to be included in the classified service are:

- a. Officers who are elected by the People.
- b. Officers who are elected by the City Council or whose appointment is subject to approval by the City Council.
- c. Judges and clerks of election.
- d. Heads of principal departments of the City.

- e. Seasonal employees whose employment does not exceed 90 days in any calendar year.
- f. One private secretary to each of the elected City officials.
- g. City Engineer.
- h. Part-time employee.

RULE III

VETERANS PREFERENCE

1. Eligibility - In order to receive Veteran's Preference an applicant must furnish proof of eligibility within 10 days after the Temporary Eligible Register is posted. Acceptable proof is a U.S. Veterans Affairs Award Letter and/or a copy of a Certified 00214/215 or a N6B22.

2. Military Preference – Military Preference will be given to each examinee who qualifies under the 65 ILCS 5/10-1-12 and 65 ILCS 5/10-1-16 65. The Civil Service Committee will give 5 points to the final examination score and this will be reflected on the Final Eligibility List.

Persons receiving dishonorable discharges from the military or naval service of the U.S. will not be considered for Veteran's Preferences.

Veterans receiving general, medical, undesirable or bad conduct discharge, shall not be automatically disqualified from receiving Veteran's Preference points.

RULE IV

SENIORITY

1. Seniority List – Each department head has the responsibility of providing to the Commissioners the current seniority list which includes the names of all employees in each class in order of their seniority.
2. Accumulation of Seniority Following Completion of Probation – After completion of the probationary period, an employee accrues seniority in the class retroactive to his original date of employment.
3. Accumulation of Seniority During Disability – Employees accrue seniority while on leave of absence for disability.
4. Accumulation of Seniority During Authorized Absence Without Pay for Personal Convenience – In computing service for seniority in any class, authorized absences without pay because of personal convenience not exceeding, 30 consecutive work days, will not affect accrual of seniority. If the leave of absence for personal convenience exceeds 30 consecutive work days, no seniority shall accrue for any part of the leave of absence.
5. Accumulation of Seniority During Lay-Off Status – Employees only accrue seniority during the first 30 consecutive work days while on lay-off status.
6. Accumulation of Seniority During Suspension – Employees do not accrue seniority while on suspension.

7. Seniority – Credit for seniority shall be given for actual service only (except as stated in rules 3-5), including the probationary period.

RULE V

APPLICATION AND NOTICE OF EXAMINATION

1. Application Forms – Forms will be furnished by the Commission and available in the City Clerk’s office. They must be completed and submitted at the time of examination. Applicants must comply with the requirements of said forms in every respect.
2. Time of Applications – Standard applications for examinations shall be accepted only when the eligibility list for said positions is exhausted or the eligibility lists have been struck.
3. Fraud in Applications – Any person who, by themselves or in cooperation with any other person or persons, submits information, documents or records of a false nature so as to misrepresent themselves in their application for examination, shall be excluded from the examination. If fraud in a person’s standard application becomes known to the Commission subsequent to said person’s placement on an eligible list or said person’s appointment to a position, the Commission may strike said person’s name from any eligible register or dismiss said person from the service, provided that said person shall have an opportunity to be heard by the Commission in his own defense prior to the Commission’s action.
4. Admittance to the Examination – No person will be admitted to an examination without the completed application, forms and a valid photo identification.

5. Notice of Examination – The Civil Service Commission will give notice of examinations at least two (2) weeks prior to the date of the examination. Notices will be published in the legal section of a general circulation newspaper in the City of Lincoln and on the Official City of Lincoln Website. The first notice shall be published at least two (2) weeks prior to the date of the examination. The second notice shall be published no later than one (1) week prior to the date of the examination. The notice will include time, place, location, general scope, and minimum qualifications needed for the examination. The notice will also be posted in a conspicuous place in the Lincoln City Hall for two (2) weeks prior to the examination, and on the official City website.

RULE VI

EXAMINATION

1. Minimum Qualifications – When the Commission calls for an examination for any position or class of positions, it shall specify minimum qualifications for applicants. No person shall knowingly be admitted to the examination who does not meet the minimum qualifications as specified. The fact that one is permitted to take an examination may not be considered evidence that he is qualified, nor that he is eligible for the position. The following minimum qualifications may be a part of the requirements for admission to all examinations given by the Commission:

- a. Character of Fitness – Every applicant must be of good character and temperament, possess the ability to meet the public and deal with people, and physically able to perform the duties and responsibilities of the position for which they applied.
- b. Age – No applicant shall be admitted to an examination who is less than 18 years of age at the date of examination.

Nothing in this rule shall be construed to restrict the power of the Commission to specify age limits in cases where such action is, in its opinion, reasonably necessary to the achievement of the purposes of the Rules or the Civil Service Act and or the position.

- c. Citizenship – A person must be a citizen of the United States to be admitted to the examination.

- d. Residence – All Civil Service employees of the City of Lincoln shall be required to live within Logan County. An employee will be given 90 day to be in compliance or may face termination.
- e. Communication – Every applicant must be able to read and communicate in written format.

2. Types of Examinations – Examination for positions in the City of Lincoln shall be construed to test fairly the capacity and fitness of the persons examined for the bona fide occupational requirements of the position to which they seek to be hired, and may consist of any or all of the following :

- a. Written tests.
- b. Oral tests.
- c. Performance test.
- d. Physical Examination – The hiring department may set minimum physical and medical standards for any position. The Commission may refuse to certify any candidate for an original entry or promotional position who fails the physical examination.
- e. Medical examinations which may include certification to perform physical requirements of the job.

3. Independent investigation. The Commission may conduct an investigation of the character, temperament, and the ability to meet the public or deal with people or any other factors which may bear upon the applicant's capacity or

fitness for the position. A criminal background check will be conducted prior to offering employment.

4. Religious or Political Affiliation or Opinions – A person’s religious or political affiliation will not be considered for employment. At no time during the examination process will there be any questions relating to religious or political opinions or affiliations.

5. Results of Examination – The results of original entry and promotional examinations shall be published by the Commission within 30 days of the date of examination. The eligible registers will be posted at City Hall and on the Official City of Lincoln Website.

6. Chief Examiner – The Civil Service Commission reserves the right to control all exams and may designate persons to be examiners and to conduct the exams. The Civil Service Commission may appoint a Chief Examiner who is responsible to the Commission for the conduct of examinations, the processing of applications, establishment of eligible registers and performance of related tasks as the Commission may direct.

RULE VII

ELIGIBLE REGISTER

1. Temporary Eligible Register – Names of persons who have passed the examination will be placed on the temporary eligibility list in order of grades received for a period of 10 days pending proof of Veterans Preference points.
2. Eligible Register – Original Entry – Names of persons who have passed the examination will be placed on eligibility lists in order of grades received. Veteran's preference points will be added to the examination score of those candidates qualifying.
3. Removal for Cause – The Civil Service Commission may remove a name from the list for cause, at any time. Any of the following shall be sufficient cause for removal of a candidate from an eligible register the list below is not an all-inclusive list:
 - a. Fraud in employment application.
 - b. Failure of physical or medical examination.
 - c. Unfavorable background checks.
4. Appeal of Removal for Cause. If a name is removed for cause, the person will be given 30 days to appeal the decision after which time the decision is final. A hearing officer will be appointed by the Commission to hear the case.

RULE VIII

REQUISITION AND CERTIFICATION

1. Filling of Vacancies. Whenever a vacancy is to be filled in the classified service, the department head or appointing authority shall submit a requisition to the Commission. A separate requisition shall be made for each position to be filled. From the current eligible register, the Commission will certify the name(s). If no list of eligibles for the class exists, the Commission will call for an examination at the earliest possible date.
2. Certification from Registers. When a vacancy exists in a position, the Commission shall certify to the Department Head or appointing officer the name and address of the highest ranked candidate on the register for the class to which the position belongs. In the event of a tie the Commission may appoint a committee to interview the top ranked candidates.
3. Notification of Candidate. The person(s) certified for a position shall be notified by registered mail by the Department Head or appointing authority that he/she has been selected for appointment. The individual so selected must notify the Commission in writing of his intentions within 14 days of notification.
4. Waiver of Certification. An eligible who has been certified may, with the consent of the Commission, waive the certification without losing his/her place on the eligible list. Unless the Commission shall otherwise direct, the name of an eligible who refuses to accept an appointment when it is

tendered to them, shall be removed from the eligible list and the next highest ranking personal shall be certified in his place.

RULE IX

APPOINTMENTS AND PROBATION

1. Notice of Appointment. Immediate notice in writing shall be given by the appointing authority to the Commission of all appointments, permanent or temporary, made in the classified civil service and of all promotions, resignations, or vacancies for any cause in such service, and of the date thereof.
2. Probationary Period. All classified new hires shall be on probation for a period of six months. If the conduct and performance of a person hired has been satisfactory to the Department Head or appointing authority, the appointment shall be deemed complete.
3. Probation (purpose). The probationary period is an integral part of the examination process and shall be used by the appointing authority or Department Head for close observation and evaluation of the employee and his work.
4. Temporary Appointment. To prevent the stoppage of public business or to meet extraordinary circumstances, a department head may, with the approval of the Commission, make a temporary appointment to remain in force a maximum of 120 days and only until regular appointments are made.

In any case where no appropriate eligible register for a requisitioned position exist, the head of any department may nominate a member of the classified service to the Commission for temporary appointment. If the

Commission finds that person to possess the necessary experience, training and other qualifications for the position, that person may be appointed to fill the existing vacancy only until the establishment of an appropriate eligible register and the making of appointments there from.

5. Assignment to Duties. All persons appointed in the classified service shall be assigned to and perform the duties of the position to which they are appointed. An employee may be assigned temporarily, without extra pay, to perform other than his regular duties. But no assignment shall be for a period of more than 60 days without the consent of the Commission. The Commission may extend the temporary reassignment of duties for an additional 60 days.
6. Seasonal Employee. Seasonal employees need not be examined, placed on any eligible register or certified as a condition of their appointment. However, no person may be employed more than 90 calendar days in any fiscal year as a seasonal employee.
7. Part-Time Employees. Part-time employees need not to be examined, placed on an eligible registers or certified as a condition of their appointment. Depending on department guidelines, no person may be employed greater than 32 hours in any week as a part-time employee.

RULE X

TERMINATION, SUSPENSION, HEARING

1. Causes for Termination. Any of the following may be sufficient cause for termination of an employee from the city service (removal may be made for causes other than those enumerated):
 - a. The employee is incompetent or inefficient in the performance of his duties.
 - b. The employee has been careless or negligent in the performance of his duties.
 - c. The employee has engaged in harassing behavior toward the public or fellow employee.
 - d. The employee has some permanent or chronic physical or mental ailment or defect which incapacitates him for the proper performance of their duties.
 - e. The employee has intentionally violated any lawful official regulation of the department, the City or of these rules.
 - f. The employee has taken for personal use a fee, gift, or other valuable things in the course of their work or in connection with it when such fee, gift, or other valuable thing is given to them by any person in the hope of expectation of receiving special privileges.
 - g. The employee is engaged in private business or in an outside trade or occupation without the approval of their Department Head or appointing authority.

- h. The employee has failed to pay or make reasonable provisions for the future payment of just debts.
 - i. The employee has been convicted of a criminal misdemeanor or an offense involving immoral behavior; or has been intoxicated in public.
 - j. The employee, through negligence or willful misconduct, has caused damage to public property or waste of public supplies.
 - k. The employee during his hours on duty has engaged in any form of political activity calculated to favor or improve the chances of any political party or person seeking or attempting to hold political office.
 - l. The employee has used or has attempted to use political influence or the influence of any officer or employee in securing promotion, transfer, or increased pay.
 - m. The employee has let his physical or mental condition deteriorate to such an extent that he can no longer, in the judgment of competent medical authority, perform the duties his position demands.
2. Termination Proceedings. The City of Lincoln shall commence all termination proceedings against an employee by filing with the Civil Service Commission written charges stating the cause justifying termination shall be served on the employee by registered mail. The effective date of the termination shall be on the 15th day following the date of mailing of the written charges.
3. Hearing Board. If the employee wishes to contest his termination, he must make a written request for a hearing to the Civil Service Commission within the 15 day period prior to the effective date of discharge. The Commission

may act as the hearing board or may appoint 3 individuals, not directly supervising the employee, to act as the Board. The effective discharge, if ordered, will be the date designated by the Board.

4. Responsibility of the Hearing Board. The Commission, or a duly appointed person, will make the transcript of the hearing. The Commission shall inform the appointing authority the findings and recommendations of the Board. The Commission will notify the employee by registered mail, within 5 days, the results of the hearing.
5. Suspension During Hearing. An employee who has been served with written charges for discharge may be suspended without pay during the period that the discharge proceeding is pending and until final disposition thereof.
6. Disciplinary Suspension. The Department Head or appointing authority may suspend for just cause, an employee as a disciplinary measure up to 30 working days. Any employee suspended for more than 5 working days, or suspended within 6 months after a previous suspension, shall be entitled to a hearing, upon written request, before the Civil Service Commission concerning the propriety of such suspensions. The employee and the Civil Service Commission shall be notified in writing, 5 working days before the suspension is to go into effect, as to the reasons for such a suspension. The Commission shall give the employee an opportunity to be heard in his own defense.
7. Causes Justifying Suspension. Causes justifying suspension shall include, but are not limited to:
 - a. unauthorized and unexcused absences;

- b. leaving work without authority;
 - c. tardiness;
 - d. misrepresentation of absence and falsification of records;
 - e. refusal to do work assigned;
 - f. failure to adhere to departmental regulations;
 - g. disregard of safety regulations;
 - h. careless workmanship resulting in spoilage;
 - i. waste or delay;
 - j. unauthorized use of City property;
 - k. gambling on City property;
 - l. fighting;
 - m. stealing;
 - n. and sleeping during working hours.
8. Termination. If the employee's performance continues after the suspension addressed in number 7, the employee may be terminated.
9. Discharge During Probationary Period. If any probationer shall be found incompetent or not qualified for performance of the duties of the position he is filling, the head of the department or office in which the probationer is employed shall, at any time during his probationary period, present such evidence to the Commission. The Commission, upon reviewing the evidence, may discharge the probationer without the formality of hearing.

RULE XI

GENERAL PROVISIONS RELATING TO THE COMMISSION

1. Meeting of Commission. A meeting of the Commission may be held at the call of the Chairman or any two members. Notice of the date, time and purpose of the meeting shall be given to each member by the City Clerk at least 48 hours prior to the meeting. A majority of the Commission present at any meeting for which notice has been given shall constitute a quorum for the transaction of business.
2. Publication and Notice of Rules. All rules shall be printed for distribution by the Commission. Changes in the rules go into effect upon adoption.
These rules are adopted by the Commission to take effect on June 1, 2019, in accordance with the provisions of the Civil Service Act. Nothing in these Rules shall be construed to restrict the authority conferred by the ILCS Chapter 65, Article 10, Division 1, and any section or provision thereof may be altered, amended, or changed, or additions made thereto, by a two-thirds vote of the Commission.