

RULES AND REGULATIONS OF THE FIRE AND POLICE COMMISSION

**VILLAGE OF PALATINE
STATE OF ILLINOIS**

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Adopted by Village Council on April 15, 2024**

CHAPTER 1 **FIRE AND POLICE COMMISSION**

Article 1. Administration and Purpose

Section 1 Purpose of the Rules of the Fire and Police Commission

The purpose of the Rules and Regulations (“Rules”) of the Village of Palatine (“Village”) Fire and Police Commission shall be to establish a system of personnel administration based on merit principles to govern the appointment; promotion; and dismissal, suspension, demotion and discipline of sworn employees of the Fire and Police Departments, with the exception of dismissal of non-certified probationary employees.

In the event of a direct conflict between these Rules and the terms of a collective bargaining agreement, the collective bargaining agreement provisions shall prevail. However, the two shall be read together and deemed supplementary to each other when possible.

In the event that the Fire Department or Police Department is in the process of hiring new staff and the State Statute is amended to change one or more of the requirements regarding the hiring process, the Fire Department or Police Department are authorized to adjust their hiring process to conform to any new statutory requirement to which the Village is pre-empted. The particular Rule impacted shall be revised as soon thereafter as is feasible but the application process that is underway can proceed without a requirement that these Rules be first amended.

Section 2 Equal Employment Opportunity

All Rules shall be in compliance with existing laws and consistent with the Equal Employment Opportunities Commission (“EEOC”) Regulations and shall prohibit discrimination based on race, color, religion, sex, age, political affiliation, national origin, disability, marital status or any other legally protected status. In the event of a conflict between these Rules and the EEOC Regulations, the EEOC Regulations shall prevail.

Section 3 Source of Authority

The Fire and Police Commission of the Village of Palatine derives its power and authority from Chapter 2, Article XX of the Village of Palatine's Code of Ordinances as adopted by the Corporate Authorities of the Village of Palatine pursuant to its Home Rule power.

Section 4 Definitions

The word Commission wherever used shall mean the Fire and Police Commission of the Village of Palatine.

The masculine noun or pronoun includes the feminine. The singular includes the plural, and the plural the singular.

The word Original Appointment wherever used shall mean the power of the Chief to fill a position in the Fire or Police Department with a person who has been placed on the Eligibility List by the

Commission and has successfully completed the testing process and becomes, by his appointment, a probationary member of the department.

The word *Certification* wherever used shall mean the power of the Commission: 1) to confirm for full member status a person who has successfully completed his probationary period and has been recommended by the respective Chief and approved by the Commission to be a full member of the department; 2) to confirm for Sergeant a person who has successfully completed his probationary period, and 3) to confirm for Lieutenant a person as of his promotion date.

Section 5 Officers of the Commission and Their Duties

The Commission shall elect one (1) of its own members to act as Chair and another to act as Secretary. The Chair and Secretary shall hold office for one (1) year and serve until their successors are duly elected and qualified.

The Chair shall be the presiding officer at all meetings. In the absence of the Chair, the Secretary shall be the Acting Chair. In the absence of the Chair and the Secretary, the Commission shall select an Acting Chair for that meeting.

The Village Administration shall provide staff support to the Commission, will have the responsibility for the keeping of Minutes of all the proceedings of the Commission, shall be the custodian of all the forms, papers, books, and records pertaining to the Commission, shall keep the records of all examinations held by the Commission, shall provide all official notices in compliance with State Statute, and shall perform such other duties as the Fire and Police Commission prescribes.

At meetings in which staff support is not present, the Commission Secretary shall take Minutes of the meeting, including date, time, and place of the meeting, start and finish times, Commission members present, and a summary of all matters proposed, deliberated, or decided and a record of the votes taken.

Members of the Commission shall be considered officers of the municipality and shall file an oath as may be required by the Village.

Commissioners shall complete an annual Ethics Statement for the Village of Palatine, comply with the Open Meetings Act, complete the Attorney General's online training on the Open Meetings Act, and shall comply with any other training required by the State from time to time.

Section 6 Meetings of the Commission

a. Meetings Called By Commission Chair

Meetings may be called by the Chair and he shall designate in a notice to be filed with the Secretary, the time and place of the meeting and the business to be considered at such meeting. No other business shall be considered at such meeting.

b. Meetings Called by Commissioners

Meetings may also be called by the filing of a notice in writing with the Secretary of the Commission, signed by three (3) Commissioners. This notice shall contain a brief statement of the business to be submitted for the consideration of the Commission at such meeting and shall set forth the time and place of such meeting. No other business shall be considered at such meeting.

c. Meetings Called By Village Manager

Meetings may be called by the Village Manager and he shall designate in a notice to be filed with the Secretary, the time and place of the meeting and the business to be considered at such meeting. No other business shall be considered at such meeting.

d. Schedule of Meetings

Regular meetings will be scheduled annually on the first Wednesday of May and November. The Commission Chair may cancel a regular meeting as warranted. Special meetings will be scheduled as needed.

e. Notice of Meetings

Notice of all meetings must be given in writing at least forty-eight (48) hours in advance of the meeting in accordance with the requirements of the Open Meetings Act.

f. Closed Sessions

During any regular or special meeting, a closed session may be held upon a proper motion made by any single member of the Commission for the purpose of discussing any matter exempt under the Open Meetings Act (5 ILCS 120/2-C). Closed sessions may be limited to Commissioners and such invited persons as the Commission deems necessary. The Secretary will record the motion to close the meeting, the section of the Open Meetings Act upon which the closed session is based, record the roll call vote of the members on said motion, and keep Minutes of the closed session. An audio of each closed session will be maintained by the Secretary of the Commission in accordance with the Open Meetings Act.

Section 7 Quorum

Three (3) members of the Commission shall constitute a quorum for the conducting of all business.

Section 8 Order of Business

The order of business at any meeting shall be according to the agenda established by the Chair.

Section 9 Rules of Order

The parliamentary procedure described in *Robert's Rules of Order* shall be followed as far as applicable.

Section 10 Amendments of the Fire & Police Commission Rules and Regulations

The Commission, from time to time, may recommend changes in these Rules by a majority vote of the Commission. Amendments to the Rules of the Commission will be submitted to and will be considered by the Village Council. The Commission shall publish on the Village's website notice of amendments newly adopted by the Village Council. Amendments will go into effect ten (10) calendar days subsequent to their publication on the Village's website. All adopted amendments to these Rules shall be printed for distribution.

Article 2. Disciplinary Hearing Procedures

Section 1 Pre-Hearing Procedures

a. Complaints

All charges shall be by written complaint containing a plain and concise statement of the facts and shall be filed with the Commission as specified in this Section 1.

b. Probable Cause

After a complaint is filed, the Commission in its discretion shall have the right to conduct such informal hearings or investigations as may be necessary to determine whether probable cause exists for a hearing on that complaint.

c. Notification of Hearing

Upon the filing of a complaint, the following action shall be taken by the Commission:

1. The accused shall be notified in writing by registered mail or personal service of the charges and of a specific time and place to appear before the Commission for a hearing on those charges; or
2. In cases where the Commission has decided to determine whether probable cause exists, the accused shall be notified in writing that such charges have been filed and that the Commission is conducting an investigation to determine whether probable cause exists before conducting a formal hearing on the charges. The person shall be further notified that if probable cause is determined to exist, that person will subsequently be served with a copy of the charges and notification of a specific time and place for a hearing on those charges.
3. There shall be a minimum of five (5) calendar days between the time at which the accused was notified of the hearing and the commencement of the hearing.

d. Subpoenas

Either the complainant or the respondent may at any time before the hearing make an application to the Commission by filing with it a written request for subpoenas for any individual to appear for a hearing or to have them produce books, papers, records, accounts, and other documents as may be deemed by the Commission to be relevant to the hearing. On the filing of such application, subpoenas will be issued for the named persons. Applications for subpoenas should contain the names and addresses of the individuals to be subpoenaed and the identity of any documents which they are to produce.

e. Continuances

The matter of granting or refusing to grant a continuance of a hearing is within the discretion of the Commission. No hearing shall be continued at the request of any of the parties to a proceeding unless such request is received in writing by the Commission at least three (3) calendar days before the scheduled hearing date. In the event any person who has been suspended pending the hearing desires a continuance, the Commission may require said person to stipulate that if he is found guilty of the charges, but is retained after the hearing, no compensation shall accrue to said person for wages for the period of said continuance. Any request for continuance by reason of inability to serve subpoenas shall be filed with the Commission at least three (3) calendar days before the date set for such hearing provided, however, the Commission in its discretion may waive this rule.

f. Stipulations

Parties may on their own behalf or by counsel stipulate and agree in writing or on the record to any facts material to the charges or to a finding of guilty. Such stipulations shall be considered as evidence in the proceeding.

g. Sufficiency of Charges; Objections Thereto

Motions or objections to the sufficiency of written charges must be filed in writing not less than forty-eight (48) hours prior to the commencement of the hearing before the Commission.

h. Service

All papers required by these Rules to be served shall be delivered personally to the party designated or mailed by United States Mail in an envelope properly addressed with postage prepaid to the designated party at his last known residence as reflected by the complaint filed with the Commission. Proof of service of any paper may be made by certification of any person so mailing the paper or delivering the same to the designated party personally or by filing a return receipt showing that a paper was mailed by either registered or certified mail return receipt requested to a party's address where it was received by a named party.

i. Filing

All papers may be filed with the Commission by mail or personal delivery to the Secretary. For purposes of these Rules, the filing date shall be the date received by the Commission in the event the paper is received personally or by messenger. In the event the paper is forwarded by mail, then the filing date shall be the postmarked date.

j. Forms of Paper

1. All papers filed in any proceeding shall be type-written or printed and shall be on one side of the paper only.
2. If type-written, the lines shall be double-spaced except that long quotations may be single-spaced and indented.
3. All papers shall not be larger than 8-1/2 inches wide by 11 inches long and shall have inside margins of not less than one (1) inch.

4. The original of all papers filed shall be signed in ink by the party filing the paper or by his attorney.
5. If papers are filed by an attorney, his name and address shall appear thereon.

k. **Computation of Time**
The time required for any act under these Rules shall be computed by excluding the first day and including the last unless the last day is Sunday or is a holiday as designated or fixed in any statute now or hereafter enforced in this State and then it shall also be excluded if the day succeeding such Sunday or holiday is also a holiday or a Sunday, then such succeeding day shall also be excluded.

- l. **Date of Hearing**
The date which the Commission sets for hearing on the charges shall be within thirty (30) calendar days of the time of the filing of such charges. Continuances may be granted as set forth in Article 2, Section 1 (e) of this Chapter 1.

Section 2 **Hearing Procedures**

- a. The Commission shall conduct a fair and impartial hearing of the charges. The respondent shall be given an opportunity to be heard in his own defense at the hearing. Such hearings shall be governed by this Chapter 1, Article 2, Section 2. The hearing date must be set within thirty (30) calendar days of filing the charges with the Commission.
- b. *Counsel*, as used herein, means one who has been admitted to the bar as an attorney-at-law in this State. However, the Commission may, upon petition by a party appearing before it, permit an attorney licensed in another State to represent said party.
- c. Any rehearing, reconsideration, modification, vacation, or alteration of a decision of the Commission may be permitted only upon unanimous approval of the Commission.
- d. The right to determine that cause exists in a particular case is vested solely with the Commission.
- e. The complainant initiating any proceeding which provides for a hearing before the Commission has the burden of proof to establish that cause does exist by a *preponderance of the evidence* and should the question of a crime be involved, the standard of *beyond a reasonable doubt* shall not be applied.
- f. The phrase *preponderance of the evidence* is defined as the greater weight of the evidence. That is to say, it rests with that evidence which when fairly considered produces the stronger impression and has a greater weight, and is more convincing as to its truth when weighed against the evidence in opposition thereto.
- g. All hearings shall be in compliance with the Illinois Open Meetings Act.
- h. At the time and place of hearing, each party may be represented by counsel if that party so desires.

- i. All disciplinary hearings before the Commission during the conduct of the hearing shall be recorded by a court reporter to be employed by the Commission.
- j. The records of all hearings will not be transcribed by the reporter unless requested by the Commission or a party before the Commission. Any party requesting a transcript shall pay the cost.
- k. In the conduct of this hearing, each member of the Commission shall have the power to administer the oaths and affirmations, and the Commission shall have the power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers relevant to the hearing.
- l. All witnesses shall be sworn by a member of the Commission prior to testifying and the matter will be decided by the Commission solely on the evidence presented at the hearings.
- m. The Commission will first hear witnesses testifying in substantiation of the charges against the respondent. Thereafter the respondent may present and examine those witnesses testifying in substantiation of his position. All parties shall have the right to cross-examine witnesses presented by the opposing party.

Section 3 Finding and Order

The Commission shall within fifteen (15) calendar days after the hearing is completed enter its Finding and Order on the records of the Commission and notify the parties thereof.

A Finding and Order of the Commission following a hearing of charges shall be preserved by the Secretary and notice of said Finding and Order shall be sent to the person involved and the Department Chief for enforcement. If the Finding and Order is that the person is guilty of charges investigated and removal or discharge is ordered, such order of removal or discharge shall become effective immediately.

Section 4 Appeal and/or Review

All administrative decisions of the Commission may be reviewed pursuant to the Administrative Review Act as adopted by the Illinois Compiled Statutes which shall be the sole means of securing judicial review of the Commission's decision.

CHAPTER 2
POLITICAL INFLUENCE

Section 1 Political Contributions

No person in the Fire or Police Department of the Village shall be under any obligation to contribute to any fund or to render any political service and no person shall be removed or otherwise prejudiced for refusing to do so. No person in the Fire or Police Department of the Village shall discharge or promote or reduce or in any manner change the official rank or compensation of any other person in such service or promise or threaten to do so for withholding

or refusing to pay any contribution of money or service or any other valuable thing for any political purpose or in any other manner directly or indirectly use his official authority or influence to compel or induce any other person to pay or render any political assessment, subscription, contribution or service.

Section 2 Political Activities

No person holding a position in the Fire or Police Department of the Village shall use his official authority or position to coerce or influence the political action of any person or body or to interfere with any election. While a member is on duty he may not take part in any political campaign, solicit funds or signatures for any political purpose, act as a worker at the polls, distribute badges, color or indicia, favoring or opposing a candidate for election or nomination to a public office. While off duty, no person holding a position in the Fire or Police Department of the Village shall engage in political activities or lobbying activities while wearing a uniform or any clothing, badge, or name identification or identify himself as being affiliated with the Village in any way, without prior written approval from his respective Chief. A violation of this Chapter 2 is subject to discipline pursuant to these Rules.

Notwithstanding the foregoing, from time to time, the Fire and/or Police Chiefs and their designees may be called upon or be required to perform lobbying activities with state legislators on issues of interest to the Village. These activities may be performed as requested by the Village Manager.

CHAPTER 3
VIOLATION OF RULES, ORDINANCES OR STATUTES

Section 1 Violation of Rules or Laws

Any violation of the Rules or the Rules and Regulations of the Fire or Police Department or any Ordinance of the Village, law of the State of Illinois, including but not limited to the Firefighter Disciplinary Act and the Uniform Peace Officers' Disciplinary Act or any other State or Federal law, by any member of the Fire or Police Department may be the basis for the filing of charges against such person.

CHAPTER 4
OATH OF OFFICE/CERTIFICATE OF APPOINTMENT
FOR POLICE AND FIRE DEPARTMENTS

Section 1 Oath of Office

Before entering upon his duty, any person about to become a member of the Fire or Police Department shall be sworn in as a Firefighter or Police Officer by taking an oath certifying he or she is a sworn, full-time member of the Department.

Section 2 Certificate of Appointment

Upon successful completion of the probationary period, the Commission shall issue a Certificate of Appointment signed by the Chairman and Secretary of the Commission, qualifying him as a certified member of the respective Department.

CHAPTER 5
ORIGINAL APPOINTMENTS
TO THE POLICE DEPARTMENT

Article 1 – Qualifications

Section 1 Residency and Authorization to Work Requirements

Applicants must be eligible to work in the United States as a condition of employment. All employees are required to provide proof that they are authorized to work in the United States within three (3) calendar days of employment. Any person appointed to the Police Department shall, as a condition of appointment, become a resident of the area as defined in the Palatine Code of Ordinances, Chapter 13, Section 13-7 within six (6) months of their date of hire.

Section 2 Special Qualifications

The Commission may require evidence of any special training or practical experience that it from time to time deems appropriate.

Section 3 Physical and Medical Requirements

Each applicant for original appointment shall submit to a physical and medical examination by a licensed physician designated by the Commission. The applicant must be free from medical conditions that would prevent him from fulfilling the essential job functions of his position with reasonable accommodation.

The Commission shall possess the authority to establish from time-to-time reasonable physical standards for the various positions within the Police Department. These physical standards shall be validated through testing, such as the standards validated and established by the Illinois State Police for Police Officers in the State of Illinois. The standards shall be adopted by vote of the Commission and shall include but not be limited to vision clarity and hearing.

Section 4 Vision requirement

Applicants must have at least twenty/forty (20/40) vision in both eyes with or without corrective lenses.

Section 5 Age Requirements

At the time of the last date for filing an application, individuals must have passed their twenty-first (21st) birthday and shall be under thirty-five (35) years of age. This age limitation does not apply to any person currently employed as a police officer in a regularly constituted police department of any municipality.

Section 6 Educational Requirements

Police Department applicants are required to have completed a bachelor's degree from an accredited college or university before their date of appointment and must present a certified copy of their college transcript. This requirement may be waived in lieu of an associate's degree for lateral police applicants with at least three (3) years prior law enforcement experience.

Section 7 Character Requirements

No person shall be appointed to the Police Department unless that person is of good character. Nor shall any person be appointed to the Police Department who is a habitual user of narcotics, drugs, intoxicating substances, or any other substance or matter which is detrimental to the health of an individual. A person who has been convicted of a felony or a decertifying misdemeanor as listed by the Illinois Law Enforcement Training and Standards Board shall be ineligible for appointment as a Police Officer.

Section 8 Driver's License Requirement

At the time of application, each applicant must possess a valid driver's license, but must possess and maintain a valid Illinois driver's license within six (6) months from their date of hire.

Section 9 Conscientious Objector

The Commission may refuse to examine an applicant, or after examination, may refuse to certify him as eligible if he is classified or has ever been classified as a conscientious objector by his local Selective Service Draft Board.

Section 10 Recruitment

All recruitment for Police personnel shall be done pursuant to any Affirmative Action Plan adopted by the Village. An Affirmative Action Plan which has been adopted by the Village will be hereby adopted as part of these Rules.

Section 11 Gubernatorial Disaster Proclamation

In the event the Village of Palatine is covered under a Gubernatorial Disaster Proclamation which results in the Police Department unable to meet any requirements of these Rules, the Chief of Police may petition the Commission to request emergency considerations from the Village Council.

Article 2 - Applications

Section 1 Applications

The Commission shall authorize applications for positions to the Police Department. All applicants must comply with the requirements of the application in every respect. The Chief of Police will recommend to the Commission a testing format. Upon the direction and approval of the

Commission, the Director of Human Resources will contract with a third-party vendor to provide either a written or online testing process.

Section 2 Filing Applications

An application for the Police Department shall be filed with the designee of the Chief of Police, and maintained for record keeping under direction of the Secretary. Persons making untruthful answers to questions in an application shall be rejected by the Commission and the applicant notified of such action. The Commission may remove persons certified to positions on the Police Department upon learning that false statements and or omission have been made or material misrepresentations of fact have been made to the Commission.

Section 3 Documentation

Each candidate shall furnish to the Commissioners:

- a. A completed employment application.
- b. A certified copy of the applicant's birth certificate.
- c. A certified copy of a college transcript showing completion of education requirements as described in Article 1, Section 6.
- d. A copy of a valid driver's license.
- e. When applicable, a certified copy of the applicant's military service record and discharge papers.

All documents will be maintained for record keeping under direction of the Secretary. Copies of required documentation may be submitted in electronic form when the authenticity of said documents may be verified independently.

Section 4 Disqualification

The Commission may refuse to examine an applicant, or after examination, may refuse to certify him as eligible:

- a. Who is found lacking in any of the established preliminary requirements for which the candidate has made application, or
- b. Who is physically and mentally unable to perform the essential functions of the position to which he seeks appointment, or
- c. Who is not of good character, or a person who has been convicted of a felony or a decertifying misdemeanor as listed by the Illinois Law Enforcement Training and Standards Board, or
- d. Who is a user of narcotics, drugs, intoxicating substances, or any other substance or matter which is detrimental to the health of an individual, or
- e. Who has been dismissed from any public service employment for good cause, or
- f. Whose character and employment references are unsatisfactory, or
- g. Who is classified or has ever been classified as a conscientious objector by his local Selective Service Draft Board.

Any applicant deemed disqualified hereunder shall be notified in writing by the Commission.

Section 5 Defective Applications

The Commission's designee shall check the application material submitted for completeness. Applicants may be required to provide additional information or documentation for clarification of their application provided that the applicant is otherwise qualified for the position. However, nothing in this section shall require the Commission to seek additional documentation not properly provided by the applicant.

Section 6 Release of Liability

Each applicant shall deliver to the Commission an executed release from liability for the taking of the Physical Ability Test on a release form to be prescribed by the Commission.

Section 7 Investigation of Applicant's Background/Release

By making application for a position in the Police Department, each applicant expressly authorizes the Commission to conduct such investigation into the applicant's history and character to determine that the applicant would not be disqualified under the requirements of these Rules. The background investigation shall include at a minimum:

- a. Verification of qualifying credentials.
- b. A review of any criminal record.
- c. Verification of at least three (3) personal references.

All applicants shall execute a form authorizing and empowering the Commission and its agents or other outside agencies engaged by the Commission to conduct a background investigation of the applicant.

Section 8 Notification of Acceptance of Applicant

The Commission or its designee shall notify each applicant whose application has been accepted to present himself for examination at the date and time specified with the release of liability described in Article 2, Section 6.

Section 9 Applications Not to be Returned

Applications for original appointment and for promotion will be kept on file with the Secretary and under no circumstances will they be returned to the applicants.

Article 3 – Examinations for Police Officer Candidates

Section 1 Examination Process for Police Officer Candidates

All examinations shall fairly test the capacity of the applicant to discharge the duties of the position to which the applicant seeks appointment. Applicants must receive a passing score on each examination component in order to continue with the testing process.

Section 2 Notice of Written Examinations

Except for police lateral candidates appointed in accordance with Section 2-366.1 (former) and exempt from the written examination requirement, examinations shall be held on the date(s) fixed by the Commission and advertised in a local paper in accordance with the Board of Fire and Police Commissioners Statute (65 ILCS 5/10-2.1-6.3 (d)). Examinations may be postponed by order of the Commission. Applicants shall be notified of any examination postponement and of the new date fixed for said examination. Notice shall also be placed on the Village website, other internet sites approved by the Chief of Police or Director of Human Resources, and using recommendations within any Affirmative Action Plan.

Section 3 Vacancies/Eligibility List

The Commission shall call examinations to fill vacancies in the Police Department, or to provide eligibility lists in anticipation of vacancies. A call for such examination shall be entered in the Minutes of the Commission and shall include a statement of:

- a. The deadline for receipt of applications.
- b. The time and place where such examination will be held.
- c. The position to be filled from the resulting eligibility list.

Section 4 Standards for Examinations

Failure to achieve the minimum passing score on any portion of the examination disqualifies an applicant from any further participation. The written test and oral examination scores are based on a maximum of 100%. The following examinations will be held:

<u>EXAMINATION</u>	<u>MINIMUM PASSING SCORE</u>
Written Test*	Passing score to be determined by Commission depending on instrument used
Physical Ability Test	Pass or Fail
Oral Examination	Seventy percent (70%)
Background Investigation**	Pass or Fail
Psychological Test**	Pass or Fail
Polygraph Test**	Shall assist the Commission in the conduct of the background investigation
Medical Examination**	Pass or Fail

The written exam shall be weighted 40% of the overall final score; the oral exam shall be weighted 60% of the overall final score. Example: An applicant for original appointment has a written score of eighty-five (85), and an oral score of seventy-five (75). The applicant would have a final weighted score of seventy-nine (79).

Written Score	85 x 40% = 34
Oral Score	75 x 60% = 45
Total Score	= 79

Nothing in these Rules shall prevent the Commission from requiring or establishing such other tests or examinations as might assist the Commission in selecting the most qualified candidates for appointment including assessment center type of simulated exercise.

* Passing score and/or the number of top scoring candidates to be interviewed will be established by the Commission prior to the examination depending on the testing instrument used.

** Candidates shall be placed on the eligibility list prior to the completion of these phases; however, no appointment shall be made until the psychological, polygraph, background check and medical examinations have been successfully completed.

Section 5 Examinations to Minimize Adverse Impact

The examinations of applicants shall be consistent with the Police Department's status as Affirmative Action/Equal Opportunity Employer. To this end all written examinations must be previously validated and structured to minimize any adverse impact on any members of a race, sex or ethnic group. The following definitions shall apply:

- a. Affirmative Action. A systematic approach to recruit, hire and promote minorities and women.
- b. Equal Employment Opportunity. The provision of equal opportunities for employment and conditions of employment to all individuals regardless of race, color, religion, sex, age (as stipulated in State Statutes), political affiliation, national origin, disability, marital status or any other legally protected status.
- c. Validity. Proof through statistical data that all written examinations are job-related either by predicting a candidate's job performance or by detecting important aspects of the work behavior related to the position.

Section 6 Storage of Selection Process Materials

The Commission shall limit access to the selection process materials so as to maintain the security and confidentiality of these items. When not in use, these items will be secured under direction of the Secretary.

Section 7 Disposition of Selection Process Materials

The Secretary shall be responsible for the disposition of selection process materials, including written examination scores, in a manner that prevents the disclosure of the information therein. The Commission shall maintain the records of all candidates' performance, including examination scores, in accordance with the Local Records Act (50 ILCS 205/1).

Section 8 Notification Procedures

The Commission shall inform all candidates of their status throughout the examination process. Candidates who fail to achieve the minimum passing score on any component of the examination process will be informed; however, the Commission is under no obligation to provide any reasoning or explanation to any applicant as to why they may have failed any component of the examination process.

Article 4 - Written Test

Section 1 Nature of Examination

The material used in this examination shall be of such nature that it will adequately assess the candidate's mental ability to assimilate training and to function as a Police Officer. The Chief of Police will recommend to the Commission a testing format. Upon the direction and approval of the Commission, the Director of Human Resources will contract with a third-party vendor to provide either a written or online testing process.

Section 2 Test Procedure

If an online, internet-based written examination is not employed, each candidate will receive a numbered Test Identification Form on which the candidate will enter his name and other information as required. Before the start of the examination these forms will be collected and sealed in an envelope by the examiners. No name or signature shall be placed on any examination paper. No mark of identification tending to disclose the identity of the candidate shall be placed upon the examination papers. Papers of persons violating this rule shall be marked *REJECTED BY ORDER OF THE COMMISSION* and the person shall be disqualified.

Once the written examination process is completed, the number of qualified candidates, including any ties with the person ranked last, and with a score of at least seventy percent (70%) will be considered a passing score on the written test. All qualified candidates successfully completing the written examination will proceed to the next phase: physical ability test phase. The number of qualified candidates may be adjusted by the Commission and recorded in formal Commission meeting minutes prior to the written test being conducted.

All candidates shall be ranked based on their scores on the written examination. This initial ranking shall be used to determine eligibility to participate in subsequent portions of the examination process.

Section 3 Finality

All examination documents shall be the property of the Commission and the scoring thereof by the Commission shall be final and conclusive and not subject to review by any other board or tribunal of any kind or description.

Article 5 - Physical Ability Test

Section 1 Establishment of Test

Each applicant shall submit to a validated job-related physical ability test as established by the Commission. The minimum score of “pass” must be achieved in order to continue in the process. Standards are set by the Illinois Law Enforcement Training and Standards Board (“ILETSB”).

Article 6 - Oral Examination or Interview

Section 1 Attendance of Commissioners

The Commission may at its discretion have the initial oral examination recorded for later review by each Commissioner. Questions at recorded oral examinations shall be approved by the Commission. The Chief of Police shall have the right to be present at any oral interview, along with representatives from his command staff to ask such questions as the Commission may deem appropriate.

Section 2 Subjects of Examination

Questions shall be asked of the candidate that will enable the Commissioners to properly evaluate the candidate on attributes such as: voice and speech, appearance, alertness, ability to present ideas, judgment, emotional stability, self-confidence, friendliness, personal fitness and aptitude for the position.

Section 3 Scoring of Examination

Upon completion of each oral examination the Commissioners will discuss the candidate's ability using the traits listed in Article 6, Section 2. The Commissioners will also take under consideration the assessment of the Chief of Police and/or his designees. Each Commissioner will then score the candidate on a percentage basis. The applicant's final score will be the average of the participating Commissioners' scores.

Article 7 – Other Examinations

Section 1 Psychological Examination

Upon receiving a conditional offer of employment, a candidate shall be required to submit to a psychological examination by an accredited, licensed testing firm as designated by the Director of Human Resources. Failure to pass this physical shall eliminate the candidate from the Eligibility List and any further consideration. .

Section 2 Polygraph Examination

Each applicant for an original position with the Police Department shall be required to submit to a polygraph examination prior to a conditional offer of employment. Failure of the applicant to take such test shall disqualify him to enter upon the duties of the office for which the application for examination was filed.

Section 3 Medical Examination

Upon receiving a conditional offer of employment, a candidate shall submit himself for a physical examination by a licensed physician designated by the Director of Human Resources. Failure to pass this physical examination shall eliminate the candidate's name from the Eligibility List and any further consideration.

Article 8 - Selection & Probation of Candidates

Section 1

Eligibility List

The Commissioners will prepare, post, and keep an Eligibility List of the candidates who have successfully passed all written, physical, and oral examinations. Candidates shall be ranked on the Eligibility List in the order of their relative score as determined by examination. A minimum score of seventy percent (70%) is required for inclusion on the Eligibility List. This Eligibility List will remain in force for a period of time as determined by the Commission, and can be replaced by the Commission upon request from the Chief of Police. Lateral police candidates will be compiled on a separate Lateral Police Candidate List, that will run concurrent with the traditional Eligibility List.

Section 2

Conditional Offer of Employment

Offers of employment may be made from either the final Eligibility List or the Lateral Police Candidate List. All offers of employment shall be made from the final Eligibility List. When a vacancy exists, the Chief of Police, with concurrence of the Village Manager, shall then select the candidate to be appointed from the top one-third (less than or equal to .33%) of the names on the Eligibility List or any candidate, in any order, from the Lateral Police Candidate List. If there are five (5) or less names on the Eligibility List, the Chief may select any of the candidates.

Section 3

Declining Appointment

Any person whose name appears on an Eligibility List may decline appointment one (1) time and remain on the Eligibility List, but their name will be placed on the bottom of that Eligibility List. In the event a person declines an appointment a second (2nd) time, the Commission may strike the name of such candidate from the Eligibility List.

Section 4

Probation

All original appointees to the Police Department shall be appointed on a probationary basis of not less than two (2) years from their date of hire as hereinafter set forth. Upon request of the Chief of Police, the Commission may extend such probationary period for not to exceed six (6) months. The Chief of Police may discharge an employee at any time during the probationary period. Whenever a probationary employee is dismissed from the Police Department, the Police Chief will make notification to the Fire and Police Commission Chair as soon as practical. A probationary police officer is not entitled to a Chapter 1, Article 2 hearing on the discharge. Failure of the Commission to certify a probationary employee shall be deemed to be a discharge and the employee shall not be entitled to a Chapter 1, Article 2 hearing. No probationary employee shall become a certified non-probationary employee until that employee has been so certified by the Commission.

Employees who have successfully completed their probationary period shall be recommended by the Chief of Police to the Commission for appointment to full member status through their certification. Any recommendation for permanent appointment will take place at a regular, noticed meeting of the Commission.

Section 5 Training of Probationary Employees

Certification of probationary police officers shall be subject to successful completion of the Basic Training Program as provided by the ILETSB. The failure of an appointee to successfully complete said course within six (6) months of his original appointment may result in his dismissal. The timeframe for completion of the Basic Training Program may be extended at the request of the Chief of Police and upon approval of the Commission.

CHAPTER 6
POLICE DEPARTMENT
SERGEANT PROMOTIONAL EXAMINATIONS

Article 1 - Procedure

Section 1 Summary of Procedures for Selecting Candidates for Promotion

Promotions within the Police Department shall be accomplished as follows in accordance with the rules, regulations and standards set forth in this Chapter 6.

- a. Following the announcement of a promotional examination, all eligible candidates must submit a memorandum to the Police Chief, indicating their interest in participating in the promotional process.
- b. All candidates shall submit to a written examination.
- c. The Commission may require the candidates to submit to simulated exercises, or assessment centers, conducted by the Police Chief.
- d. The candidates shall submit to an oral interview. The Police Chief, and other individuals as outlined in Article 3 Section 1 of this Chapter, shall have the right to be present at the oral interview and to ask such questions as the Commission may deem appropriate. The candidate's performance in the simulated exercise shall be evaluated during the oral interview process.
- e. The Police Chief will provide the Commission with an evaluation of each candidate.
- f. Upon completion of the entire promotional examination process, the Commission shall certify a list of qualified candidates to the Police Chief.
- g. A promotional psychological examination may be required to be part of a promotional examination process. If a psychological exam is utilized, it will be conducted by an accredited licensed testing firm.

- h. When a vacancy exists, the Police Chief, with concurrence of the Village Manager, shall then select from the qualified list of candidates to be promoted.

Article 2 - Examination

Section 1 Establishment of Examinations

The Commission shall provide for promotions in the Police Department on the basis of ascertained merit and examination, and shall provide in all cases wherein the Commission retains jurisdiction, that vacancies for Sergeant shall be filled by promotional examination. All examinations for promotion shall be competitive among such eligible candidates, as outlined in Article 2 Section 3 of this Chapter, as desire to submit themselves to the process.

A minimum of four (4) weeks prior to the commencement of a promotional process, based upon the date determined by the Commission, the Police Chief shall submit to the Commission, a detailed, written action plan explaining the selection process to be used, which conforms to state law.

Section 2 Notice of Examination

Promotional examinations shall be held on dates fixed by the Commission. It is the responsibility of the Police Chief to notify all potential eligible candidates of the date of said examinations. Examinations may be postponed by order of the Commission, in which event, said order shall state the reason for the postponement and shall designate a new date for the conduct of the examination. All candidates shall be notified of a postponement and of the new date fixed for the examination.

Section 3 Eligibility for Participation in the Promotional Examination

All examinations for promotion shall be competitive among such certified members of the Police Department who shall have completed four (4) full years of service. In addition, all candidates for promotion in the Police Department must have completed a Bachelor's Degree in order to be considered.

Section 4 Written Examination

a. Criteria for Examination

The criteria for the written examination shall be selected by the Police Chief under the direction and subject to the approval of the Commission. The subject matter of examinations shall, in the Commission's determination, fairly test the capacity of the candidate to discharge the duties of Sergeant. All elements used to evaluate candidates for promotion shall be job related and nondiscriminatory. No examination shall contain questions regarding the candidate's political or religious opinions or affiliations.

b. Scoring

The written examination shall constitute forty percent (40%) of the candidate's overall score. Candidates must earn a passing score, predetermined by the Commission, to be eligible to proceed in the promotional process.

Article 3 - Oral Interview

Section 1 Oral Interview

a. Criteria

The oral interview process shall be approved by the Commission and interviewers shall be persons familiar with the requirements of the position to be filled and shall have a demonstrated ability to evaluate individuals in light of those requirements. The Police Chief shall select the interviewers subject to the approval of the Commission.

The oral interview shall enable the interviewers to evaluate the candidates on the following criteria:

1. Leadership ability.
2. Administrative skills.
3. Interpersonal/Communication skills (includes both verbal presentation and written).
4. Ability to function satisfactorily in emergency situations.
5. Ability to supervise subordinates and to perform duties and functions in conformity with the established goals of the Police Department.

The oral interview may include a job simulation exercise (assessment center) which shall be conducted under the direction of the Police Chief and shall be evaluated during other phases of the oral interview.

b. Scoring

The oral interview and/or assessment center phase of the promotional process shall constitute forty percent (40%) of the candidate's overall score.

Article 4 - Evaluation

Section 1 Chief's Evaluation

a. Criteria

The Police Chief will provide the Commission with an evaluation of each candidate. This evaluation may include areas such as: the candidate's merit, past performance, discipline records, letters of commendation, contribution to department goals, etc.

b. Scoring

The Chief's evaluation shall constitute twenty percent (20%) of the candidate's overall score.

Article 5 - Scoring

Section 1 Summary of Scoring

Written Examination	Weighted at forty percent (40%)
Oral Interview/Assessment Center	Weighted at forty percent (40%)
Chief's Evaluation	Weighted at twenty percent (20%)
Total Available for Overall Score	One hundred percent (100%)

Example:

Candidate has Written score of seventy six (76)	Weighted = thirty (30)
Candidate has Oral score of eighty three (83)	Weighted = thirty three (33)
Candidate receives Chief's Evaluation of eighty eight (88)	Weighted = eighteen (18)
Candidate would have final weighted score of eighty one (81)	

Article 6 - Selection

Section 1 Selection of Candidate to Position

- a. After completion of the entire promotional examination process, the Commission shall eliminate any remaining candidate who is believed to be unqualified and shall certify a list of qualified candidates to the Police Chief. Candidates on the list shall be ranked according to their overall percentage points attained during the above stated phases of the promotional examination.
- b. The Police Chief, with concurrence of the Village Manager, shall then select the candidate to be promoted from the top one-third (1/3) of the names on the qualified list. If there are five (5) or less names on the list, the Chief may select any of the candidates.

Section 2 List of Qualified Candidates

The list of qualified candidates as certified by the Commission shall be posted by the Police Chief and shall be valid for future selection to the position. The Promotional List will be valid for the period of three (3) years from the date of posting.

Section 3 Probationary Period

Any candidate promoted by virtue of this Chapter shall be classified as on probationary status for a period of one (1) year following his promotion. The probationary period will terminate automatically at the expiration of said one (1) year period unless the Police Chief certifies to the Commission that the probationer has not performed his duties satisfactorily during that period. In

that event, the Commission may place the probationer in his previous rank after notifying him of the reasons therefore, or upon recommendation of the Police Chief, extend the probationary period for an additional year.

CHAPTER 7
POLICE DEPARTMENT
REMOVAL/DISCHARGE FROM EXEMPT COMMAND POSITION

The Police Chief may, without cause, remove Commanders and Deputy Chiefs who, upon removal, may be returned to any lower position but not below their last certified position.

Any member of the Police Department, probationary or otherwise, may request and/or consent to a return to a lower rank upon approval of the Police Chief.

CHAPTER 8
POLICE DEPARTMENT
DISCIPLINE INCLUDING DEMOTIONS, REMOVAL,
SUSPENSIONS AND DISCHARGES

Section 1 Discipline of Police Officers

Notwithstanding anything in this Chapter 8 to the contrary, all discipline of Police Officers, below the rank of Sergeant shall be subject to the "Employee Discipline" provisions of the Labor Contract between the Village of Palatine, Illinois and Palatine Fraternal Order of Police, Labor Council, Lodge No. 158 ("Police CBA"). The Police Officer's appeal is the grievance process as outlined in the Police CBA .

Section 2 Types of Discipline of Promoted Persons

a. Demotion

A demotion is the assignment of an employee, for cause, to a position in a lower rank, which shall result in a reduction in compensation to a rate not exceeding the maximum rate of such lower rank.

Sergeants can be recommended for demotion by the Police Chief, which recommendation shall be forwarded to the Fire and Police Commission

b. Suspension/Termination of Employment

The Police Chief may suspend Sergeants, Commanders or Deputy Chiefs for up to five (5) calendar days without Commission approval. The Chief shall advise the Village Manager of any suspension imposed under this Section and shall report it to the Commission. Suspension beyond five (5) calendar days and termination of employment may only be imposed by the Commission subject to Section 3 below.

Section 3 Process for Discipline

Written charges that a promoted person has not performed his duties in a satisfactory manner, shall be signed by the Police Chief and shall be delivered to the Commission. The charges shall include a statement of facts specifying the nature and the character of the offense to show good cause. Notice of the hearing and the hearing procedure shall be pursuant to Chapter 1, Article 2 of these Rules. If the person concurs with the discipline, he may waive his right to a hearing.

Section 4 Appeal by Promoted Persons of Suspension by Police Chief

Any promoted person so suspended may appeal to the Commission for a review of the suspension within forty-eight (48) hours of receiving written notice of the suspension. This must be done by filing notice of such appeal in writing with any Commissioner. The Commission shall then conduct a hearing on the suspension in the same manner as if charges were originally filed before the Commission, except that the person suspended shall have the burden of proving that the suspension was unwarranted. Upon such an appeal by the person, the Commission may: sustain the action of the Police Chief; reverse it with instruction that the person so suspended receive his pay for the period involved; suspend the person for an additional period of time of not more than thirty (30) duty days without pay; demote him; or discharge him, depending on the evidence presented.

Section 5 Pre-Hearing Suspension Without Pay

After charges have been filed but prior to the hearing, the Commission on its own motion or on motion of the Police Chief may suspend without pay the person against whom the charges have been referred. If after the hearing the Commission determines that the charges are not sustained, that person shall be reimbursed for all wages withheld.

Section 6 Dispositions by the Commission After Hearing

Upon a finding of guilty of the written charges, the Commission may suspend the person for a period not to exceed thirty (30) duty days without pay, demote in rank, or discharge that person.

CHAPTER 9
ORIGINAL APPOINTMENTS TO THE FIRE DEPARTMENT

Article 1 – Qualifications

Section 1 Residency and Authorization to Work Requirements

Applicants must be eligible to work in the United States as a condition of employment. All employees are required to provide proof that they are authorized to work in the United States within three (3) days of employment. Upon appointment to probation, all candidates must meet residency requirements as established in the Collective Bargaining Agreement.

Section 2 Special Qualifications

The Commission may require evidence of any special training or practical experience that it from time to time deems appropriate.

Applicant must possess a current EMT-Basic license held by the Illinois Department of Public Health or National Registry, which must also be current at the time of hire.

During probation, applicant must be able to obtain Office of the Illinois State Fire Marshal (OSFM) certifications as a Firefighter II/Basic Operations Firefighter, Hazardous Materials Operations, and EMT-Paramedic certification within the Northwest Community Hospital EMS system.

Section 3 Physical and Medical Requirements

Each applicant for original appointment shall submit to a physical and medical examination by a licensed physician designated by the Commission. The applicant must be free from medical conditions that would prevent him from fulfilling the essential job functions of his position with reasonable accommodation.

Applicants are required to undergo an examination of their physical ability to perform the essential functions included in the duties they may be called upon to perform as a member of the Fire Department. The Commission will accept the Candidate Physical Ability Test (CPAT) with Ladder Climb Exercise for the purpose of testing physical fitness. Applicants must have successfully completed the CPAT with Ladder Climb Exercise within the twelve (12) months immediately preceding and inclusive of the date of the written examination and provide proof with either a photocopy of a CPAT card or CPAT Certificate from an authorized CPAT Testing Center. Failure to provide proof of successful completion of the CPAT with Ladder Climb Exercise within the time frame specified will exclude the applicant from participating in the written examination and from the remaining testing components. Any costs associated with the CPAT certification with Ladder Climb Exercise will be at the expense of the applicant.

The Commission shall possess the authority to establish from time to time reasonable additional physical standards.

Section 4 Vision Requirement

Applicants must have at least twenty/forty (20/40) vision in both eyes with or without corrective lenses.

Section 5 Age Requirements

At the time of the last date for filing an application, individuals must have passed their twenty first (21st) birthday and shall be under thirty-five (35) years of age. This age limitation does not apply to any person previously employed as a full-time Firefighter in a regularly constituted fire department of any municipality or fire protection district located in Illinois; or a fire protection district whose obligations were assumed by a municipality; or a municipality whose obligations were taken over by a fire protection district; or any person who has served a a municipality as a regularly enrolled volunteer, paid-on-call, or part-time firefighter. Any person who turned thirty-five (35) years of age while serving as a member of the active or reserve components of any of the branches of the Armed Forces of the United States or the National Guard of any state, whose service was characterized as honorable or under honorable, if separated from the military, and is currently under forty (40) years of age.

Section 6 Educational Requirements

Completion of sixty (60) semester hours of college credit at a regionally accredited college or university, or evidence of applicant's training equivalences or, a combination thereof, which is acceptable to the Fire and Police Commission.

Section 7 Character Requirements

No person shall be appointed to the Fire Department unless that person is of good character. No person who is a habitual: user of narcotics, drugs, intoxicating substances, or any other substance or matter which is detrimental to the health of an individual; drunkard; gambler; or a person who has been convicted of a felony or a crime involving moral turpitude shall be eligible for appointment as a Firefighter.

Section 8 Driver's License Requirement

At the time of application, each applicant must possess and maintain a valid driver's license, but at the time of appointment the applicant must possess and maintain a valid Illinois driver's license.

Article 2 – Applications

Section 1 Recruitment Process

In accordance with Illinois law and with guidance and direction from the Commission, the Fire Chief and his staff shall coordinate the recruitment logistics, including the application, evaluation, testing, scheduling, vetting, and qualifying of new candidates.

Section 2 Applications

The Commission shall require approved Applications for positions on the Fire Department. Applications may be obtained from the office of the Fire Chief or testing agency as a designee of the Commission.

Section 3 Filing Application

An Application for the Fire Department shall be addressed to the Commission and filed with the designee of the Fire Chief. The Office of the Fire Chief will forward all completed Applications to the Secretary or their designee for record keeping. Persons making untruthful answers to questions in an Application shall be rejected by the Commission and the applicant notified of such action. The Commission may remove persons certified to positions on the Fire Department upon learning that false statements or omissions have been made or material misrepresentations of fact have been made to the Commission.

Section 4 Documentation

Each candidate shall furnish to the Commissioners:

- a. A completed employment Application.
- b. A certified copy of a college transcript or other verifiable documentation from a regionally accredited college, showing completion of sixty (60) semester hours; or, a combination of college credit and documented training equivalency, as determined by the Fire and Police Commission.
- c. A copy of a valid driver's license.
- d. When applicable, a certified copy of the applicant's military service record and discharge papers (DD 214 long form).
- e. A copy of the diploma of the highest level of education achieved.
- f. A copy of a valid IDPH or National EMT-B, EMT-I, or EMT-P License.
- g. A copy of a valid CPAT/LADDER Climb card.

All documents will be forwarded to the Secretary or their designee for record keeping.

Section 5 Disqualification

The Commission may refuse to examine an applicant, or after examination, may refuse to certify him as eligible:

- a. Who is found lacking in any of the established preliminary requirements for which the candidate has made application.
- b. Who is physically and/or mentally unable to perform the essential functions of the position to which he seeks appointment.
- c. Who is not of good character, or a person who has been convicted of a felony or a crime involving moral turpitude.
- d. Who is a habitual drunkard, gambler, or user of narcotics, drugs, intoxicating substances, or any other substance or matter which is detrimental to the health of an individual.
- e. Who has been dismissed from any public service employment for good cause.
- f. Whose character and employment references are unsatisfactory.

Any applicant deemed disqualified hereunder shall be notified in writing by the Commission.

Section 6 Defective Applications

The Commission's designee shall check the Application material submitted for completeness. Applicants may be required to provide additional information or documentation for clarification of their Application provided that the applicant is otherwise qualified for the position. However,

nothing in this section shall require the Commission to seek additional documentation not properly provided by the applicant.

Section 7 Release of Liability

In the event that the Village performs any physical ability test, each applicant shall deliver to the Commission an executed release from liability for the taking of the physical ability test on a release form to be prescribed by the Commission.

Section 8 Investigation of Applicant's Background

By making application for a position in the Fire Department, each applicant expressly authorizes the Commission to conduct such investigation into the applicant's history and character to determine that the applicant would not be disqualified under the requirements of these Rules. The background investigation shall include at a minimum:

- a. Verification of qualifying credentials.
- b. A review of any criminal record.
- c. Verification of at least three (3) personal references.

All applicants shall execute a form authorizing and empowering the Commission and its agents or other outside agencies to conduct a background investigation of the applicant.

Section 9 Notification of Acceptance of Applicant

The Commission or its designee shall notify each applicant whose application has been accepted to present himself for examination at the date and time specified with the release of liability described in Article 2 Section 7 above.

Section 10 Applications Not to be Returned

Applications for original appointment and for promotion will be kept on file with the Secretary or their designee and under no circumstances will they be returned to the applicants.

Article 3 - Examinations for Firefighter Candidates

Section 1 Examination Process for Firefighters

All examinations shall fairly test the capacity of the applicant to discharge the duties of the position to which the applicant seeks appointment. Applicants must receive a passing score on each examination component in order to continue with the testing process.

Section 2 Notice of Written Examinations

Examinations shall be held on the date fixed by the Commission and advertised in accordance with the Board of Fire and Police Commissioners Statute (65 ILCS 5/10-2.1-6.3 (d)). Examinations may be postponed by order of the Commission. Applicants shall be notified of any examination

postponement and of the new date fixed for said examination. Notice shall also be placed with appropriate websites and using recommendations within the Affirmative Action Plan.

Section 3 Vacancies/Eligibility List

The Commission shall call examinations to fill vacancies in the Fire Department or to provide an eligibility list in anticipation of vacancies. A call for such examination shall be entered in the Minutes of the Commission and shall include a statement of:

- a. The deadline for receipt of Applications.
- b. The time and place where such examination will be held.
- c. The position to be filled from the resulting eligibility list.

Section 4 Storage of Selection Process Materials

The Commission shall limit access to the selection process materials so as to maintain the security and confidentiality of these items. When not in use, these items will be stored in locked files under the control of the Secretary or their designee.

Section 5 Disposition of Selection Process Materials

The Secretary of the Commission or their designee shall be responsible for the disposition of selection process materials, including written examination scores, in a manner that prevents the disclosure of the information therein. The Commission or their designee shall maintain the records of all candidates' performance, including examination scores, in accordance with the Local Records Act (50 ILCS 205/1).

Section 6 Notification Procedures

The Commission or their designee shall inform all candidates of their status throughout the examination process. Candidates who fail to achieve the minimum passing score on any component of the examination process will be informed.

Article 4 - Written Test

Section 1 Nature of Examination

The material used in this examination shall be of such nature that it will adequately assess the candidate's mental ability to assimilate training and to function as a firefighter.

Section 2 Test Procedure

Each candidate will receive a numbered Test Identification Form on which the candidate will enter his name and other information as required. Before the start of the examination, these forms will be collected and sealed in an envelope by the examiners. No name or signature shall be placed on any examination paper. No mark of identification tending to disclose the identity of the candidate

shall be placed upon the examination papers. Papers of persons violating this rule shall be marked *REJECTED BY ORDER OF THE COMMISSION* and the person shall be disqualified.

All candidates shall be ranked based on their scores on the written examination. This initial ranking shall be used to determine eligibility to participate in subsequent portions of the examination process.

Section 3 Selection Criteria for Preliminary Eligibility List

To qualify for placement on the Preliminary Eligibility List, the applicant's total score, before any applicable preference points, must be at or above the minimum score as set by the Commission. The Commission shall employ a testing consultant to validate and advise the Commission as to the appropriate minimum passing score. Based on this information, the Commission shall assign a minimum score to qualify for placement in the Preliminary Eligibility List.

Section 4 Finality

All examination papers shall be the property of the Commission and the scoring thereof by the Commission shall be final and conclusive and not subject to review by any other board or tribunal of any kind or description.

Article 5 - Selection of Candidates

Section 1 Initial Eligibility List

The Commission shall create an Initial Eligibility List. A candidate is eligible to be placed on this list based upon meeting the selection criteria of the written examination and having successfully completed the physical ability, CPAT with Ladder Climb Exercise, within the twelve (12) months immediately preceding and inclusive of the date of the written examination. The examination components for an Initial Eligibility List shall be scored on a one hundred (100) point scale. The candidates will be listed in order of their excellence based on their score without the application of any available Preference Points. When more than one (1) applicant receives the same number of points, placement on the Initial Eligibility List shall be assigned by lottery. No more than sixty (60) calendar days after the written examination, the Commission shall post a dated copy of the Initial Eligibility List.

Section 2 Final Eligibility List

The Commission shall create a Final Eligibility List after the awarding of verified preference points. Where more than one (1) applicant receives the same number of Preference Points, placement on the Final Eligibility List shall be assigned by lottery.

Section 3 Preference Points

The Commission shall provide candidates with the ability to claim Preference Points and shall establish the amount of Preference Points for all categories except Preference Points for veteran status.

The Candidate shall claim Preference Points in writing, with proof of Preference Point eligibility, no later than ten (10) calendar days after the posting of the Initial Eligibility List, or such claim for Preference Points shall be considered waived.

The Commission shall prepare and post a Final Eligibility List with applied Preference Points.

The Commission shall assign Preference Points as follows:

a. Veteran's Preference Points

Applicants who served in the United States Military for a period of at least one (1) year of active duty and who were honorably discharged or who are now or have been on inactive or reserve duty shall be preferred for employment and shall receive not less than five (5) Preference Points. Proof of such service must include a copy of Military Form DD-214 (long form) as proof of active service, evidence of the honorable discharge and a sworn affidavit by the applicant.

b. Paramedic Preference Points

Applicants who are currently licensed as an Emergency Medical Technician-Paramedic (EMT-P) through the Illinois Department of Public Health or National Registry can claim five (5) Preference Points.

c. Firefighter II/Basic Operations Firefighter Preference Points

Applicants who have successfully completed an approved full-time fire academy, the list of which shall be maintained by the Fire Chief, and earned their Firefighter II/Basic Operations Firefighter Certification through the Office of the Illinois State Fire Marshal are eligible to claim five (5) Preference Points. Applicants who have successfully completed an approved part-time fire academy, the list of which shall be maintained by the Fire Chief, and earned their Firefighter II/Basic Operations Firefighter Certification through the Office of the Illinois State Fire Marshal are eligible to claim two and one-half (2.5) Preference Points.

e. Experience Preference Points

1. All persons employed by a municipality who have been paid-on-call or part-time certified Firefighter II/Basic Operations Firefighter, Illinois Department of Public Health or National Registry EMT-B, or EMT-I, , or any combination of those capacities shall be awarded one-half (0.5) point for each year of successful service in one or more of those capacities, up to a maximum of five (5) preference points. Certified Firefighter III/Advanced Technician Firefighter and Illinois Department of Public Health or National Registry EMT-Ps shall be awarded one (1) point per year up to a maximum of five (5) preference points.
2. Applicants from outside the municipality who were employed as full-time firefighters or firefighter-paramedics by a fire protection district or another municipality for at least two (2) years shall be awarded five (5) preference points.

3. No Experience Preference Points will be eligible to applicants for service with a private employer who had a contract for fire or ambulance service with a municipality or fire protection district.
4. Per Illinois Public Act 97-0898, an applicant cannot pass a veteran through the use of Experience Preference Points.

Article 6 - Background Review

Section 1 Background Review

Following the creation of a Final Eligibility List, the Commission may conduct a background review including, but not limited to, criminal history, employment history, moral character, oral examination, and polygraph on a pass/fail basis.

Section 2 Attendance of Commissioners

The Fire Chief shall have the right to be present at any oral interview, with representatives from his command staff and to ask such questions as the Commission may deem appropriate.

Article 7 – Expiration of Lists

The Final Eligibility List shall remain valid for one (1) year with an option to extend up to one (1) additional year, after which it will expire, and all remaining names will be stricken.

Article 8 – Conditional Offers of Employment

Section 1 Conditional Offer of Employment

All offers of employment shall be made from the Final Eligibility List. When a vacancy exists, the Fire Chief, with concurrence of the Village Manager, shall then select from the qualified list of candidates to be selected. On recommendation of the Fire Chief, the Commission shall appoint an applicant either (i) ranking in the top five percent (5%) of the Final Eligibility List or (ii) any applicant ranked within the top five (5) highest ranked applicants if the number of people ranking in the top five percent (5%) is less than five (5) candidates.

To be eligible for appointment, the candidate must have successfully completed the CPAT with Ladder Climb Exercise within the twelve (12) months immediately preceding and inclusive of the date the conditional offer of employment is made and must provide proof with either a photocopy of a CPAT card or CPAT Certificate from an authorized CPAT Testing Center. Failure to provide proof of successful completion of the CPAT with Ladder Climb Exercise within the time frame specified will exclude the applicant from being considered from employment with the Fire Department at that time but he may be considered for other Fire Department employment opportunities at later dates as long as the Final Eligibility List remains in effect. Any costs associated with maintaining the CPAT certification with Ladder Climb

Exercise will be at the expense of the applicant. Before a medical and/or psychological examination is conducted the eligible candidate shall receive a conditional offer of employment.

Section 2 Psychological Examination

A candidate on notification of a pending appointment shall submit himself for a post-offer employment psychological examination by a licensed psychologist designated by the Commission. Failure to pass this psychological examination shall eliminate the candidate's name from the Final Eligibility List and any further consideration.

Section 3 Medical Examination

A candidate on notification of a pending appointment shall submit himself for a post-offer employment physical by a licensed physician designated by the Commission. Failure to pass this physical shall eliminate the candidate's name from the Final Eligibility List and any further consideration.

Section 4 Probation of Original Appointees

All original appointees to the Fire Department shall be appointed on a probationary basis as established in the collective bargaining agreement. The Fire Chief may discharge an employee at any time during the probationary period. Whenever a probationary employee is dismissed from the Fire Department, the Fire Chief will make notification to the Fire and Police Commission Chair as soon as practical. A probationary firefighter is not entitled to a Chapter 1, Article 2 hearing on the discharge. Failure of the Commission to certify a probationary employee shall be deemed to be a discharge and the employee shall not be entitled to a Chapter 1, Article 2 hearing. No probationary employee shall become a certified non-probationary employee until that employee has been so certified by the Commission.

Section 5 Training of Probationary Employees

Firefighter/Paramedics shall be subject to successful completion of OSFM Firefighter II / Basic Operations Firefighter or Illinois OSFM equivalent from an approved fire academy, OSFM Hazardous Materials Operations certification, and EMT-Paramedic certification within the Northwest Community Hospital EMS system. Appointees shall be discharged if unable to successfully achieve these certifications during their initial probation.

Section 6 Declining Appointment

Any person whose name appears on a Final Eligibility List may decline appointment one (1) time without losing their position on the list. In the event a person declines an appointment a second time, the Commission may strike the name of such candidate from the Final Eligibility List.

Section 7 Completion of Probation

Probationary employees who have successfully completed their probationary period shall be recommended by the Chief to the Commission for permanent appointment through Commission

Certification. Any recommendation for permanent appointment may take place at the next available noticed meeting of the Fire and Police Commission.

CHAPTER 10
FIRE DEPARTMENT LIEUTENANT
PROMOTIONAL EXAMINATIONS

Section 1 Summary of Procedures for Selecting Candidates for Promotion

Promotions to Lieutenant within the Fire Department shall be accomplished in accordance with the Rules set forth in this Chapter 10.

A promotional process for the position of Lieutenant shall follow the provision of the Collective Bargaining Agreement between the Palatine Firefighters Local No. 4588 International Association of Firefighters, and the Village of Palatine. Upon completion of the process, the Commission shall certify the Final Eligibility List.

CHAPTER 11
FIRE DEPARTMENT
REMOVAL/DISCHARGE FROM EXEMPT COMMAND POSITION

Section 1 The Fire Chief may, without cause, remove Battalion Chiefs / Division Chiefs and Deputy Chiefs who, upon removal, may be returned to any lower position but not below their last certified position.

Section 2 Any officer of the Fire Department may request and/or consent to a demotion to a lower rank upon approval of the Fire Chief.

CHAPTER 12
FIRE DEPARTMENT
DISCIPLINE INCLUDING DEMOTIONS, REMOVAL,
SUSPENSIONS AND DISCHARGES

Section 1 Discipline of Fire Officers

Notwithstanding anything in this Chapter 12 to the contrary, all discipline of covered union members shall be subject to Article VIII of the “Discipline and Discharge” provisions of the Agreement between the Village of Palatine, Illinois and Palatine Firefighters Local No. 4588, International Association of Firefighters, AFL-CIO, CLC (“Fire CBA”).

Section 2 Types of Discipline of Promoted Persons

a. Demotion

A demotion is the assignment of an employee, for cause, to a position in a lower rank, which shall result in a reduction in compensation to a rate not exceeding the maximum rate of such lower rank.

b. Suspension/Termination of Employment

The Fire Chief may suspend Battalion Chiefs for up to two (2) duty days without Commission approval. The Fire Chief may suspend Division Chiefs and Deputy Chiefs for up to five (5) calendar days without Commission approval. The Chief shall advise the Village Manager of any suspension imposed under this Section and shall report it to the Commission. Suspension beyond two (2) duty days for Battalion Chiefs and beyond five (5) calendar days for Division Chiefs and Deputy Chiefs and termination of employment may only be imposed by the Commission subject to Section 3 below.

Section 3 Process for Discipline

Written charges that a promoted person has not performed his duties in a satisfactory manner, shall be signed by the Fire Chief and shall be delivered to the Commission. The charges shall include a statement of facts specifying the nature and the character of the offense to show good cause. Notice of the hearing and the hearing procedure shall be pursuant to Chapter 1, Article 2 of these Rules. If the person concurs with the discipline, he may waive his right to a hearing.

Section 4 Appeal by Promoted Persons of Suspension by Fire Chief

Any promoted person so suspended may appeal to the Commission for a review of the suspension within forty-eight (48) hours of receiving written notice of the suspension. This must be done by filing notice of such appeal in writing with any Commissioner. The Commission shall then conduct a hearing on the suspension in the same manner as if charges were originally filed before the Commission, except that the person suspended shall have the burden of proving that the suspension was unwarranted. Upon such an appeal by the person, the Commission may sustain the action of the Fire Chief; reverse it with instruction that the person so suspended receive his pay for the period involved; suspend the person for an additional period of time of not more than thirty (30) calendar days (ten (10) duty days for shift personnel) without pay; demote him; or discharge him, depending on the evidence presented.

Section 5 Pre-Hearing Suspension Without Pay

After charges have been filed but prior to the hearing, the Commission on its own motion or on motion of the Fire Chief may suspend without pay the person against whom the charges have been referred. If after the hearing the Commission determines that the charges are not sustained, that person shall be reimbursed for all wages withheld.

Section 6 Dispositions by the Commission After Hearing

Upon a finding of guilty of the written charges, the Commission may suspend the person for a period not to exceed thirty (30) calendar days (ten (10) duty days for shift personnel) without pay, demote in rank, or discharge that person.

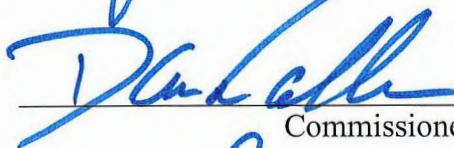
**FIRE AND POLICE COMMISSIONERS
VILLAGE OF PALATINE**



Commissioner Robert Falardeau



Commissioner Jim Hader



Commissioner Dan Nallen



Commissioner Geno Nowak



Commissioner William Rossi

ADOPTED: April 15, 2024