

**RULES OF THE
BOARD OF FIRE COMMISSIONERS**

**ALGONQUIN-LAKE IN THE HILLS FIRE PROTECTION DISTRICT
KANE AND MCHENRY COUNTIES, ILLINOIS**

ADOPTED BY THE BOARD OF FIRE COMMISSIONERS

**ON AUGUST 20, 2009
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RULES OF THE BOARD OF FIRE COMMISSIONERS

ALGONQUIN-LAKE IN THE HILLS FIRE PROTECTION DISTRICT

CHAPTER I

ADMINISTRATION

Section 1. SOURCE OF AUTHORITY

These Rules are established by the Board of Fire Commissioners of the Algonquin-Lake in the Hills Fire Protection District pursuant to the power and authority derived from the Fire Protection District Act, 70 ILCS 705/16.01 et seq. and the Board of Fire and Police Commissioners Act, 65 ILCS 5/10-2.1-1 et seq.

In the event of any conflict between Board policy and the terms of a collective bargaining agreement covering District employees, the two shall be read together and deemed supplementary to each other wherever possible, but the CBA's provisions shall prevail if there is a direct conflict and the rules and CBA cannot be read together.

Section 2. DEFINITIONS

The word "District" shall mean the Algonquin-Lake in the Hills Fire Protection District. The words "Commission" or "Board" shall mean the Board of Fire Commissioners of the District. The word "Commissioner" shall refer to an individual member of the Board. The word "Trustee(s)" wherever used shall mean the Board of Trustees of the District. The word "Member" shall mean any person employed directly in fire suppression or emergency medical activities in a full-time sworn capacity by the District but does not include part-time firefighters, dispatchers, inspectors, or clerical personnel, unless specifically provided for in Chapter IX of these rules. The masculine noun or pronoun includes the feminine. The singular includes the plural, and the plural includes the singular.

Section 3. APPOINTMENT OF COMMISSION MEMBERS AND TERMS OF OFFICE

The Commission shall be comprised of three (3) members. Commission members shall serve three (3) year terms which shall expire on the first Monday of June of the third year of tenure.

Section 4. OFFICERS OF THE COMMISSION

The Commission annually shall elect a Chairperson and a Secretary during the first meeting in June. They shall hold office until other successors are duly elected and qualified. The Chairperson shall be the presiding officer at all meetings. The Secretary shall assist the Commission by preparing all correspondence, keeping records, assisting in the testing process and performing other duties as assigned by the Commission. The Secretary shall keep the minutes of all meetings of the Commission in a permanent record book and shall be the custodian of all the forms, papers, books, records and completed examinations of the Commission, and shall perform all other duties the Commission prescribes.

Section 5. DUTIES OF THE COMMISSION

The scope of duties of the Commission shall generally include:

- a. Establishing policies for recruiting, testing, selection and promotion for all members covered under its authority.
- b. Establishing guidelines and procedures for hearings required for discipline, demotion and termination of members of the District covered by its authority.
- c. Serving as an appeals board or hearing board for District members disciplined or terminated under guidelines established by these rules.
- d. The Commission shall have such other powers and duties as are given it by the statutes of the State of Illinois.

Section 6. MEETINGS

a. REGULAR MEETINGS

Regular meetings of the Commission shall be held monthly or as otherwise determined necessary by the members of the Commission. Meetings shall be held at the headquarters of the Algonquin-Lake in the Hills Fire Protection District unless otherwise provided in the notice thereof. Meetings shall be held in accordance with the Illinois Open Meetings Act, 5 ILCS 120/1 et seq.

b. **SPECIAL MEETINGS**

Special meetings shall be open, and notice thereof shall be posted forty-eight (48) hours prior to convening, called by the filing of a notice in writing with the Secretary of the Commission, and signed either by the Chairperson of the Commission, or any Commissioner thereof. This notice shall contain a brief statement of the business to be submitted for the consideration of the Commission and shall set forth the time and place of such special meeting. No business not on the agenda shall be considered at a special meeting.

c. **CLOSED SESSIONS**

During any regular or special meeting, a closed session may be held for any purpose permitted by law as set forth in 5 ILCS 120/2. Closed sessions may be limited to Commissioners and such invited persons as the Commission may deem necessary. The Secretary will record the motion to close the meeting, record the roll call vote of the Commissioners on said motion, and keep minutes of the closed session. Closed session meetings shall be recorded, and the audible tapes saved, in accordance with state statute. A verbatim video or audio tape recording of each closed session shall be made and preserved for eighteen (18) months in accordance with the Open Meetings Act. The Board shall semi-annually review the minutes of all closed sessions to determine whether the need for confidentiality still exists as to all or part of those minutes and whether the minutes or portions thereof may be made available for public inspection. (5 ILCS 120/2 and 2a)

d. **QUORUM**

A majority of the Board shall constitute a quorum for the conduct of all business.

e. **ORDER OF BUSINESS**

The order of business at any meeting, except hearings and oral interviews of candidates, shall be:

- a) Call to Order
- b) Roll Call
- c) Public Comments
- d) Agenda Approval
- e) Secretary's Report – Approval of Meeting Minutes
- f) Correspondence
- g) Chief's Report
- h) Old Business
- i) New Business
- j) Closed Session
- k) Adjournment

f. **PROCEDURE**

Meetings of the Board shall be conducted in an orderly manner. The agenda for a "Regular Meeting" shall allow for "Public Comment" to permit individuals to appear before and address their concerns to the members of the Commission. Public comments will be conducted in accordance to the District's Rules Regarding Public Comment. The commission may limit those individuals appearing during the open forum to a presentation not to exceed three (3) minutes and may require an individual to be seated if the individual addresses those present in a disrespectful or discourteous manner or the subject matter being presented is not relevant to the duties and responsibilities of the Fire Commission.

g. **OFFICE**

Office of the Board shall be the Headquarters of the District, 1020 West Algonquin Road, Lake in the Hills, IL 60156, and any document filed in the office of the Fire Chief at the Headquarters building addressed to the Commission or to the Secretary thereof shall be deemed filed with the Board. Meetings of the Commission shall be held at the Headquarters of the District unless otherwise provided in the notice thereof.

Section 7. AMENDMENTS

Amendments to these Commission rules may be made at any meeting of the Commission. All amendments shall be printed immediately for distribution in accordance with 70 ILCS 705/16.05. Notice

of the place(s) where the printed rules may be obtained and of the date, not less than ten (10) days subsequent to the date of publication, when the amendments shall go into effect, shall be published in a manner prescribed by law.

Section 8. RESOLUTIONS

The Commission is hereby authorized to adopt various resolutions governing the conduct of their business and may modify or rescind these resolutions upon majority vote of the Commission.

Section 9. ANNUAL REPORT AND BUDGET REQUEST

The Commission shall, on or before February 1st of each year, submit to the Board of Trustees of the District an annual report of its activities, and of the rules in force and the practical effect thereof. In its annual report, the Commission may make suggestions to the Board of Trustees, which it believes would result in greater efficiency or safety in the fire department. The Commission shall also submit, on or before February 1st of each year, an annual budget request to the Board of Trustees. The budget request shall be in form set forth in **Appendix A.** (70 ILCS 705/16.14).

CHAPTER II

JOB REQUIREMENTS, APPLICATIONS AND TESTING REQUIREMENTS

Section 1. GENERAL INFORMATION

Applicants for examination must comply with the current prerequisite policies and the job descriptions adopted by the District's Board of Trustees. Standards for the testing and evaluation of applicants shall be established by a job analysis analyzing tasks and traits necessary for successful performance in the position for which testing and evaluation shall be conducted, and shall be based on the suggestions of the District's physician and other consultants or relevant national guidelines as deemed appropriate by the Board of Trustees. The testing process shall be practical in character and shall relate to those matters which fairly test the applicant's capacity to perform the essential functions of the job and shall be validated whenever possible. Any validation studies shall be consistent with criteria such as that established by the American Psychological Association and consistent with both state and federal equal employment opportunity laws. The Board may charge a fee to cover the costs of the application process.

Notice of the fee will be published as part of the notice of the examination.

Section 2. AGE REQUIREMENTS

Applicants shall be at least twenty-one (21) years of age and under the age of thirty-five (35) as of the last date that applications are accepted for testing unless otherwise provided by state or federal law.

Such maximum age limitation shall not apply in the case of (1) any person previously employed as a full-time firefighter in a regularly constituted fire department of (i) any municipality or fire protection district located in Illinois, (ii) a fire protection district whose obligations were assumed by a municipality under Section 21 of the Fire Protection District Act, or (iii) a municipality whose obligations were taken over by a fire protection district, or (2) any person who has served the fire district as a regularly enrolled volunteer, paid-on-call, or part-time firefighter for the five (5) years immediately preceding the time that the district begins to use full-time firefighters to provide all or part of its fire protection service. Proof of date of birth may be required. (70 ILCS 705/16.06b *et seq.*; 65 ILCS 5/10-2.1-6 *et seq.*)

Section 3. EDUCATION AND CERTIFICATION REQUIREMENTS

Each applicant must submit with their application to participate in the full-time examination process the following information:

- a. A copy of their certified high school diploma or GED diploma or College transcripts.
- b. A copy of their valid driver's license.
- c. Proof that the candidate has successfully completed the Candidate Physical Ability Test (CPAT) with Ladder Climb Certification which was conducted by a licensed agency within 12-months of the Conditional offer of employment.
- d. Any other documents or other professional certificates required by the Commission or the Board of Trustees.

Failure to obtain or thereafter maintain requisite certifications as established by the Board of Trustees and/or the Commission shall result in the removal of an applicant from the application process, result in termination if the individual is employed as a probationary employee or constitute just cause for dismissal if the individual is employed as a non-probationary employee. In the event the Board of Trustees revises its education and certification requirements, the revised prerequisites will be announced at the beginning of the examination process.

Section 4. CITIZENSHIP AND RESIDENCE

Applicants for examinations must be citizens of the United States or an alien admitted for permanent residence or lawfully admitted for temporary residence who produces evidence of intention to become a citizen of the United States. Applicants selected for employment must meet the District's residency requirements

Section 5. APPLICATION FORMS

Applications for full-time positions with the District shall make application on forms or venues (online applicant tracking systems) approved by the Commission. Applicants must file their application with the Board or its agent(s) prior to taking any examination, and must comply with the requirements of the form in every respect.

Section 6. CHARACTER AND FITNESS OF APPLICANTS

Every applicant must be of good moral character and must meet bona fide occupational qualifications of the position as determined by a job analysis and as measured by tests approved by the Board. Any false statement or omission of a material nature knowingly made by a person in an application or examination, or connivance in any false statement made in a certificate that may accompany such application, or complicity in any fraud touching the same shall be regarded as good cause for disqualification or exclusion from the examination process, and/or discharge from the District.

Section 7. DISQUALIFICATION

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

- a. Who is found lacking in any of the established bona fide occupational requirements for the position in the service for which the candidate applies;
- b. Who is physically unable to perform the essential duties of the position to which the candidate seeks appointment with or without accommodation;
- c. Who uses intoxicating substances to the extent that performance may be diminished on the job, or who currently uses any nonprescription controlled substances or narcotics;
- d. Who has been convicted of any felony or a misdemeanor involving moral turpitude pursuant to 65 ILCS 5/10-2.1-6 or 70 ILCS 705/16.06b(i);
- e. Who has attempted to practice any deception or fraud in completing the application or examination process;
- f. Whose character and employment references are unsatisfactory;
- g. Who fails to fully complete the application or fails to comply with the requirements of the application or examination process in any respect;
- h. Who tests positive for drugs, and other illegal, non-prescription narcotics identified in the District's Drug and Alcohol Policy;
- i. Who knowingly divulges or receives test questions or answers before a written or oral

examination, or otherwise knowingly violates or subverts any testing rules;

- j. Who has been dismissed from any public service for good cause; or
- k. For any other lawful reason, including any other reason set forth by statute.

Section 8. NOTICE OF DISQUALIFICATION

Any applicant, candidate, or eligible deemed to be disqualified shall be notified of disqualification by the Commission.

Section 9. DEFECTIVE APPLICATIONS

Defective applications may be returned to the applicant for correction at the discretion of the Commission, provided the applicant is qualified for the position sought. 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 sought.

CHAPTER III

EXAMINATIONS FOR ORIGINAL APPOINTMENTS

Section 1. NOTICE OF EXAMINATIONS

The Commission shall hold examinations to fill vacancies for full time positions in the District. Examinations shall be held on the dates fixed by the Commission. The Commission may utilize the services of a third-party testing agency to conduct any portion or portions of such examination. All examinations shall be advertised as required by law to encourage the application of as many qualified applicants as possible and must be given by publication at least two (2) weeks preceding the examination or on the District's internet website. The notice of examination shall include a statement of:

- a. The deadline by which all applications will be received;
- b. The date, time, and location where such examinations will be held;
- c. Any fees to be charged to cover application and examination costs (if applicable);
- d. The general scope of the examination and the merit criteria for any subjective component set forth by the Board including notice of criteria necessary for any available preference points; and
- e. Position(s) to be filled from the resulting certified eligibility list. 70 ILCS 705/16.06b(d).

The examinations may be postponed, however, by order of the Commission. When an examination is postponed, the Commission shall state the reason for such postponement and shall designate a new date for the examination. Applicants shall be notified of the postponement of any examination and the new date for examination.

Section 2. TYPE OF EXAMINATIONS

A. Available Alternative Procedure for Original Appointments

The Board acknowledges the availability of an alternate procedure for the original appointment of firefighters utilizing a state-wide list of eligible candidates. However, at this time, the Board, pursuant to the authority under the Fire Protection District Act (70 ILCS 705/16.06 *et seq.*) and the Board of Fire and

Police Commissioners Act (65 ILCS 5/10-2.1-6.3 *et seq.*) declines to participate in the selection of candidates from that list and elects to follow the procedure outlined in this Chapter.

Nothing in these Rules shall be interpreted to foreclose the decision by the Board at a future date to participate in the alternative procedure for original appointment of firefighters pursuant to the Fire Protection District Act, 70 ILCS 705/16.06c, or the Board of Fire and Police Commissioners Act, 65 ILCS 5/10-2.1-6.4. In the event such option is exercised, the Board will give appropriate notice of the option exercised and the procedures that will govern the original appointment of firefighters if the statewide option is invoked.

B. Original Appointment Testing by the Fire Commission

The examination and qualifying standards for employment of firefighters shall be based on: mental aptitude, physical ability, preferences, moral character, and health. The mental aptitude, physical ability, subjective component based on merit criteria as determined by the Board, and preference components shall determine the applicant's qualification for and placement on the final register of eligible candidates. No examination shall contain questions regarding the applicant's political or religious opinions or affiliations. (70 ILCS 705/16.06b(d))

Section 3. RELEASE OF LIABILITY

All applicants shall execute and deliver to the Commission a signed release of all liability as well as any other authorizations for the release of information as deemed necessary by the Commission prior to participating in the application and examination process. The form for the release of all liability and information shall be approved by the Commission.

Section 4. ORDER AND WEIGHT OF EXAMINATIONS

All grades shall be based upon weighing of criteria defined by the Commission. Such criteria shall be established before tests are administered. The Commission may rank the candidates; assign them a percentile, or raw score; or evaluate them as "qualified" or "not qualified" based upon performance in elements of the testing process.

Section 5. ORIENTATION

An orientation may be held for all applicants and if held shall be considered a mandatory part of the testing process. Applicants will be notified of any orientation session. The Commission or its agents shall explain the testing process so that the applicants are oriented regarding the position for which they apply. Failure to attend the assigned orientation session will result in disqualification.

Section 6. WRITTEN EXAMINATIONS

The written exam will be the first phase in the examination process for original appointment. Written examinations shall be administered in order to measure specific job-related criteria. The test procedure or procedures will be determined by the Commission or its agent or designee. Written examinations may be used to differentiate among candidates beyond the passing level when the tests can be shown to be predictive of job skills or performance as documented by a validation study. All written examination papers shall be administered in a manner that ensures the security and accuracy of scores achieved and all papers become the property of the Commission and the grading thereof by the Commission and/or its designees or agents shall be final and conclusive and not subject to review by any other Commission, tribunal or court of any kind. The written examination shall be weighted as 50% of the total 100 points in the entry level firefighter testing process.

Section 7. PHYSICAL ABILITY TESTING

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 a fire department. The Commission has determined that the Candidate Physical Ability Test (CPAT) with Ladder Climb Certification will be the physical ability test for the Algonquin-Lake in The Hills Fire Protection District. Each candidate shall provide proof to the District, as indicated in Chapter II, Section 3, that they have successfully passed the CPAT with Ladder Climb Certification at a licensed facility that offers the test, within twelve (12) months of conditional offer of employment. Any costs associated with procuring and maintaining the CPAT with Ladder Climb Certification will be at the expense of the applicants.

If the applicant does not pass the physical ability component as established by the Board on this testing, the applicant shall not be appointed. His or her name will be retained upon the register of eligible candidates and when next reached for certification and appointment that applicant may be again examined. If at this time the candidate's physical ability is again found to be less than the minimum standard fixed by these rules, the applicant shall not be appointed, and his or her name shall be removed from the "Final Eligibility Register". 70 ILCS 705/16.06b(c).

Section 8. PRELIMINARY ELIGIBILITY REGISTER

The Board may create a "Preliminary Eligibility Register". A candidate is eligible to be placed on this Register based upon his or her passage of the written examination, by attaining the minimum score set by the Commission. The cut-off score for the written examination will be based on the recommendation of the developer of the written examination and will be consistent with minimally qualified performance in the firefighter position. The Board may exercise its option to utilize a "Preliminary Eligibility Register" until after all applications have been accepted.

Section 9. SUBJECTIVE COMPONENTS

The Commission may conduct a subjective evaluation of candidates. The merit criteria for the subjective criteria shall be announced by the Board in the public notice of the exam. There shall be no minimum passing score for this component. Scores will be calculated objectively and used to rank candidates for placement on the "Initial Eligibility Register". The Commission may examine or cause to be examined all eligible candidates for positions in the District under its jurisdiction through a subjectively scored oral examination. Questions may be asked of the applicant that will enable the Commission to fairly evaluate the applicant's fitness for the position and his or her skills and abilities relevant to the successful performance of duties in the position, as determined by the Commission. (i.e., speech, alertness, ability to communicate, judgment, emotional stability, self-confidence, and social skills.) The oral examination shall be weighted as 50% of the total 100 points in the entry level firefighter testing process.

Interviews shall be administered according to a structured pattern established by the Commission and shall measure criteria which the Commission shall designate prior to the interview. All

Commissioners shall participate in the oral examination except wherein one Commissioner is absent due to illness or when matters of an emergency nature preclude his attendance. In no event shall less than a majority of the Commissioners conduct the oral examination.

Questions shall be asked of the candidate that will enable the Commissioners to properly evaluate and grade the candidate on speech, alertness, ability to communicate, judgment, emotional stability, self-confidence, social skill and general fitness for the position. On completion of each Oral Examination the Commissioners will discuss the candidate's abilities using the traits listed above. Candidates who fail to successfully complete the Oral Examination will be notified and eliminated from all further consideration. Notwithstanding anything to the contrary herein, the Board, at its discretion may provide for the oral examination to be conducted by an outside testing agency or testing vendor. At the time of the oral examinations, the Commission will know only if the candidates are otherwise qualified for the position. Specific scores on the other tests will not be available to the Commission at the time of the oral examination.

Section 10. INITIAL ELIGIBILITY REGISTER

If a subjective component is conducted, the Board shall select a number of candidates (the number to be determined at the discretion of the Board and announced at orientation) from the top of the "Preliminary Eligibility List" who shall be required to submit to an oral interview to be administered by the Board or its designee and, if successful, their names will be included on the "Initial Eligibility Register."

The names of the applicants shall be placed upon the "Initial Eligibility Register" in rank order, highest first. All scored examinations shall be based upon a scale of 1 to 100. Rank order shall be based upon the applicant's total cumulative score which shall be calculated as follows:

- Original written test score multiplied by 50%; and,
- Oral interview score multiplied by 50%.

Section 11. FINAL ELIGIBILITY REGISTER

A. Generally

In order to qualify for placement on the “Final Eligibility Register”, an applicant’s score on the written examination, before any applicable preference points or subjective points are applied, shall be at or above the minimum score as set by the Commission. The Board reserves the right to prescribe the score to qualify for placement on the “Final Eligibility Register”, but the score shall not be less than the minimum score set by the Commission. 70 ILCS 705/16.06b(g). The cut-off score for the written examination will be based on the recommendation of the developer of the written examination and will be consistent with minimally qualified performance in the firefighter position. Where more than one applicant receives the same number of points, placement on the “Final Eligibility Register” shall be assigned by lottery. (70 ILCS 705/16.07 and 16.08; 65 ILCS 5/10-2.1-8 and 10-2.1-9) The “Final Eligibility Register” shall remain valid for two (2) years after which it will expire, and the Board will strike off all remaining names. (70 ILCS 705/16.06b(h); 65 ILCS 5/10-2.1-9)

B. Preference Points

Candidates shall receive information regarding preference points with the District’s application form. The Board must provide for no fewer than 10 nor more than 30 preference points for applicants to apply for each test. The Board reserves the right to establish the amount of preference points to be awarded for every category except preference points for veteran status. The Board will state any available preference points in the remaining categories at the time notice of the examination is posted. If eligible for preference points, candidates shall make a claim in writing using the form included with the District’s application form with proof thereof within ten (10) days after the date of the “Initial Eligibility Register” or such claim shall be deemed waived. The Board will prepare a “Final Eligibility Register” which shall include approved preference points.

The Commission shall assign preference points as follows:

1. Veteran’s Preference Points

Applicants who served in the United States military actively for at least 12 months and who were honorably discharged or are now on active or inactive reserve status shall receive a

total of five (5) preference points. Proof of such service must include a copy of Military Form DD-214 (long form) as proof of active service or evidence of honorable discharge.

2. Fire Cadet Preference Points

Zero (0) points.

3. Educational Preference Points

Any applicant who has successfully obtained an associate's degree in the field of fire service or emergency medical services (EMS), a bachelor's degree or a master's degree from an accredited college or university shall receive preference points as follows:

- **Associate's Degree Fire Science or EMS:** three (3) points;
- **Bachelor's Degree (any field):** four (4) points;
- **Bachelor's Degree Fire Science or EMS:** five (5) points;
- **Master's Degree (any field):** five (5) points.

4. Paramedic Preference Points

Persons who have obtained certification as an Emergency Medical Technician-Paramedic (EMT-P) prior to the posting of the "Initial Eligibility List" shall receive five (5) points.

5. Experience Preference Points

Zero (0) points. See Additional Preference Points below.

6. Residency Preference Points

Applicants whose principal residence is located within the District's jurisdiction will be awarded one (1) point. Proof of residency must include submission of copies of at least two (2) documents. Accepted documents are consistent with documents accepted by the Illinois Secretary of State as proof of residency required to obtain a Driver's License or State ID Card.

7. Additional Preference Points

The Board reserves the right to award up to an additional five (5) preference points for unique categories based on an applicant's experience or background as identified by the Board and announced with the notice of the examination.

Additional preference points are awarded as follows:

- **Certified Firefighter:** two (2) points. Candidate must be certified or licensed by the State of Illinois as an Advanced (Firefighter III) by the Illinois State Fire Marshall's Office at the time of application.
- **Algonquin-Lake in the Hills Fire Protection District Part-time Firefighter:** two (2) points. Candidate must be a part-time member of the ALFPD in good standing as of the posting of the "Initial Eligibility Register".
- **Spanish Language Fluency:** one (1) point. At the discretion of the Board and based on the needs of the District, points may be awarded to candidates who can demonstrate Spanish speaking language proficiency. Candidates may be submitted to a proficiency test conducted by an outside testing agency or testing vendor chosen by the District.

Appointment from this "Final Eligibility Register" is subject to the additional testing and investigative requirements as stated in Chapter IV of these rules. The "Final Eligibility Register" shall remain valid for two (2) years after which it will expire and the Commission will strike off all remaining names. In the event a "Final Eligibility Register" is exhausted prior to the expiration of the "Initial Eligibility Register", the Board may establish another "Final Eligibility Register" in accordance with this Section and Section 11 above. Names will be stricken from the "Final Eligibility List" and the Initial Eligibility List after the names have appeared on the original "Initial Eligibility List" in excess of two years.

Section 12. NOTIFICATION OF CANDIDATES

Each candidate completing the testing process will be notified in writing within a reasonable time as to his/her ranking. In the event that the candidate achieves a numerical score that would eliminate the candidate from further participation in the testing process, that person shall receive notice stating that he/she has failed to score above the prescribed score and will not be placed on the next eligibility register.

Section 13. RELEASE OF INFORMATION

Information regarding specific elements of the testing process for any candidate shall be deemed to be confidential and shall not be released to a third party without written approval of the candidate.

Section 14. RETENTION OF RECORDS

All application and examination records shall become the property of the Commission and shall be retained as required by law.

Section 15. CHANGE OF CONTACT INFORMATION

It shall be the duty of each applicant for appointment to inform the Commission in writing of any change of physical address, e-mail address or telephone number. Failure to properly notify the Commission of any change shall be considered sufficient grounds to strike the name of the applicant from the Eligibility Register. Notices of any nature issued by the Commission shall be deemed served if mailed and/or e-mailed to the person at the last registered address or e-mail address of such person. Failure to respond to notice sent by the Commission, within a period of ten (10) days, shall authorize the Commission in its discretion to remove the name of such person from the "Final Eligibility Register".

CHAPTER IV

APPOINTMENT AND WAIVER OF APPOINTMENT

Section 1. FILLING OF VACANCIES

Whenever a vacancy exists in a position subject to the jurisdiction of the Commission, the Trustees shall so notify the Commission. The Commission shall, after considering the qualifications of the candidates on the entry or promotional eligibility lists, appoint the most qualified candidate from the list to fill the vacancy. Applicants shall be appointed from the "Final Eligibility Register" in descending order. Notwithstanding anything to the contrary contained herein, the Commission, at its discretion, may bypass a higher ranking candidate and appoint a lower ranking candidate if, in the Commission's opinion, the lower ranking candidate is more qualified for the position and would better serve the needs of the District and that candidate's name appears within the top 5% of the names remaining on the list or, if there is less than 100 names remaining on the list, the applicant's name is within the top 5 names remaining on the list . 70 ILCS 705/16.06b(b).

Section 2. ACCEPTANCE OF APPOINTMENT

The Fire Chief, or his designated alternate, shall provide a written conditional offer of employment to any candidate who is being offered a position on the fire department. The Candidate shall notify the Fire Chief, or his designated alternate, of his/her intent to accept, or refuse, the conditional offer of employment within seven (7) business days of receipt of the offer. The candidate who has received a conditional offer of employment shall, upon accepting the offer, immediately submit the following to the Fire Chief:

- a. Proof of current Illinois or National Registry EMT-P.
- b. Except as set forth in Chapter II, Section 3. c. and Chapter III, Section 7, in no event will the Commission accept a candidate for hire if the candidate cannot promptly provide proof of successful passage of the CPAT by a licensed agency within twelve (12) months immediately preceding the date that the conditional offer of employment is offered.

An eligible candidate shall be permitted to refuse, upon written request to the Commission, conditional offer of employment one time. A candidate who, for the second time, refuses a conditional

offer of employment, or fails to accept an offer of appointment, within seven (7) business days shall be stricken from the eligibility list.

Prior to appointment to the District, a candidate who accepts a conditional offer of employment shall be subjected to the additional testing as stated in Sections 4 and 5 of this Chapter. The results of all tests shall be provided to the Commission for review and approval, by the Fire Chief, or his designated alternate, prior to the appointment or rejection of the candidate.

Section 3. BACKGROUND INVESTIGATIONS

As part of the recruitment process, eligible candidates shall be subjected to an in-depth background investigation and polygraph screening. The investigation and screening shall be completed for all positions in the District for which the Commission has jurisdiction. Such investigation and screening shall examine the candidate's work record, criminal conviction history, educational experience, fingerprints, and other factors of background and life experience which shall be reasonably related to the requirements of the position. The results of the investigation and screening will be provided to the Commission.

Section 4. MEDICAL EXAMINATIONS

Following the acceptance of the conditional offer of employment, the candidate shall be subjected to a medical evaluation. The medical examination will be conducted by physicians selected by the District which will include a comprehensive drug evaluation and which shall be paid for by the District. The extent and scope of the examinations shall be determined by the Commission, and shall be graded on a pass/fail basis. If, in order for the District's physicians to recommend accepting the candidate for appointment, additional testing is required over and above the testing which is typically paid for by the District, the additional testing may occur only at the full expense of the candidate.

Section 5. PSYCHOLOGICAL EVALUATION

Following the acceptance of the conditional offer of employment, the candidate shall be subjected to an in-depth Psychological Evaluation given by the testing firm of the Commission's choosing. The psychological evaluation will be administered at the offices of the testing firm unless otherwise determined by the Commission. The testing firm will provide a recommendation indicating, in their

opinion, whether or not the candidate should be hired by the district.

A candidate shall not be subject to the Psychological Evaluation if all of the following conditions apply:

1. The candidate has successfully passed the same Psychological Evaluation within 12-months of his/her conditional offer of employment.
2. The candidate was a member of the Algonquin-Lake in the Hills Fire Protection District when they successfully passed the same Psychological Evaluation.
3. The candidate was a member of the Algonquin-Lake in the Hills Fire Protection District when the conditional offer of employment was made.

Section 6. CERTIFICATES OF APPOINTMENT

The sole authority to issue certification of original appointments shall be vested in the Board of Fire Commissioners and all certificates of appointment issued to any member of the fire department shall be signed by the chairman and secretary of the Board. 70 ILCS 705/16.06b(b)

CHAPTER V

PROMOTIONAL EXAMINATIONS

Section 1. GENERAL

Promotions to the ranks of Lieutenant through Battalion Chief shall be conducted in accordance with the provisions of the Fire Department Promotional Act, 50 ILCS 742/1 (hereinafter the "Act") and consistent with the provisions of Article 18, Section 18.13 – Promotions of the Collective Bargaining Agreement between the Algonquin-Lake in the Hills Fire Protection District and the International Association of Fire Fighters, Local 3985, in effect at the time of test announcement.

Award of Veteran's Preference Points: Proof of such service must include a copy of Military Form DD-214 (long form) as proof of active service or evidence of honorable discharge.

Section 2. DISQUALIFICATION FROM PROMOTIONAL PROCESS

A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of the Fire Department Promotional Act may be subject to disqualification from the promotional process, demotion from the rank promoted or other discipline and may also face possible criminal charges for Official Misconduct.

CHAPTER VI

PROBATION, ASSIGNMENTS OF DUTY AND DEMOTIONS

Section 1. PROBATION PERIOD

Appointees to entry level positions in the District under the authority of the Commission shall be on probation for a minimum of six (6) months beyond receiving the required certifications of Basic Operations Firefighter (Firefighter II), Paramedic within the Sherman Hospital system, and a Class B driver's license, but not less than one (1) year from the date of full-time employment whichever is longer. Upon satisfactory completion of the probationary period, the appointment shall become permanent upon written notification from the Commission.

The probation period shall exclude periods of training, or injury or illness leaves, including duty related leave of more than 30 days in length. If an absence greater than thirty (30) days is granted by the District during a firefighter's probationary period, the probationary period shall automatically be extended by the length of the absence. The employee shall be notified of the extension of the probationary period. The probationary period may further be extended for firefighters who are required as a condition of employment to become a certified paramedic who fail to become a paramedic in the first year of employment. During this extended period, the probationary employee may only be discharged without hearing if he or she fails to meet the requirements for paramedic certification. (65 ILCS 5/10-2.1-4; 70 ILCS 705/16.06b(c))

Section 2. DISCHARGE OF A FIREFIGHTER DURING PROBATIONARY PERIOD

A probationary firefighter is an at-will employee and may be suspended or terminated whenever the Board of Trustees determines that the employee's performance or conduct is unsatisfactory for any reason. The Trustees shall notify the Commission of any such action.

Section 3. ASSIGNMENT TO DUTY

All persons appointed to, or promoted, in the classified service shall be assigned to and perform the duties of the position to which appointed or promoted. An employee may be temporarily assigned, without extra pay, to other than their regular duties, unless or as provided for covered by the collective bargaining agreement.

Section 4. TEMPORARY APPOINTMENTS

The Commission may make temporary appointments of entry level members, or promotional positions not to exceed 180 days until regular appointments may be made under these Rules. The Commission shall exercise such authority only when the Trustees have entered appropriate findings of the need to prevent a stoppage of public business, to meet extraordinary exigencies, or to prevent material impairment of the Fire District.

No person shall receive a temporary appointment to the same position more than twice in any calendar year.

Section 5. DEMOTIONS

The Chief may file charges pursuant to Chapter VIII of these Rules seeking the demotion of an officer to a lower rank. A hearing on the charges will be held in accordance with the procedures set forth in Chapter VIII for suspension and dismissal hearings.

CHAPTER VII

STANDARDS OF CONDUCT AND OATH

Section 1. RULES

Personnel of the District shall be governed by District policies, procedures, practices, rules, and regulations. Any violation of District policies, procedures, practices, rules, and regulations or of the laws of the United States, any State, or local government by any member of the District may be cause for the filing of charges against said member.

Section 2. OATH OF OFFICE

Before beginning duty, all persons that are about to enter employment with District or accept a promotion within the District shall take an oath, before any person authorized to administer oaths in the State of Illinois, in substantially similar form as follows:

Oath of Office

Before entering duty, any appointee of the District shall take the following oath before the Board of Fire Commissioners:

“I _____, do so solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Illinois, and the rules and regulations of the Algonquin-Lake in the Hills Fire Protection District and that I will faithfully discharge the duties of the Office of _____ according to the best of my ability.”

Signed _____, subscribed and sworn to before me this _____ day of _____, A.D., 20 _____.

CHAPTER VIII

DISCHARGE AND SUSPENSION

Section 1. PREHEARING PROCEDURES

a. FILING OF CHARGES

Charges subject to the jurisdiction of the Commission shall be filed by the Fire Chief with the Secretary of the Commission setting forth a plain and concise statement of the facts upon which the charge of misconduct is based. Five (5) copies of any charge shall be filed with the Commission, and a copy must be filed with the Union.

b. NOTIFICATION OF HEARING

Upon the filing of a charge with the Secretary of the Commission, the Secretary shall notify both the complainant and respondent either by registered or certified mail, return receipt requested, or personally, of the time and the place of the hearing and the allegations contained in the charge. The respondent shall also be served with a copy of the charge.

c. STIPULATIONS

Parties may on their own behalf or by counsel stipulate and agree in writing or on the record to evidentiary facts. Facts so stipulated shall be considered as evidence in the proceeding.

d. OBJECTIONS TO SUFFICIENCY OF CHARGES

Motions or objections to the sufficiency of written charges are proper at any time prior to or during a hearing before the Commission.

e. SUBPOENAS

Either the complainant or the respondent may at any time before a hearing make application for subpoenas by filing with the Commission a written request identifying the individual to appear or the books, papers, records, accounts and other documents to be produced. On the filing of such applications, subpoenas will be issued. Subpoenas may

be served by any person of the age twenty one (21) years or older and who is not a party of witness at the disciplinary hearing. Subpoenas will not be issued for anyone residing outside of the State of Illinois. Any requests for continuance by reason of inability to serve subpoenas shall be filed in the Office of the Commission at least three (3) days before the date set for such hearing; provided, however, that the Commission in its discretion may waive this rule.

f. **SERVICE**

All papers required to be served shall be delivered personally to the party designated, or mailed by registered or certified United States mail, return receipt requested, in an envelope properly addressed with the postage prepaid to the designated party at his/her last known residence as reflected by documents filed with the Commission, except as herein otherwise provided. Proof of service of any document may be made by the certification of any person 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 the party's address where it was received by a named party.

g. **FILING**

All documents may be filed with the Commission by mailing them or delivering them to the Office of the Secretary of the Commission at 1020 West Algonquin Road, Lake in the Hills, IL 60156. For the purpose of these Rules, the filing date of any document shall be the date of the business day (excluding holidays) it was received in the Commission's office whether the document is delivered personally or by messenger or by mail. Items received after 4:30 p.m. on Friday and before 8:30 a.m. Monday shall be deemed "filed" on Monday provided that Monday is not a holiday. In the event that Monday is a holiday, the item shall be deemed "filed" on the next business day.

h. **FORMS OF PAPER**

All documents filed in any proceeding shall be typewritten or printed and shall be on one side of the paper only. If typewritten, the line shall be double-spaced except that long quotations may be single-spaced and indented. The original of all documents filed shall be signed in ink by the party filing the document or by an officer, agent or attorney thereof. If documents are filed by an attorney, his/her name, address and telephone number shall appear thereon.

i. **COMPUTATION OF TIME**

The time within which any act under these rules is to be done shall be computed only on the business days, Monday through Friday, excluding holidays recognized by the District.

j. **DATE OF HEARING**

Time for the hearing of charges shall commence by the Commission within thirty (30) calendar days from the time of the filing of such charges. Continuances may be granted at the request of the respondent.

Section 2. HEARING OF CHARGES

- a. Hearings before the Commission are quasi-judicial proceedings. The provisions of the Illinois Code of Civil Procedure shall not be binding on the Commission, but may be referred to in guiding the Commission in its proceedings. The Commission shall determine any special rules for conducting the hearing.
- b. "Counsel" as used herein means one who has been admitted to the bar as an attorney at law in the State of Illinois.
- c. No rehearing, reconsideration, modification, vacation or alteration of a decision of the Commission will be allowed, except upon a written request filed within five (5) calendar days of the Commission's decision. During the pendency of any request for rehearing, reconsideration, modification, vacation or alteration the time period for review under the Administrative Review Act shall not be tolled.
- d. Any hearing, including a hearing requested by any employee, the burden shall be upon

the individual bringing the matter to the Commission to prove the charges by the preponderance of the evidence.

- e. All hearings shall be conducted in accordance with the Open Meetings Act.
- f. At the time and place of hearing, parties may be represented by legal counsel or a union representative if they so desire.
- g. All proceedings before the Commission during the conduct of a hearing shall be recorded by a court reporter to be employed by the Commission.
- h. The records of all hearings will not be transcribed by the reporter unless requested by the Commission or any party of interest. When a party of interest requests that a transcribed record be kept, the party of interest shall pay for the cost of transcription and record preparation.
- i. All witnesses shall be sworn in by a member of the Commission or the court reporter prior to testifying. All matters will be decided by the Commission upon evidence presented at the hearings.
- j. The Commission will first hear the witnesses substantiating the charges which have been made against the respondent. Thereafter the respondent may present and examine those witnesses whom he/she desires the Commission to hear. Both parties shall have the right of rebuttal. All parties shall have the right to cross-examine witnesses presented by the opposite party.
- k. All hearings shall be bifurcated. The initial hearing shall be over the alleged misconduct and if the misconduct is upheld, a second hearing shall be conducted on the penalty to be imposed.

Section 3. SUSPENSION PENDING HEARING

The Commission may suspend any member of the District against whom charges have been proffered pending a hearing of the charges by the Commission and until the conclusion of such proceedings. Such suspensions may be with pay or for up to thirty (30) calendar days without pay in the aggregate. Suspensions, which ultimately result in the termination of a member, may be without pay

from the date that charges are brought before the Commission until the Commission has rendered its post-hearing findings and decision. Such suspension may be considered a part of the disciplinary action if the employee is found guilty.

Section 4. SUSPENSION BY THE FIRE CHIEF

- a. The Fire Chief shall have the right to suspend any member under his/her command without pay for a period not to exceed five (5) consecutive calendar days, providing no charges regarding the same offense(s) have been filed and are pending before the Commission. The Chief shall promptly notify the Commission in writing of the suspension. Written notice shall also be served upon the employee and Union.
- b. Any firefighter so suspended shall be entitled to appeal the suspension by requesting in writing a hearing before the Commission within five (5) calendar days after notification of the suspension. The request for an appeal hearing must be filed with the Secretary of the Commission. A hearing shall be granted upon such request and due notice shall be given to the Chief and to the employee in the same manner as if charges were originally filed before the Commission with the exception that the requirement that the Commission commence a hearing within thirty (30) days of receipt of charges shall not apply to reviews of suspensions.
- c. Upon conclusion of the suspension appeal hearing, the Commission may sustain the action of the Fire Chief, may reduce the suspension or reverse the suspension with instructions that the officer or member suspended receive pay and benefits withheld for the period involved, may suspend the employee for an additional period of up to thirty (30) days for each individual charge, or may remove the employee from the employee's position and place the employee in a lower rank or may discharge the member or officer, as it deems appropriate.

Section 5. FINDINGS AND DECISION

The findings and decision of the Commission following a hearing of charges shall be recorded by the Secretary and notice of said finding and decision sent to the member involved and the Trustees for enforcement. A member may be discharged, demoted or suspended without pay for a period not exceeding thirty (30) calendar days for each individual charge of misconduct. Within a reasonable time after the hearing is completed, the Commission shall enter its findings in the records of the Commission. A copy of the Findings and Decision must be promptly tendered to the Firefighters' Union.

Section 6. REVIEW OF DECISIONS

The review of the Commission's decisions on suspensions is limited to administrative review in the courts. The review of the Commission's demotion and discharge decisions are appealable as set forth in the collective bargaining agreement.

CHAPTER IX
APPLICATION OF RULES TO PART-TIME PERSONNEL

Section 1. GENERAL

The rules, regulations and procedures contained within the Rules of the Board of Fire Commissioners of the Algonquin-Lake in the Hills Fire Protection District shall not apply to part-time employees of the Fire District.

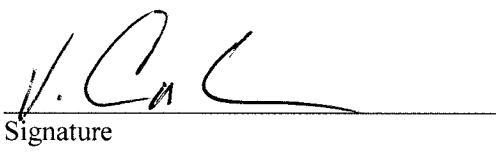


Signature

12-19-19

Date

Tim Moss, Chairman
Fire Commissioner

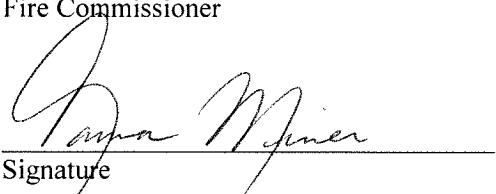


Signature

12-19-19

Date

Virgil Corless
Fire Commissioner



Signature

12/19/19

Date

Tamara Miner
Fire Commissioner

APPENDICES INDEX

APPENDIX A

Annual Budget Request Form

APPENDIX A

ALGONQUIN-LAKE IN THE HILLS FIRE PROTECTION DISTRICT BOARD OF FIRE COMMISSIONERS BUDGET REQUEST

(Date)

Re: Annual Budget Request of the Board of Fire Commissioners

Request is hereby made that the following proposed operating budget be appropriated by the Board of Trustees in the Annual Budget and Appropriation Ordinance to be passed for the current year on behalf of the Board of Fire Commissioners of the Algonquin-Lake in the Hills Fire Protection District.

Board of Fire Commissioners Proposed Budget

General & Administrative
Advertising
Written Exams
Medical Exams
Psychological Exams
Other Testing Procedures (Physical Fitness, Background, Oral Exams)
Legal Fees
Conference & Travel
Dues & Fees
Contingencies and Other Matters
Fire Commissioners Salary

Respectfully submitted,

**Board of Fire Commissioners
Algonquin-Lake in the Hills Fire Protection District**

Chairperson: _____

Secretary: _____

Member: _____