

**RULES AND REGULATIONS OF THE  
BOARD OF FIRE AND POLICE COMMISSIONERS  
OF THE VILLAGE OF HOFFMAN ESTATES  
STATE OF ILLINOIS**

As adopted by the Board of Fire and Police Commissioners of the Village of Hoffman Estates, Illinois, effective July 10, 2014, these rules and regulations replace in total any prior rules and regulations.

**CHAPTER I - ADMINISTRATION**

Section 1. The Board of Fire and Police Commissioners of the Village of Hoffman Estates, Illinois, derives its power and authority from an Act of the General Assembly entitled "Board of Fire and Police Commissioners" of Chapter 65 of the Illinois Compiled Statutes and by home rule ordinances approved by the President and Board of Trustees of the Village of Hoffman Estates.

Section 2. a) The term "Commission" wherever used shall mean the regularly appointed Board of Fire and Police Commissioners of the Village of Hoffman Estates.

b) The term "Designee" wherever used shall mean a duly appointed representative of the Commission.

c) The accepted meaning by this Commission of the term "Fire Department" or "Police Department" includes the membership of either department who have gained such membership by appointment after examination as authorized by the Cities and Villages Act, Chapter 65 of the Illinois Compiled Statutes or Village ordinances.

Section 3. The Commission shall annually, on the first meeting of the second quarter, elect a Chairman and a Secretary. They shall hold office for one year and until their successors are duly elected and qualified. The Chairman shall be the presiding officer at all meetings. The Secretary shall keep the minutes of all meetings of the Board in a permanent file and shall be the custodian of all the forms, papers, books, records and completed examinations of the Board.

Section 4a. Regular meetings will be held on a schedule approved by the Commission and the Chairman stating the time and location of said meetings. Meeting notice will be sent and posted in accordance with the Open Meetings Act.

Section 4b. Special meetings may be called by the filing of a notice in writing with the Secretary of the Commission, signed by any two members. This notice shall contain a brief statement of the business to be submitted for the consideration by the Commission at such special meetings, and shall set forth the time and place of such special meeting, and no other business shall be considered at such special meeting.

Section 4c. Special meetings may also be called by the Chairman of the Commission and he shall designate in a notice to be filed with the Secretary of the Commission the time and place of the special meeting and the business to be considered at such special meeting, and no other business shall be considered at such special meeting.

Section 4d. Notice of special meeting shall be given in writing at least twenty-four (24) hours in advance of the meeting to all members and the Village Clerk for purposes of compliance with the "Open Meetings Act".

Section 5. Two (2) members of the Commission shall constitute a quorum.

Section 6. The order of business at any meeting shall be: Call to Order, Approval of Agenda, Approval of Minutes, Old Business, New Business, Next Meeting Date, Adjournment.

Section 7. The parliamentary procedure prescribed in Robert's "Rules of Order" shall be followed as far as applicable.

Section 8. Amendments to the rules of the Commission may be made at any meeting of the Commission. All amendments shall forthwith be printed for distribution and notice shall be given of the place or places where said rules may be obtained. Such notice shall be published in a newspaper of general circulation in the Village. The notice shall specify the date, not less than ten (10) days subsequent to the date of such publication, when said rules shall go into operation.

Section 9. The Board shall submit an Annual Report of its activities and a Requested Budget for the ensuing year, prior to the end of each fiscal year.

## **CHAPTER II - APPLICATIONS**

Section 1. Applicants for examination must be citizens of the United States.

Section 2. The Commission shall furnish application forms for positions on the Fire and Police Departments.

Section 3. Applications for the Fire and Police Department shall be addressed to the Commission, Fire Department, Police Department or Designee as directed by the Commission and subsequently placed on file with the Secretary. The Secretary or Designee shall endorse thereon the date the application was received, which time shall determine the priority of filing. Persons making untruthful answers to questions in said application shall be rejected by the Board and the applicant notified of such action. The Commission may remove persons certified to positions on the Fire and Police Department upon learning that false statements have been made or material facts have been misrepresented to the Commission after notice and an opportunity for a hearing.

Section 4. The Commission may refuse to examine an applicant, or after examination, may refuse to certify him/her as eligible:

- (a) who is found lacking in any of the established preliminary requirements for the service for which he/she applies;
- (b) who is physically unable to perform the duties of the position to which he/she seeks employment;
- (c) who is addicted to the use of narcotics or intoxicating beverages and has not completed a rehabilitation program;
- (d) who has been convicted of any felony or any misdemeanor involving moral turpitude;
- (e) who has been dismissed from any public service for good cause;
- (f) who has attempted to practice any deception or fraud on his/her application;
- (g) who may be found disqualified in personal qualifications or health;
- (h) whose character and employment references are unsatisfactory;
- (i) who does not possess a valid drivers license.

Section 5. If the application for examination for a position requires special qualifications, the Commission may require evidence of special training or practical experience.

Section 6. Applicants shall be required to submit to a physical and medical examination by a physician designated by the Board of Fire and Police Commissioners of the Village of Hoffman Estates and shall be free from any physical defects that would prevent him/her from fulfilling the duties of his/her position.

Section 7. Applicants for the position of firefighter or patrol officer shall meet vision requirements of at least 20-20 corrected at the time of offer of employment.

Applicants may not be afflicted with color-blindness. For this section, color-blindness shall be defined as the red-green color-blindness.

Hearing shall be tested and be consistent with a level necessary to perform the duties of the position to which he/she seeks employment.

Section 8a. At the time of last date for filing application for the position of patrol officer in the Police Department, individuals must comply with the legal age requirements, if any. Proof of birth date will be required before appointment.

Section 8b. At the time of last date for filing application for the position of firefighter in the Fire Department, individuals must comply with the legal age requirements, if any. Proof of birth date will be required before appointment.

Section 9. All applicants shall execute and deliver to the Commission or its Designee, a release of all liability in relation to taking a "Physical Ability Test" in favor of the Village of Hoffman Estates on a form to be prescribed by the Commission or its Designee.

### **CHAPTER III - EXAMINATIONS**

Section 1. Examinations shall be held on the dates fixed by the Commission or its Designee and advertised in a local paper in accordance with the statutes of the State of Illinois. Examinations may be postponed, by order of the Commission or its Designee, which order shall state the reason for such postponement and shall designate a new date for said examination. Applicants shall be notified of the postponement of any examination and of the new date fixed for said examination.

Section 2. The Commission shall call examinations to fill vacancies in the class of service, or to provide eligible register for the service, in which vacancies are liable to occur. A call for such examination shall be entered in the Minutes of the Commission and shall include a statement of the time and place where any testing will occur.

Section 3a. The material used in the written examination shall be of such a nature that it will adequately outline the candidate's mental ability to assimilate training and performance as a firefighter or a patrol officer.

Section 3b. The subject matter for written and oral examinations shall be such as will fairly test the capacity of the applicant to discharge the duties of the position to which the applicant seeks appointment. No examination shall contain questions regarding applicant's political or religious opinions or affiliations.

Section 4a. The Police examination will be generally held in the following sequence. Failure to achieve the minimum passing grade in any examination disqualifies the applicant from any further participation. All grades are based on a maximum of 100% plus military credits.

<u>EXAMINATION</u>	<u>MINIMUM PASSING GRADE</u>
Orientation	Must attend or be disqualified
Physical Ability Test	Pass/Fail
Written Test	75% - The 100 highest passing scores are eligible to participate in the oral interview.
Initial Background Check/polygraph	
Oral Interview	70% - but must attend or be disqualified

Section 4b.

Firefighter examinations will be held pursuant to Village ordinance.

#### **CHAPTER IV - ELIGIBILITY REGISTER**

Section 1. All candidates shall furnish to the Commission (1) a certified copy of their Birth Certificate, (2) copy of their high school diploma or its equivalent, and (3) when applicable, a certified copy of their military service record and Honorable Discharge.

Section 2. The Commission shall prepare, post and keep a "Final Eligibility Register" of the candidates successfully passing all examinations. A minimum grade of 70% is required for listing on the "Eligibility Register". Candidates shall take place upon the "Final Eligibility Register" in the order of their relative excellence as determined by examination and the addition of preferences under the Hoffman Estates Municipal Code. Any candidate unable to immediately accept such offer shall be considered to have "passed" the offer and remain on the list in such order. Upon a second such "pass", the candidate shall be placed last on the list. Any candidate so placed last on the list who then shall subsequently "pass" an offer shall then be declared to have refused and the candidate shall be removed from the "Final Eligibility Register". This "Final Eligibility Register" will remain in force for two (2) years from the date of posting.

Section 3. All candidates shall be required to submit themselves to a polygraph examination conducted by a certified polygraphist as the Board may direct and at such time as the Board shall direct prior to appointment.

Section 4. All candidates shall be required to submit themselves to an additional psychological examination conducted by a licensed psychologist as the Board may direct and at such time as the Board shall direct prior to appointment. Failure to pass this examination shall eliminate the candidate's name from the "Final Eligibility Register" and any further consideration.

Section 5. All candidates shall be required to submit themselves to an additional medical examination by a Physician designated by the Commission. Failure to pass this examination shall eliminate the candidate's name from the "Final Eligibility Register" and any further consideration.

Section 6. All candidates shall be required to submit themselves to a background check to the satisfaction of the Board. Failure to pass this background check shall eliminate the candidate's name from the Final eligibility list and any further consideration.

Section 7a. Police Department - To become certified and to remain certified as a full time member of the Police Department, the prospective member, or member of the Police Department shall live within a forty-five (45) mile radius of the corporate boundaries of the Village of Hoffman Estates and shall move the aforesaid distance within one (1) year after the end of their probationary period.

Section 7b. A patrol officer appointee shall be on probation for a period of eighteen (18) months. The Board may at its discretion extend the probationary period for an additional term not to exceed six (6) months. If during the probationary period the person appointed proves in the opinion of the Board to be unsuited or unqualified for the position, he/she will be discharged from the service. In no case shall a probationer be discharged until after the head of the department has received from the Commission a notice in writing that the Commission has approved such discharge.

Section 8a. Fire Department - An original firefighter appointee shall complete the Illinois Fire Protection and Training Act approved training course and obtain State certification as either a Certified Firefighter II or Basic Operations Firefighter and Hazardous Material First Responder – Operations within twelve (12) months of his/her original appointment. An original firefighter appointee, at the option of the Fire Department, shall complete either his/her Advanced Certified Firefighter III certification and the Fire Apparatus Engineer certification or the Advanced Technician Firefighter course completion and the Fire Apparatus Engineer certification within five (5) years of original appointment. Failure to obtain such certification and/or course completion shall be cause for discharge.

Section 8b. A Firefighter-Paramedic applicant shall provide proof of certification as a State of Illinois Advanced Emergency Medical Technician (Paramedic) at time of application. Failure to maintain such certification shall be cause for discharge. Such

certification shall be kept as a condition of employment but such condition may be waived for cause and after a hearing before the Department head and with consent of the Commission.

Section 8c. An original firefighter appointee shall be on probation for a period of one (1) year. If during the probationary period the person appointed proves in the opinion of the Commission to be unsuited or unqualified for the position, he/she will be dropped from the service. In no case shall a probationer be discharged until after the head of the department has received from the Commission a notice in writing that the Commission has approved such discharge.

Section 8d. Any firefighter appointee hired after May 1, 1996 shall maintain fitness and shall pass, on an annual basis the "Physical Ability Test". Physical fitness shall be a condition of employment and failure to pass such test shall be cause for discharge.

## **CHAPTER V - PROMOTIONAL EXAMINATIONS**

Section 1. Police Promotions.

A. The Commission shall provide for and administer promotions in the Police service on the basis of ascertained merit, seniority, service and examination, and shall provide in all cases where it is practical that a vacancy shall be filled by promotion. All examinations for promotion shall be competitive among such members of the next lower rank as desired to submit themselves to such examination. The members of the Police Department to be eligible for such examination must have been a member of the department for at least three (3) years. A member of the Police Department must also be off probation prior to being promoted to the next highest rank and must have complied with all criteria required to be promoted to the next highest rank.

Section 2. Police Promotion Process.

- (a) A police patrol officer must have successfully completed basic law enforcement course to be eligible to take a Police Department sergeant's examination.
- (b) A Police Department sergeant must hold permanent rank and have successfully completed a police supervision course to be eligible to take Police Department lieutenant's examination.

- (c) The method of examination for promotion to Sergeant of Police will be as follows:
1. Seniority in Permanent Grade (.05% per month up to 8.3 years) 5 percent
  2. Merit which shall be an average of the past three years performance evaluation 5 percent
  3. A written examination is given in all Sergeant of Police promotional examinations. This tests knowledge and ability and is related to the requirements of a Hoffman Estates Sergeant of Police. 10 percent
  4. Assessment Center Evaluation 50 percent
  5. Police Chief's Assessment 15 percent
  6. Oral Interview 15 percent
  7. Veteran's Preference As provided by statute
- (d) The method of examination for promotion to Lieutenant of Police will be the same as indicated for Police Sergeant except that the testing process will test knowledge and ability to be related to the requirement of a Hoffman Estates Police Lieutenant.
- (e) The maximum possible grade prior to addition of Veteran Preference points will be 100%. Candidates must achieve a minimum score of 70% in the testing exercises (written examination and assessment center evaluation) as well as the oral interview with the Commission before a candidate may be eligible for the final eligibility list.
- (f) Veteran Preference points, if applicable, will be added to the final grade per State Statute, upon written request of the candidate.
- (g) All appointments for promotion shall be on a basis of one year of probation. The Commission may, at its discretion, extend the probationary period for an additional term not to exceed six (6) months.
- (h) The Commission shall strike off the names of candidates for promotional appointment after they have remained on said "Eligibility Register" for more than two (2) years after the date of posting, provided there is no vacancy existing which can be filled from the promotional "Eligibility Register".

Section 3. Fire Promotions.

- (a) The Commission shall administer promotions in the Fire service.
- (b) 50 ILCS 742/1 et. seq. the "Fire Department Promotion Act", provides for administration of the fire promotion process in accordance with the Act.

The collectively bargained agreement regarding promotions in the Hoffman Estates Fire Department shall be the promotion process for the Commission for promotions in the Fire service.

- (c) An appointee to the rank of Lieutenant shall complete Office of the Illinois State Fire Marshal certification as a Fire Officer I within twenty-four (24) months of original promotion. Failure to obtain such certification may be cause for demotion.
- (d) An appointee to the rank of Captain shall complete Office of the Illinois State Fire Marshal certification as a Fire Officer II within twenty-four (24) months of original promotion. Failure to obtain such certification may be cause for demotion.

**CHAPTER VI - COMMISSION JURISDICTION AND OATH OF OFFICE**

Section 1. The position of patrol officer, police sergeant and police lieutenant in the Police Department shall be under the jurisdiction of the Fire and Police Commission.

The position of firefighter, fire lieutenant and fire captain in the Fire Department shall be under the jurisdiction of the Fire and Police Commission.

Section 2. Before entering upon his duty, any person about to become a member of the Police or Fire Department shall take the following oath, before any person authorized to administer oaths in the Village of Hoffman Estates:

"I, \_\_\_\_\_, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Illinois, 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\_\_.

(Signed)

Notary Public

## **CHAPTER VII - ORDER OF RANK, CLASSIFICATION AND OATH OF OFFICE**

Section 1. The order of rank in the Police Department has been established by the Village Board to be as follows:

- (a) Chief of Police
- (b) Assistant Chief of Police
- (c) Lieutenant
- (d) Sergeant
- (e) Patrol Officer

The order of rank in the Fire Department has been established by the Village Board to be as follows:

- (a) Fire Chief
- (b) Deputy Fire Chief
- (c) Assistant Fire Chief
- (d) Battalion Chief
- (e) Captain
- (f) Lieutenant
- (g) Firefighter

Section 2. The Commission hereby classifies such officers of the Fire and Police Departments for the purpose of establishing classification and fixing and maintaining standards of examinations and indicating lines of promotion in accordance with job descriptions which are placed on file with the Village of Hoffman Estates.

### Fire Department

Firefighter -

Promotional positions: Lieutenant, Captain.

### Police Department

Patrol Officer -

Promotional positions: Sergeant, Lieutenant.

## **CHAPTER VIII - REMOVALS, SUSPENSIONS, DISCHARGES, INVESTIGATION OF CHARGES**

Section 1. Removal from office, fines and suspensions from service in the Fire and Police Departments shall be in compliance with the Hoffman Estates Municipal Code or the applicable Collective Bargaining Agreement in effect at the time of the incident giving rise to this action.

Section 2. Persons holding positions in the Fire and Police Departments, who are under the jurisdiction of the Fire and Police Commission as established in the Hoffman Estates Municipal Code or the applicable Collective Bargaining Agreement then in effect shall be discharged or suspended from service in the following manner:

- (a) Charges shall be preferred in writing and signed by the party making same and shall be filed with the Secretary of the Commission. The charges shall specify the nature of the charge and shall designate the time and place of the offense.
- (b) The accused shall be notified by registered mail or personal notice in writing of such charges and shall appear before the Commission for trial at the specific time and place. A person so charged shall be given an opportunity to employ counsel and be heard in his/her own defense at a public hearing conducted by the Board.
- (c) The time for the hearing of charges shall be set by the Commission, within thirty (30) days of the time of the filing of such charges. Continuances may be granted from time to time upon motion of any party to the proceedings by order of the Board.
- (d) The Commission shall, within fifteen (15) days after the trial is completed, enter its findings on the records of the Commission.

Section 3. In case any member of the Fire or Police Department shall be found guilty of the charges preferred against him/her after investigation by the Commission and a hearing on same, he/she may be discharged or suspended for a period not to exceed thirty (30) days without pay.

Section 4. The personnel of the Fire and Police Departments shall be governed by the rules and regulations of the Commission and the rules and regulations of the Fire and Police Departments. In case of conflict, the rules and regulations of the Commission shall govern.

Section 5. Any violation of the ordinances of the Village of Hoffman Estates, laws of the State of Illinois or Federal law by any member of the Fire or Police Department may be cause for the filing of charges against said officer before the Commission or action being taken as set forth in the Collective Bargaining Agreement in place at the time of the violation.

## **CHAPTER IX - GENERAL**

Section 1. All officers and members of the Fire and/or Police Departments shall observe and obey all rules and orders of the Board of Fire and Police Commissioners which are in force or which may be adopted hereafter as well as all Rules and Regulations for the operation of a Fire and/or Police Department as promulgated by the Fire and/or Police Department and/or adopted by the Board of Trustees and in force or which may be adopted hereafter.

Section 2. The Board of Fire and Police Commissioners shall have such other power and duties as are given it by the Statutes of the State of Illinois and the Hoffman Estates Municipal Code.

Section 3. Any Chapter, Section and/or Sub-Section of the foregoing Rules and Regulations for the operation of the Board of Fire and Police Commissioners that are in conflict with the State Statute or the Hoffman Estates Municipal Code are null and void.

## **BOARD OF FIRE AND POLICE COMMISSIONERS**

Peter Mirkovich, Chairman

Rebecca Darr

Shameka Turner