

Article 28

BOARD OF FIRE AND POLICE COMMISSIONERS

2-28-1: ADOPTION OF STATE ACT; EXCEPTIONS:

A. Except as set forth in this code, 65 Illinois Compiled Statutes 5/10-2.1-1, entitled board of fire and police commissioners (state act), is adopted by reference, provided that sections 5/10-2.1-3, 5/10-2.1-4, 5/10-2.1-5, 5/10-2.1-6, 5/10-2.1-6.1, 5/10-2.1-6.2, 5/10-2.1-8, 5/10-2.1-9, 5/10-2.1-10, 5/10-2.1-11 and 5/10-2.1-12 of said state act are not adopted; and further provided the provisions of this article and article 29 of this chapter and sections 9-1-2 and 19-1-8 of this code shall supersede the provisions of said state act; and further provided that except as provided in subsection 2-28-1A4 of this section, all examinations for promotion shall be competitive among such members of the next lower rank as desire to submit themselves to examination, provided that:

1. Only police officers with three (3) years of service from the date of their original appointment are eligible to compete in the Sergeant's promotional examination;
2. Only Firefighters certified as Firefighter III by the state, and who have three (3) years of service from the date of their original appointment and are licensed as an Emergency Medical Technician/Paramedic (EMT-P) with the state of Illinois department of public health and with the Emergency Medical System (EMS) under which the Oak Park Fire Department operates its advanced life support (ALS) service, are eligible to compete in the Fire Department's Lieutenant's promotional examination; and
3. Only Lieutenants who are certified as Fire Officer I by the state are eligible to compete in the Fire Department's Captain's promotional examination.
4. External candidates and candidates who are not members of the next lower rank are eligible to be appointed to the position of Civilian Commander-Administration.

B. No military credits shall be allowed in connection with any promotional eligibility list. The eligibility list for promotional appointments shall be in force for a period of three (3) years from the date of posting, provided that the eligibility list for Fire Department Lieutenants, which was posted on May 18, 1992, shall be in force for a period of four (4) years and seven (7) months from the date of posting. (Ord. 2013-0-05, 1-7-2013)

- C. In addition to the powers to discharge or suspend granted to the Board of Fire and Police Commissioners, pursuant to 65 Illinois Compiled Statutes 5/10-2.1-17, as limited by any applicable collective bargaining agreement, the Board of Fire and Police Commissioners may, in case an officer or member is found guilty after the hearing provided in said section, demote said officer or member one rank and/or remove said officer's or member's name from the promotional eligibility list, except for the removal of a police officer from the promotional eligibility list. (Ord. 2014-0-85, 10-6-2014)
- D. The Entry Level Appointment Committee, comprised of the Fire or Police Chief, as the case may be, the Director of Human Resources or such other administrative or human resources employee of the Village as the Village Manager may designate, and the members of the Board of Fire and Police Commissioners, shall appoint all entry level members of the Fire and Police Departments.

The Board of Fire and Police Commissioners shall publish and/or post notices of examinations for entry level positions in the Fire and Police Departments, conduct such portions of the selection process as the Committee may direct and participate in the oral interview process, verify the accuracy of interview and test scores, verify qualifications of candidates, and certify to the Entry Level Appointment Committee a list in rank order of all persons eligible for appointment to the entry level positions in the Fire and Police Departments.

The Board of Fire and Police Commissioners shall issue, at the direction of the Committee, certificates of appointment for all appointments made to entry level positions in the Fire and Police Departments. The certificate of appointment shall be signed by the chairperson and secretary, respectively, of the Board of Fire and Police Commissioners.

No less than one member of the Board of Fire and Police Commissioners shall participate in the oral interview process as members of the Entry Level Appointment Committee which shall be comprised of either the Fire or Police Chief, as the case may be; the Director of Human Resources or such other administrative or human resources employee as the Village Manager may designate; and the members of the Fire and Police Commission. The Committee shall orally interview entry level recruits in accordance with the rules of the Entry Level Appointment Committee. The Committee shall score the oral interview of each entry level recruit in accordance with the following formula: the oral interview scores given by the Fire Chief or Chief of Police, as the case may be, the Director of Human Resources or other designees of the Village Manager, and each member of the Board of Fire and Police Commissioners participating in the oral interview process shall be added together and divided by the number of Committee members participating in the oral interview process to form the final composite score of the Entry Level Appointment Committee. (Ord. 2013-0-05, 1-7-2013)

2-28-2: QUALIFICATION; OATH:

The members of the Board of Fire and Police Commissioners must be residents of the Village and will be considered officers of the Village. The members of the Board of Fire and Police Commissioners shall file an oath of office with the Village Clerk.

No person may serve on the Board of Fire and Police Commissioners who is an officer or precinct captain of any "established party" as defined in the election code, or who is an elected official of any governmental body. No person shall be appointed as a member of the Board of Fire and Police Commissioners who is related, either by blood or marriage, up to the degree of first cousin to any elected official of the Village.

This section shall supersede section 5/10-2.1-3 of said state act. (Ord. 1993-0-89, 10-18-1993; amd. Ord. 1997-0-32, 8-4-1997)

2-28-3: REMOVAL:

Members of the Board of Fire and Police Commissioners shall not be subject to removal except for cause upon written charges and after an opportunity to be heard in their own defense before a public meeting of the Board of Trustees of the Village. A majority vote of the President and Board of Trustees shall be required to remove any such member from office. (Ord. 1993-0-89, 10-18-1993; amd. Ord. 1997-0-32, 8-4-1997)

2-28-4: ANNUAL REPORTS; BUDGET REQUEST:

Annually, at any time the corporate authorities may provide, the Board of Fire and Police Commissioners shall submit to the President a report of its activities, and of the rules in force and the practical effect thereof. In this report, the Board may make suggestions which the Board believes would result in greater efficiency in the Fire or Police Department. The annual report shall also contain detailed information, including statistical information indicating Fire and Police Department progress toward compliance with the Village equal employment opportunity/affirmative recruitment plan. The Board shall also submit an annual budget request to the Municipal governing body prior to the end of each fiscal year. The President shall transmit all reports to the Board of Trustees.

This section shall supersede section 5/10-2.1-19 of said state act. (Ord. 1993-0-89, 10-18-1993; amd. Ord. 1997-0-32, 8-4-1997)

2-28-5: HUMAN RESOURCES DIRECTOR AND BOARD AS MEMBERS OF THE ENTRY LEVEL APPOINTMENT COMMITTEE AND HUMAN RESOURCES DIRECTOR AS SECRETARY OF THE BOARD; DUTIES; SEAL OF THE BOARD:

The Human Resources Director for the Village of Oak Park shall perform the following functions in relation to the Board of Fire and Police Commissioners:

- A. Solicit proposals, interview vendors and recommend the award of contracts to the President and Board of Trustees with regard to any and all contractual services required by the Board of Fire and Police Commissioners in the performance of their duties.
- B. Conduct all recruiting on behalf of the Village for entry level positions in the Fire and Police Departments, and to perform all services and take all actions incidental thereto. (Ord. 1993-0-89, 10-18-1993; amd. Ord. 1997-0-32, 8-4-1997)
- C. Participate in the Police and Fire Department entry level appointment process as a member of the Entry Level Appointment Committee, comprised of the Human Resources Director, the Board of Fire and Police Commissioners and either the Fire Chief or the Chief of Police, as the case may be, which shall include conducting the oral interview of entry level recruits in accordance with the rules of the Entry Level Appointment Committee and the scoring of each recruit orally interviewed in such a manner as to create a final composite score, based upon the combined equally weighted scores of the participating Committee members, for each orally interviewed recruit. The Human Resources Director shall serve in this capacity at the discretion of the Village Manager, who may designate himself or herself or some other administrative or human resources employee of the Village to serve in this capacity. (Ord. 2006-0-48, 7-17-2006)
- D. Be the secretary to the Board of Fire and Police Commissioners. The secretary: 1) shall be responsible for providing clerical support to the Board for the taking and transcribing of minutes for all of the Board's proceedings and for performing all other duties which the Board prescribes, 2) shall keep the minutes of the Board's proceedings, 3) shall be the custodian of all records pertaining to the business of the Board, 4) shall keep a record of all examinations held, and 5) shall be custodian of the seal of the Board, if one is adopted, and the Board is hereby authorized to adopt an official seal and to prescribe the form thereof by resolution of the Board. (Ord. 1993-0-89, 10-18-1993; amd. Ord. 1997-0-32, 8-4-1997)