Revised July 12, 2018
Effective July 30, 2018

Pursuant to the authority vested in the Board of Fire and Police Commissioners by the Ordinances of the Village of Glenview and by the Statutes of the State of Illinois, the following Rules and Regulations are hereby adopted for the governance, control, and administration of the said Board as well as members of the Fire and Police Departments of the Village of Glenview, Illinois.

Village of Glenview, Illinois

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# RULE 1: DEFINITIONS

1.1 APPOINT shall mean the act of the Board in assigning to a position an applicant who shall have been certified for such position.

1.2 BOARD shall mean the Board of Fire and Police Commissioners of the Village of Glenview, Illinois.

1.3 CANDIDATE shall mean a person being considered for a position to which these Rules and Regulations apply.

1.4 CERTIFY shall mean the act of the Board through its Chairperson and Secretary in designating the appointment of an individual to the rank or position for which said person may be appointed in compliance with all requirements.

1.5 CHIEF shall mean the Chief of the Fire Department or the Police Department and includes persons designated by the Chief to perform certain tasks normally performed by the Chief, as well as the exempt members designated to act as Chief in the Chief's absence.

1.6 CLASSIFIED SERVICE shall mean all offices, places of employment, and positions established by the Village Board of Trustees for the jurisdiction of the Board of Fire and Police Commissioners.

1.7 DEPARTMENT shall mean either the Fire or Police Department of the Village of Glenview, Illinois.

1.8 DEPARTMENT CHIEF shall mean the person appointed by the Village Manager to be the head of the Department.

1.9 DIVISION shall mean each of the portions or parts into which an examination for appointment or promotion may be divided, as prescribed by the Board.

1.10 ELIGIBLE shall mean a person listed on an eligibility or promotional list.

1.11 ELIGIBLE LIST shall mean a list of all persons who are qualified for appointment to a position within a Department, having not yet been certified for appointment, nor removed from the list in accordance with these Rules.

1.12 EXAMINATIONS shall mean the totality of the various divisions prescribed by the Board for appointment or promotion.

1.13 FIREFIGHTER shall mean any full-time member of the regularly constituted Fire Department of the Village of Glenview, sworn and commissioned to perform fire duties, except the position of Fire Marshal and exempt ranks not under the jurisdiction of the Board.

1.14 FIRE MARSHAL as defined by Section 34–61 of the Glenview Municipal Code shall be the Chief of the Fire Department, appointed by the Village Manager.

1.15 MEMBER shall mean all sworn employees of the Police and Fire Departments to whom these Rules and Regulations apply.

1.16 POLICE OFFICER shall mean any member of the regularly constituted Police Department of the Village of Glenview, sworn and commissioned to perform police duties, except the Police Chief and exempt ranks not under the jurisdiction of the Board.

1.17 POSITION shall mean an office or rank of employment, whether occupied or vacant, which calls for the services of a person within a specified place or rank in the classified service, whether such services are required continuously, for certain seasons, or from time to time as the Village may require.

1.18 PROMOTIONAL LIST shall mean the list from which appointments for promotions are made.

1.19 RANK shall mean a grade of employment involving the same type of responsibility or authority, and shall also mean the order of command in which members are placed and classified.

1.20 RULES shall mean the Rules and Regulations of the Board of Fire and Police Commissioners of Glenview, Illinois as well as any amendments hereafter.

1.21 TEMPORARY APPOINTEE shall mean a person occupying a position that is not permanent and is occupied by virtue of a temporary appointment.

1.22 VACANCY shall mean a position duly created which is not occupied and may be filled by the Board under powers granted by the Glenview Municipal Code.

1.23 VILLAGE shall mean the Village of Glenview, Illinois.

# RULE 2: BOARD OF FIRE AND POLICE COMMISSIONERS

### 2.1 MEMBERSHIP

The Board of Fire and Police Commissioners shall consist of three Commissioners appointed by the Village President with the consent of the Village Board of Trustees.

### 2.2 TENURE

Commissioners shall serve a term of three years and until their respective successors are appointed and have qualified.

### 2.3 QUALIFICATIONS

Commissioners are considered officers of the Village and are subject to all requirements enumerated in Section 10-2.1-3 of the Illinois Municipal Code (65 ILCS 5/10-2.1-3).

### 2.4 VACANCIES

Vacancies on the Board of Fire and Police Commission shall be filled in the same manner as original appointments. Commissioners shall not be removed except for cause, upon written charges, and after an opportunity to be heard within 30 days in their own defense before a regular meeting of the Village Board of Trustees. A majority of the Board of Trustees shall be required to remove any Commissioner from the Board.

### 2.5 OFFICERS

The Board shall elect officers to serve during the municipal fiscal year.

a. Chairperson: The Board shall elect a chairperson to serve during the municipal fiscal year. The duties of the Chairperson shall be enumerated throughout these Rules.

b. Secretary: The Board may employ a secretary or may designate one of the Commissioners or a Village staff member to act as secretary. The secretary shall keep minutes of the Board's proceedings, maintain all official Board records, keep a record of all examinations held, and perform other duties as the Board may prescribe.

### 2.6 MEETINGS

The Board shall meet on the call of the Chairperson or any two Commissioners. Notice of the date, time and purpose of the meeting shall normally be given to each Commissioner at least 48 hours prior to such meetings. In all cases, a majority of the Board constitutes a quorum for the conduct of all business. All meetings shall be held in accordance with the Open Meetings Act. Commissioners may attend meetings by video or audio conference under the conditions provided for in the Open Meetings Act.

## 2.7 RULE-MAKING

The Village Board of Trustees has authorized the Board to make rules governing the operation of the Fire and Police Departments, and the conduct of Department members. This authorization is subject to rescission by the Village Board of Trustees.

The Board shall make rules applying to the conduct of examinations for original appointments, for promotions, and for the hearing of charges brought against a member of the Police or Fire Department. From time to time, the Board may amend these Rules. All such amendments shall 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 of Glenview. The notice shall specify the date, not less than 10 days subsequent to the date of such publication, when such rules shall go into effect.

## 2.8 APPOINTMENTS

The sole authority to issue certificates of appointment shall be vested in the Board, except for the positions of Department Chief and exempt ranks, which include but are not limited to the ranks of Deputy Chief and Commander in the Police Department, and the ranks of Deputy Chief and Battalion Chief in the Fire Department. All certificates of appointment shall be signed respectively by the Chairperson and Secretary of the Board. The Village President or the President's designee shall be responsible for administering the oath of office to all new newly appointed firefighters and police officers.

## 2.9 RECORDS

The Board shall maintain records of all positions and all persons in its jurisdiction, the length of service of every employee, and other records, including minutes of meetings as shall be required to properly conduct the business of the Board.

## 2.10 REPORTS

The Board shall submit, from time to time, a report of its activities to the President and Village Board of Trustees. This report should include all rule changes and the practical effect thereof, together with any suggestions which the Board believes would result in greater efficiency in the Departments.

## 2.11 COUNSEL

In an effort to make proper rules and exercise responsible control over departmental personnel, the Board may request the counsel of the Department Chiefs, Village staff members, and the Village Attorney.

# RULE 3: EXAMINATIONS AND QUALIFICATIONS

## SUBSECTION A – EXAMINATIONS, REQUIREMENTS AND QUALIFICATIONS OF POLICE OFFICER APPLICANTS

### 3.1A EXAMINATION OF APPLICANTS

Except when the Board uses the alternative pre-certified entry hiring procedure described in Subsection C of this Rule, all applicants for a police position shall be subject to examination which shall be public, competitive, and subject to limitations contained in these Rules.

### 3.2A MINIMUM QUALIFICATIONS

In accordance with the Illinois Municipal Code, the Board shall publicly notice an examination for any rank or position under its jurisdiction. It shall fix such minimum qualifications for police applicants as may be appropriate for proper and competent performance of the duties and responsibilities involved. No person shall be admitted to the examination who does not meet the minimum qualifications so fixed, but the fact that a person is admitted to any examination shall not be considered as evidence that the person is qualified or is eligible for said position. The following minimum qualifications shall be part of the requirements for admission to all police examinations given by the Board.

a. Every police applicant must have reached the age of 21, and must be under the age of 35. However, the foregoing age-35 limitation shall not apply in the case of any person having previous employment status as (i) a police officer in a regularly constituted police department of any municipality, regardless of whether the municipality is located in Illinois or in another state, (ii) an auxiliary police officer under Section 3.1-30-20 of the Illinois Municipal Code (65 ILCS 5/3.1-30-20) for at least 5 years and is under 40 years of age, (iii) a deputy under Section 3-6008 of the Illinois Counties Code (55 ILCS 5/3-6008) who otherwise meets necessary training requirements, or (iv) a sworn officer with the Illinois Department of State Police. A veteran shall be allowed to exceed the maximum age provision of this section by the number of years served on active military duty, but by no more than 10 years of active military duty.

b. Every police applicant must have a high school diploma or equivalent high school education.

c. Every police applicant must be of good moral character and possess temperate habits. In addition, applicants must be of sound mind and health and physically able to perform the essential functions of the position for which they have applied, with or without reasonable accommodation.

d. Every police applicant must be a resident of, and legally authorized to work in, the United States.

e. The burden of establishing proof of these qualifications shall rest upon each applicant. Applicants are subject to additional grounds for disqualification as provided by law.

### 3.3A APPLICATIONS

Applications for examination shall be filed upon forms designated by the Chief. All applicants must comply with requirements in all application forms. A false statement made by any person in an application for examination shall be regarded as cause for exclusion from the examination.

### 3.4A EXAMINATION FOR CHARACTER AND FITNESS

Examinations for positions in the classified services shall be so fashioned as to test fairly the capacity and fitness of the person examined to discharge the duties of the position to which the person seeks to be appointed. The Board in its discretion may prescribe additional testing components. The required testing components for the establishment of a particular police eligibility list will be summarized by the Board in the initial testing announcement. A failure to pass any one examination division will disqualify the applicant from further consideration.

The examinations shall consist of any or all of the following divisions as the Board shall prescribe after consulting with the Chief.

a. Written tests to determine intelligence, judgment, and knowledge.

b. Applicants must show proof of their successful completion of the “Peace Officer Wellness Evaluation Report” (POWER Test) by the time the written examination is taken.

c. Tests of practical abilities that measure the applicant’s ability to perform the tasks associated with police service, including but not limited to a written situational based judgement test.

d. Independent investigation of the applicant's moral character, personality, temperament, and other factors that may bear upon the applicant's fitness for the position.

e. Independent investigation of work experience which includes determining merit in past performance of similar work.

f. Polygraph examination. No person shall be disqualified solely on the basis of polygraph test chart evaluations.

g. Oral interviews by the Board and the Chief designed to measure personal qualities of the applicant.

An applicant may be rejected by the Board before examination if the applicant fails to evidence the qualifications for the position. Examinations may be held in any order and may be administered to applicants in assembled groups or individually. Nothing shall prevent the Board from requesting further investigation of any applicant before placing the applicant's name on the eligibility list.

### 3.5A ADVANCEMENT OF APPLICANTS

Those applicants who have achieved a passing score on the written examination (as set by the Board pursuant to Rule 3.7A) will be ranked in order of their respective scores on a "written examination register" (as described in Section 6.1A (a) below). The Board, as it deems appropriate, may select any number of applicants in rank order from the written examination register to advance to the next phase of the testing process. The written examination register will expire two years from the date the results are communicated to the Village. Applicants remaining on the written examination register, but who were not selected to advance to the next phase of the testing process, remain eligible to participate in future testing if selected for advancement prior to the expiration of the written examination register.

### 3.6A MEDICAL AND PSYCHOLOGICAL EXAMINATIONS

All applicants shall undergo a physical and psychological examination in order to determine whether they can perform the essential functions of a police officer, with or without reasonable accommodation. Such examinations shall be administered after a conditional offer has been made to the candidate.

All members shall be required to have a physical examination every fourth year of their employment.

### 3.7A RATING OF COMPETITIVE EXAMINATIONS

After consultation with the Chief, the Board shall establish minimum standards for each division of the examination and also provide that any applicant who fails to meet each minimum standard shall fail the examination and not be permitted to take any further divisions in the examination process. Each division of the examination shall be given such weight as the Chief and the Board determine and each applicant's standing in all divisions of the examination shall be averaged. The final standing of applicants shall be expressed on the scale of 100.

### 3.8A FRAUD IN EXAMINATION

The Board may strike a person's name from any eligible list and the person shall be excluded from an examination or discharged or removed from any position to which that person may have been appointed under these Rules, where that person submitted any document that contained false information; or permitted anyone else to impersonate that person at any examination; or, during or in preparation for an examination, that person, alone or in concert with another, used or aided someone else in using prohibited material by which an unfair advantage could be or was obtained over competitors at such examination. If requested, the Board shall provide an opportunity for the person to be heard in defense.

### 3.9A NOTICE OF RESULTS

Each applicant will be notified within 14 calendar days of the completion of each division of that applicant's result. If the applicant has failed the division, the notice shall read to that effect. If the applicant has fulfilled all examination requirements, the applicant shall receive notice that the applicant's name has been placed on the eligibility list.

## SUBSECTION B – EXAMINATIONS, REQUIREMENTS AND QUALIFICATIONS OF FIREFIGHTER APPLICANTS

### 3.1B EXAMINATION OF APPLICANTS

All applicants for a firefighter position shall be subject to examination which shall be public, competitive, and subject to limitations contained in these Rules.

### 3.2B MINIMUM QUALIFICATIONS

In accordance with the Illinois Municipal Code, the Board shall publicly notice an examination for any rank or position under its jurisdiction. It shall fix such minimum qualifications for firefighter applicants as may be appropriate for proper and competent performance of the duties and responsibilities involved. No person shall be admitted to the examination who does not meet the minimum qualifications so fixed, but the fact that a person is admitted to any examination shall not be considered as evidence that the person is qualified or is eligible for said position. The following minimum qualifications shall be part of the requirements for admission to all firefighter examinations given by the Board.

a. Every firefighter applicant must have reached the age of 21, and must be under the age of 35. However, the foregoing age-35 limitation shall not apply in the case of any firefighter applicant having previous employment as a full-time firefighter in a regularly constituted fire department of a municipality or fire protection district, or as otherwise permitted by law. Also, the foregoing age-35 limitation shall not apply to any person who turned 35 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, and whose service was characterized as honorable or under honorable conditions, if separated from the military and is currently under the age of 40.

b. Every firefighter applicant must have a high school diploma or equivalent high school education.

c. Every firefighter applicant must be of good moral character and possess temperate habits. In addition, applicants must be of sound mind and health and physically able to perform the essential functions of the position for which they have applied, with or without reasonable accommodation.

d. Every firefighter applicant must be a resident of, and legally authorized to work in, the United States.

e. The burden of establishing proof of these qualifications shall rest upon each applicant. Applicants are subject to additional grounds for disqualification as provided by law.

### 3.3B APPLICATIONS

Applications for examination shall be filed upon forms designated by the Chief. All applicants must comply with requirements in all application forms. A false statement made by any person in an application for examination shall be regarded as cause for exclusion from the examination.

### 3.4B EXAMINATION FOR CHARACTER AND FITNESS

Examinations for positions in the classified services shall be so fashioned as to test fairly the capacity and fitness of the person examined to discharge the duties of the position to which the person seeks to be appointed. The examinations shall consist of the following divisions in this sequence:

a. Applicants must show proof of their successful completion of the "Candidate Physical Ability Test" (CPAT) by the time the written examination is taken.

b. A written examination shall be conducted that shall be practical and relate to those matters that fairly test the capacity of the persons examined to discharge the duties performed by members of the Glenview Fire Department. Written examinations shall be administered in a manner that ensures the security and accuracy of the scores achieved. The written examination shall be based on a 100-point scale. The passing score for the written examination shall be set by the Board so as to demonstrate a candidate's ability to perform the essential functions of a firefighter. The minimum score set by the Board shall be supported by appropriate validation evidence and shall comply with all applicable state and federal laws.

c. When the written examination is taken, each candidate shall also take a written situational judgment test, which is designed to evaluate how the candidate would respond to various situations and measure conflict resolution skills, service orientation, initiative, integrity, team orientation and other traits. The test shall be considered a subjective evaluation component of the firefighter testing process.

d. After the establishment of a final eligibility list, candidates are subject to a background investigation, which includes, among other things, a review of the applicant's moral character, criminal background history and employment history. As part of this background investigation, candidates may be subject to oral interviews before the Board.

Background investigations will be graded on a pass-fail basis.

e. After the establishment of a final eligibility list, candidates are subject to a polygraph examination. No person shall be disqualified solely on the basis of polygraph test chart evaluations.

### 3.5B MEDICAL AND PSYCHOLOGICAL EXAMINATIONS

All applicants shall undergo a physical and psychological examination in order to determine whether they can perform the essential functions of a firefighter, with or without reasonable accommodation. Such examinations shall be administered after a conditional offer has been made to the candidate.

All members shall be required to have an annual physical examination.

### 3.6B RATING OF COMPETITIVE EXAMINATIONS

The passing score for the written examination shall be set by the Board for the purpose of demonstrating a candidate's ability to perform the essential functions of the job. There is no passing score for the written situational judgment test, although the score from the written situational judgment test will affect a candidate's ranking on the initial firefighter eligibility list, as described in Rule 6.1B(b). The relative weights of the various testing components are described in Rule 6.1B(b).

### 3.7B FRAUD IN EXAMINATION

The Board may strike a person's name from any eligible list and the person shall be excluded from an examination or discharged or removed from any position to which that person may have been appointed under these Rules, where that person submitted any document that contained false information; or permitted anyone else to impersonate that person at any examination; or, during or in preparation for an examination, that person, alone or in concert with another, used or aided someone else in using prohibited material by which an unfair advantage could be or was obtained over competitors at such examination. If requested, the Board shall provide an opportunity for the person to be heard in defense.

### 3.8B NOTICE OF RESULTS

Each applicant will be notified within 14 calendar days of the completion of each division of that applicant's result. If the applicant has failed the division, that applicant's notice shall read to that effect. If the applicant has fulfilled all examination requirements, the applicant shall receive notice that the applicant's name has been placed on the eligibility list.

## SUBSECTION C – EXAMINATIONS, REQUIREMENTS AND QUALIFICATIONS OF PRE-CERTIFIED POLICE OFFICER APPLICANTS

### 3.1C EXAMINATION OF APPLICANTS

The Board may use the following alternative hiring procedure when it identifies a need for certified police experience among the candidates. The Board will announce its intentions to use the procedures under this Subsection C prior to the start of the pre-certified entry hiring process. The Board may use this procedure either before or during the pendency of an existing eligible list, and may in its discretion offer an appointment to a candidate from an eligible list or a pre-certified candidate selected pursuant to this procedure.

### 3.2C MINIMUM QUALIFICATIONS

All applicants must meet the minimum qualifications described in Rule 3.2A. In addition, applicants applying pursuant to this Subsection C shall have prior law enforcement experience within the two years immediately prior to the submission of the application, provide official documentation of passing their Field Training Program with their most recent law enforcement employer, and a valid certification as a full-time police officer from the Illinois Law Enforcement Training and Standards Board. If a law enforcement employer does not have a formal Field Training Program, an official and verifiable letter from the highest ranking member of the department (most commonly the Chief), stating the applicant has met the department's training requirements, may be accepted as alternative documentation. Prior law enforcement experience must include job duties and responsibilities that the Board deems similar to those of a Glenview Police Officer.

### 3.3C APPLICATIONS

All applicants applying pursuant to this Subsection C shall file an application pursuant to Rule 3.3A (along with any other materials requested by the Board) within the deadline set by the Board.

### 3.4C EXAMINATION FOR CHARACTER AND FITNESS

Examinations for positions in the classified service shall be so fashioned as to test fairly the capacity and fitness of persons examined to discharge the duties of the position to which they seek to be appointed. The Board may in its discretion prescribe additional testing components and/or divisions prior to the start of the pre-certified entry process described in this Subsection C. A failure to pass any one examination division will disqualify the applicant from further consideration. Applicants may be rejected by the Board before examination if their application shows failure to meet the qualifications for the position. Examinations may be held in any order and may be administered to applicants in assembled groups or individually. Nothing shall prevent the Board from requesting further investigation of any applicant.

The examinations shall consist of any or all of the following divisions as the Board shall prescribe after consulting with the Police Chief.

a. Applicants must show proof of their successful completion of the "Peace Officer Wellness Evaluation Report" (POWER Test) within the previous 12 months of the established deadline, as determined by the Board.

b. Tests of practical abilities measuring the applicant's ability to perform the tasks associated with Department service.

c. Independent investigation of the applicant's moral character, personality, temperament, and other factors which may bear upon the applicant's fitness for the position.

d. Independent investigation of work experience and merit in past performance of similar work.

e. Polygraph Examination. No person shall be disqualified solely on the basis of polygraph test chart evaluations.

f. Oral interviews by members of the Board and the Chief designed to measure personal qualities of the applicant.

### 3.5C MEDICAL AND PSYCHOLOGICAL EXAMINATIONS

All applicants shall undergo a physical and psychological examination in order to determine whether they can perform the essential functions of a police officer, with or without reasonable accommodation. Such examinations, shall be administered after a conditional offer has been made to the candidate.

All members shall be required to have a physical examination every fourth year of their employment.

### 3.6C METHOD OF SELECTION

The Board retains the discretion to select from among multiple applicants who have passed all examination divisions.

### 3.7C FRAUD IN EXAMINATION

The Board may exclude a person from an examination or discharge or remove from any position to which that person may have been appointed under these Rules, where that person submitted any document that contained false information; or permitted anyone else to impersonate that person at

any examination; or, during or in preparation for an examination, that person, alone or in concert with another, used or aided someone else in using prohibited material by which an unfair advantage could be or was obtained over competitors at such examination. If requested, the Board shall provide an opportunity for the person to be heard in defense.

### 3.8C NOTICE OF RESULTS

Each applicant will be notified within 14 calendar days of the completion of each division of that applicant's result. If the applicant has failed the division, that applicant's notice shall read to that effect. If the applicant has fulfilled all examination requirements, the applicant shall receive notice that the applicant's name has been placed on the eligibility list.

# RULE 4: APPOINTMENT OF POLICE OFFICERS OR FIREFIGHTERS

### 4.1 ORDER OF APPOINTMENT

Appointments of police officers or firefighters shall be made from the candidates on the eligible list for police officers or firefighters with the highest standing on said list. That candidate shall be tendered the appointment, provided that at the time of such tender the eligible candidate meets the minimum requirements prescribed in Rule 3.2A or 3.2B. Notwithstanding the foregoing, if the Board believes that the highest ranking firefighter candidate on the eligible list fails to meet the minimum standards for the position of firefighter, or an alternate candidate would better serve the needs of the Department, the Board may pass over the highest ranked candidate and appoint either: (a) any person who has a ranking in the top 5% of the eligible list; or (b) any person who is among the top 5 highest ranked persons on the eligible list if the number of persons who have a ranking in the top 5% of the eligible list is less than 5.

### 4.2 PROBATION PERIOD

Every appointee to the position of police officer shall be on probation for a period of one year subsequent to successful completion of the Department's Field Training Officer Program. This probation period may be extended an additional six months to a maximum of 18 months at the discretion of the Chief. Every appointee to the position of firefighter shall be on probation for a period of one year, which may be extended for a firefighter who is required, as a condition of employment, to be a certified paramedic, during which time the firefighter may be discharged without recourse solely for failing to meet the requirements for paramedic licensure.

### 4.3 DISCHARGE DURING PROBATIONARY PERIOD

If any appointee during the appointee's probationary period (except for an extended probationary period for a firefighter) shall be found incompetent or not qualified for the performance of the duties of police officer or firefighter, the Chief of the Department may summarily discharge said probationer after informing the Board. A firefighter whose probationary period has been extended may be summarily discharged without recourse solely for failing to meet the requirements for paramedic licensure.

### 4.4 TEMPORARY APPOINTMENT

In order to prevent a stoppage of public business, to meet extraordinary exigencies, or to prevent material impairment in the functioning of the Department, the Board may make temporary appointments, not to exceed 60 days. However, no temporary appointment of any one person shall be made more than twice in any calendar year.

# RULE 5: PROMOTION EXAMINATION AND QUALIFICATIONS

### 5.1 QUALIFICATIONS

Promotion in the Police Department or Fire Department shall be made on the basis of ascertained merit, seniority in service, and examination. All vacancies in the Departments shall, wherever it is practical, be filled by promotion. All examinations for promotion to non-exempt positions shall be competitive among such members of the next lower rank who desire to submit themselves to examination. Notwithstanding the foregoing and any contrary provision found in this Rule 5, promotions to the rank of fire lieutenant and fire captain will be administered in accordance with any procedure that has been negotiated by the Village and the exclusive bargaining representative of the Village's firefighters and as provided in the Fire Department Promotion Act (50 ILCS 742/1 *et seq*.).

### 5.2 ELIGIBILITY

Except in extraordinary cases, no member of the Police Department shall be eligible to take any examination for promotion in the classified service unless the member has served at least one year of active duty in the rank from which promotion is sought immediately prior to taking the promotional examination. Probation periods shall not be credited as time service required for promotional examination.

### 5.3 METHOD OF PROMOTION

Promotions in the Departments shall be made on the basis of merit, seniority and examination. All promotional examinations shall be competitive among the qualified members of the next lower rank who desire to submit to the examination. In exceptional situations, the Board may utilize other methods of promotion. The Board may authorize promotions without competition if only one member is eligible or desires to be promoted. Authorization for such promotion shall be based solely on the recommendation of the Department Chief. If no member receives the Department Chief's recommendation, the Board shall authorize an open, competitive, promotional examination. In all cases, promotions shall involve a definite change in duties, an increase in responsibilities, and shall not be made merely for the purpose of affecting an increase in compensation or granting a higher title of honor.

### 5.4 SENIORITY

In the Police Department, credit for seniority shall be given for actual service in the rank or position from which promotion is sought, and shall be computed as of the date of examination. Promotional examinations shall be graded on the scale of 90; to the grades so obtained shall be added a seniority

credit of .5 point for each full year of service, computed from the date of the written examination up to a maximum of 10 points. Minimum passing grade for promotion examinations shall be 70.

### 5.5 FRAUD IN EXAMINATION

The Board may strike a person's name from any eligible list and the person shall be excluded from an examination or discharged or removed from any position to which that person may have been appointed under these Rules, where that person submitted any document that contained false information; or permitted anyone else to impersonate that person at any examination; or, during or in preparation for an examination, that person, alone or in concert with another, used or aided someone else in using prohibited material by which an unfair advantage could be or was obtained over competitors at such examination. If requested, the Board shall provide an opportunity for the person to be heard in defense.

### 5.6 NOTICE OF RESULTS

Each applicant will be notified within 14 calendar days of the completion of each division of that applicant's result. If the applicant has failed the division, that applicant's notice shall read to that effect. If the applicant has fulfilled all examination requirements, the applicant shall receive notice that the applicant's name has been placed on the promotional list.

### 5.7 PROMOTIONAL APPOINTMENTS

All promotional appointments shall be made from the promotional list pertaining to the rank or position to which the appointment is to be made. Such appointment shall be made from the first three names appearing on the promotional list. In selecting the appointee, the Board shall consult the Department Chief in order to determine which eligible will best fill the requirements of the position and serve the best interests of the Department and community. When there are less than three names on the promotional list, as originally posted, or remaining after appointments have been made therefrom, appointments to fill existing vacancies shall be made from those names or name remaining on the promotional list. Any person promoted under these procedures shall serve a probation period of one year (unless otherwise provided for by an applicable collective bargaining agreement).

# RULE 6: ELIGIBLE LISTS

## SUBSECTION A – POLICE ELIGIBLE LISTS

### 6.1A POLICE ELIGIBLE LISTS

Except for when the Board utilizes the pre-certified entry hiring procedures for police candidates provided for in Subsection C of Rule 3, the Board shall establish eligible lists for each non-exempt rank or position within the Police Department. The lists shall include those persons whose general average examination standing is not less than the minimum fixed by the Rules of the Board, who have successfully passed all the examinations required by the Rules and who are otherwise qualified. No eligible lists will be generated or otherwise maintained for pre-certified candidates when the Board utilizes the pre-certified entry hiring procedures found in Subsection C of Rule 3.

The Board will utilize the following three types of Eligible Lists in the original appointment context:

a. Written Exam Register: After the completion of the written examination, the Board shall develop a written exam register, consisting of the names of those candidates who passed the written examination and who showed proof of the successful completion of the Peace Officer Wellness Evaluation Report (POWER), in order from highest-to-lowest, based on their combined score on the written exam and situational judgement test, if such a test is administered, (as set by the Board pursuant to Rule 3.7A).

b. Police Officer Initial Eligible List: The Board shall publish an Initial Eligible List after the completion of the written and additional testing components. The Initial Eligible List shall consist of the names of those candidates from the written exam register, ranked in order from highest-to-lowest based on their combined scores of all testing components.

c. Police Officer Final Eligible List: After the establishment of the Initial Eligibility List, the Board will allow candidates to claim preference points as described in Rule 6.3A below. Once all preference points have been awarded, the Board will compile and publish a Final Eligible List.

### 6.2A ORDER OF STANDING

Except for when the Board utilizes the pre-certified entry hiring procedures for pre-certified police candidates found in Subsection C of Rule 3, persons eligible for appointment shall be placed on the

police eligible lists in the order of their relative excellence as determined by these Rules and by examination.

If a candidate has been placed on the final original appointment police eligible list and becomes over age before the candidate is appointed to the Police Department, the candidate remains eligible for appointment until the list expires, or until the candidate has remained on the list for two years.

### 6.3A PREFERENCE POINTS

In determining the standing of eligibles on the final original appointment eligible and promotional police lists, the Board shall take into consideration the veterans' preferences provided by statute (65 ILCS 5/10-2.1-8).

### 6.4A STRIKING NAMES FROM ELIGIBLE LISTS

The Board shall strike off the names of candidates seeking original appointment after such names have been on a Final Eligible List after two years from the posting date of the Final Eligible List (see Section 6.1A(c) above) and any subsequent Final Eligible Lists generated from the same written examination register. For example, if the Police Officer Final Eligible List is posted on September 1, 2015, and a second Police Officer Final Eligible List is posted on February 1, 2016 in connection with the same written examination register, the names on the second Police Officer Final Eligible List will be stricken on September 1, 2017.

The Board shall strike off names of candidates for police promotional appointment after they have remained on the promotional list for more than three years, providing there is no vacancy existing which can be filled from the promotional list.

### 6.5A REMOVAL FROM LIST FOR CAUSE

Regardless of the length of time a name has remained on an eligible list, the Board may remove an eligible from the list in the event that the eligible cannot perform the essential functions of the job, with or without reasonable accommodation, or has been convicted of a felony, or has been guilty of fraud in obtaining standing on the eligible list, or for such cause as found by the Board to warrant removal for the good of the Department. If requested within 10 days of the date that notice of removal was mailed to the candidate via certified mail, the Board shall afford such eligible an opportunity to be heard and to demonstrate that such alleged cause for removal does not in fact exist

### 6.6A REFUSAL OR FAILURE TO ACCEPT APPOINTMENT

Police eligibles may pass on an original appointment once without losing their position on the final eligible list. A police eligible who refuses or fails to accept a second original appointment within ten days after the same is tendered by written notice mailed to that eligible's listed address, shall be removed from the eligible list. If within 30 days from the date of said notice the eligible so removed furnishes the Board with good and sufficient reason for having refused or failed to report acceptance

of appointment, the Board may, in its discretion, restore the eligible to the eligible's former standing on the police eligible list, subject to any appointments made in the interim.

### 6.7A WAIVER OF PROMOTIONAL APPOINTMENT

A person eligible for promotion may, when designated for promotion, decline such appointment upon stating reasons therefore acceptable to the Board. In such event the eligible shall retain prior position on the promotion list. No second waiver by any eligible shall be approved by the Board.

## SUBSECTION B – FIREFIGHTER ELIGIBLE LISTS

### 6.1B FIREFIGHTER ELIGIBLE LISTS

The Board shall establish an eligibility list for each non-exempt rank or position within the Fire Department. The lists shall include those persons whose general average examination standing is not less than the minimum fixed by the law and the Rules of the Board, who have successfully passed all the examinations required by the Rules and who are otherwise qualified.

a. Firefighter Preliminary Eligibility List: After the completion of the written examination, the Board shall develop a Preliminary Eligibility List, consisting of the names of those candidates who passed the written examination and who showed proof of the successful completion of the Candidate Physical Ability Test (CPAT), in order from highest-to-lowest.

b. Firefighter Initial Eligibility List: The Board shall publish an Initial Eligibility List no more than 60 days after the completion of the written and situational judgment tests. The Initial Eligibility List shall consist of the names of those candidates from the Preliminary Eligibility List, ranked in order from highest-to-lowest based on their combined scores on the written examination and situational judgment tests, in the following proportions:

   i. Written Examination 60%
   ii. Situational Judgment Test 40%

   Scores on each component shall be "standardized." For each candidate, the standardized score for each component will be multiplied by the component's relative percentage weighting. The resulting scores for the components will be added to determine the candidate's final score on a 100-point scale.

c. Firefighter Final Eligibility List: After the establishment of the Initial Eligibility List, the Board will allow candidates to claim preference points as described in Rule 6.3B below. Once all preference points have been awarded, the Board will compile and publish a Final Eligibility List.

### 6.2B ORDER OF STANDING

Persons eligible for appointment shall be placed on the Final Eligibility List in the order of their relative excellence as determined by these Rules and by examination.

### 6.3B PREFERENCE POINTS

Any candidate who wishes to claim preference points, as delineated below, must submit proof of preference eligibility in writing to the Board within 10 days of the posting of the Initial Eligibility

List. If submission is made after 10 days, the claim shall be deemed waived. For firefighter eligibles, up to fifteen (15) preference points are available, as described below:

a. Veterans Preference: A candidate who was engaged in the military service of the United States for a period of at least one year of active duty and who was honorably discharged therefrom, or who is or has been a member on inactive or reserve duty in such military or naval service may receive five (5) preference points.

b. Educational Preference: A candidate who has successfully obtained an associate's degree in the field of fire service or emergency medical services may receive two preference points, and a candidate who has successfully obtained a bachelor's degree from an accredited college or university may receive four (4) preference points. However, a candidate cannot receive preference points for both an associate's degree and a bachelor's degree.

c. Paramedic Preference: A candidate, who has obtained certification as an Emergency Medical Technician-Paramedic (EMT-P), may receive four (4) preference points.

d. Additional Preference: A candidate who has graduated from the Northeastern Illinois Public Safety Training Academy (NIPSTA) may receive two (2) preference points. .

### 6.4B STRIKING NAMES FROM ELIGIBLE LISTS

The Board shall strike from the eligible list the names of candidates seeking original appointment after such names have been on the original eligible list for two years. Likewise, the Board shall strike from the promotional list names of candidates for promotional appointment after they have remained on the promotional list for three years, providing there is no vacancy existing that can be filled from the promotional list. A firefighter candidate on a final eligibility list who exceeds the 35-year age requirement before being appointed shall remain eligible for appointment until the eligibility list expires, or that candidate's name has been on the list for a period of two years.

### 6.5B REMOVAL FROM LIST FOR CAUSE

Regardless of the length of time an eligible has remained on an eligible list, the Board may remove from the list an eligible who cannot perform the essential functions of the job, with or without reasonable accommodation, or has been convicted of a felony, or has been guilty of fraud in obtaining standing on the eligibility list, or for such cause as is found by the Board to warrant removal for the good of the Department. If requested within 10 days of the date that notice of removal was mailed to the candidate via certified mail, the Board shall afford such eligible an opportunity to be heard and to demonstrate that such alleged cause for removal does not in fact exist.

### 6.6B REFUSAL OR FAILURE TO ACCEPT APPOINTMENT

Firefighter eligibles may pass on an original appointment once without losing their position on the final eligible list. A firefighter eligible who refuses or fails to accept a second original appointment within 10 days after the same is tendered by written notice mailed to that eligible's listed address, shall be removed from the eligible list. If within 30 days from the date of said notice the eligible so removed furnishes the Board with good and sufficient reason for having refused or failed to report acceptance of appointment, the Board may, in its discretion, restore the eligible to the eligible's former standing on the firefighter eligible list, subject to any appointments made in the interim.

### 6.7B WAIVER OF PROMOTIONAL APPOINTMENT

A person eligible for promotion may, when designated for promotion, decline such appointment upon stating reasons acceptable to the Board. In such event the eligible shall retain prior position on the promotion list. No second waiver by any eligible shall be approved by the Board.

# RULE 7: REMOVAL FOR CAUSE – HEARING AND REVIEW

### 7.1 SUSPENSION POWER OF CHIEF

Nothing in this section shall be construed to deny the Chiefs of either Department the power to suspend without pay a member of the Chief's Department for a period of not more than five calendar days, but the Chief shall notify the Board of such suspension. Any member so suspended may appeal to the Board for review of the suspension within 24 hours of such suspension, and upon such appeal, the Board may sustain the action of the Department Chief, may review it with instructions that the member receive pay for the period involved, or may suspend the member for an additional period of not more than 30 days, or discharge the member depending on the facts presented.

### 7.2 UNIFORM DURING SUSPENSION

During the period of suspension, and upon an order given by the Department Chief, a member of the Department shall not wear that Department's official uniform.

### 7.3 DEPARTMENT PROPERTY

Upon suspension, and upon an order given by the Department Chief, a member shall promptly surrender to the Chief all Department-issued equipment and identification in that member's possession.

### 7.4 WHO MAY PREFER CHARGES

Written charges against a member may be made by (a) a superior officer of the accused, (b) any Village officer or employee, other than a member of the Board, or (c) any other person.

### 7.5 CHARGES

Charges made by Department personnel shall be filed with the respective Department Chief, who shall submit them to the Board, if the Chief deems necessary. Charges made by Village officials or employees shall be filed with the respective Department Chiefs, as well as the Board. Charges filed by any other person shall first be submitted to the respective Department Chiefs, who may conduct an investigation and/or submit the charges to the Board as they deem appropriate. After 30 calendar days from the date the charge was first submitted to the respective Department Chief, any other person may file the charge directly with the Board if the Department Chief has not already done so.

### 7.6 NOTICE TO ACCUSED AND TEMPORARY SUSPENSION

An accused member shall be notified of the nature of the charges. Pursuant to Section 2-497 of the Glenview Municipal Code, in the absence of a mutual agreement stating otherwise, the Board may suspend a member pending a hearing with or without pay, but not to exceed 180 days at any one time.

### 7.7 HEARING PROCEDURE

Upon proper presentation of charges to the Board, the Board shall conduct a fair and impartial hearing of said charges, to be commenced within 30 days of filing with the Board, unless the accused member and charging party agree to delay the start of the hearing. In the conduct of the hearing, each member of the Board shall have the power to administer oaths and affirmations and the Board shall have power to secure by subpoena both the attendance and testimony of witnesses and the production of books and documents relevant to the hearing.

### 7.8 CONTINUANCES

The Board, at its discretion, may grant continuances of the hearing.

### 7.9 LEGAL REPRESENTATION

The Board may allow any duly licensed attorney at law to appear before it at hearings as the prosecuting attorney. The accused member is entitled to be represented by counsel.

### 7.10 DECISION

The decision of the Board following the hearing shall be made in writing and shall become part of the official records of the Board. The decision shall contain a finding of fact and a pronouncement of guilt or innocence of the defendant. The Board may take any action authorized by Section 2-496 through 2-502 of the Glenview Municipal Code. If, after a hearing, the Board determines that a member is guilty of the charges which were the subject of the hearing, the Board may add an additional unpaid suspension of up to 180 days, or may terminate said member. If the Board determines that the charges are not sustained, the member shall be reimbursed for all wages withheld.

With regard to police personnel, specific rules and regulations that may lead to removal or other sanctions are provided by Rule 8 herein. With regard to fire personnel, specific rules and regulations that may lead to removal or other sanctions are provided by Rule 9 herein.

### 7.11 REMOVAL

No member of the Department shall be removed or discharged except for cause, upon written charges and after an opportunity to be heard, provided that this Rule and the Rules contained in this subdivision shall not apply to probationary appointees serving during their probationary period as

established and defined in Rule 4.3 of these Rules. The Chiefs have the authority to summarily discharge a probationary firefighter or police officer after informing the Board.

# RULE 8: POLICE DEPARTMENT RULES AND REGULATIONS

### 8.1 IMPORTANCE OF RULES AND REGULATIONS

To achieve success, the Police Department must attain and maintain the confidence and respect of the community it serves. This goal can be accomplished only by constant and earnest endeavor on the part of all its members to perform their duties in an efficient, honest, and professional manner. The exemplary conduct of each member must foster the fullest public realization that the Police Department of the Village of Glenview is a reliable and necessary agency in providing for the well-being and security of the community.

In order to perform their duties properly, it is essential that the members of the Department familiarize themselves with the following Rules and Regulations pertaining to them as members of the Glenview Police Department.

### 8.2 IN GENERAL

Pursuant to the laws of the United States of America, the State of Illinois and the Village of Glenview, the Rules and Regulations hereinafter set forth are established for the guidance and governance of the Glenview Police Department, its members, and employees.

The right is reserved to the Board to amend or revoke any of the Rules and Regulations and to make additional rules and regulations from time to time as the circumstances for the good of the Department may require.

Disciplinary action for a violation of these Rules and Regulations, either attempted or achieved, shall be exclusively limited to reprimand and or suspension by the Chief, or suspension or dismissal by the Board.

A violation of law, rules and regulations, general or special orders, policies or procedures, or written or verbal orders, shall be a basis for departmental discipline. All previous Rules and Regulations set forth in these Rules and Regulations of the Board are superseded as of the date and time of approval of these Rules and Regulations by the Board. Any cause of action which arose or may arise during a period when these Rules and Regulations were not in effect shall be governed by the Rules and Regulations in effect at the time of the occurrence of the event which created the cause of action.

## 8.3 PROHIBITED ACTS

The following prohibited acts shall apply to all members of the Department and may serve as a basis for disciplinary action:

1. Violation or attempted violations of any Federal, State, County or Municipal law.

2. Failure to obey, fully comply with or promptly perform any lawful order, written or oral, given by a supervisory officer or supervising employee. (The term "lawful order" shall be construed as any order in keeping with the performance of any duty prescribed by law, all general and special orders, policies, and procedures of the Department, which are not in conflict with these Rules and Regulations.)

3. Possession or use of alcohol while on duty. In addition, no member of the Department shall be in violation of the negotiated drug and alcohol prohibitions found in the collective bargaining agreement.

4. Possession or use of controlled substances at any time, except when prescribed by a physician licensed by the State of Illinois and with the knowledge of a supervisor.

5. Failure to pay all legal debts and legal liabilities.

6. Withholding information on criminal activity, or assisting others in doing so.

7. Undertaking a self-assigned police action except in emergency circumstances. (For purposes of this subsection, "self-assigned" means action initiated by any member of the Department without the request, direction or by the instruction of a supervisor.) All emergency self-assigned police action shall, no later than 24 hours after commencement, be reported in writing to the Chief. Should the matter involve the Chief, it shall be reported to the Village Manager.

8. Failure to fully cooperate with a police investigation.

9. Drawing or displaying of a firearm anywhere except for necessary inspection or lawful use. Members firing a gun either accidentally or intentionally, except on a target range, shall report promptly, in writing, to the Chief the reason for firing. Members shall not intentionally fire their guns except as authorized by law or at a target range.

10. Publicly criticizing the Department or any of the members thereof.

11. Publicly discussing any confidential matter relating to official business of the Department without the written consent of a superior.

12. Communicating in writing or orally with reference to any official business of the Department, except with the approval of the Chief.

13. Utilizing one's official position with the Department for political purposes. Nothing in this subsection should be construed to prohibit a member of the Department from (a) casting a vote, (b) expressing political opinions privately, (c) being a delegate to a political caucus, or (d) taking part in a political canvass.

14. Destroying or defacing any official written notice relating to police business.

15. Failure to maintain a neat and clean personal appearance.

16. Failure to wear a prescribed uniform, to carry all necessary police equipment, or to maintain the uniform or equipment in good condition and order.

17. Failure to act in a professional manner, including but not necessarily limited to:

    a. Sleeping while on duty. Officers unable to remain awake shall report to their superior officer who will determine the proper course of action.

    b. Failure to be courteous in writing, on the telephone, or in person.

    c. Conducting personal business while on duty.

    d. Gambling while on duty unless to further a legitimate police purpose.

    e. Unnecessary shouting or using abusive or obscene language.

    f. Taking breaks for meals or refreshments longer than prescribed in the Procedural Manual of the Department.

    g. Taking a meal or refreshment break in a public place with another on-duty member of the Department without the approval of a superior.

    h. Smoking or chewing gum when in direct contact with the public.

18. Failure to report to work on time.

19. Failure to respond promptly to a request for police service or to return promptly to service after completing a call.

20. Use of force which exceeds that which is reasonably necessary under the circumstances.

21. Violation of the rights of persons in custody.

22. Referral of Department matters to a specific attorney, law firm, bail bondsman or bonding company. This subsection does not apply to reference to the Public Defender, Legal Aid Society or Lawyer's Referral Service.

23. Failure to carry the departmental approved firearm and identification while on duty. This rule shall not apply when an officer is off-duty or working undercover with approval.

24. Carrying a firearm while off-duty is prohibited unless the member is carrying a departmental approved gun which has been registered and the member has successfully qualified with same. The carrying or possession of any firearm where alcoholic beverages are consumed is strictly prohibited. This subsection shall not apply where the carrying of a firearm is necessitated by police business and with the approval of a superior officer.

25. Failure to immediately report, in writing, theft, loss or any damage to police vehicles or Department or Village property. Such report shall contain all known facts surrounding the nature of the theft, loss or damage and the circumstances under which it occurred.

26. Failure to return all equipment owned by the Department upon direction from the Chief or upon suspension, retirement, resignation, or other departure from the Department.

27. Allowing unauthorized persons to ride in Department or Village vehicles.

28. Failure to read, become familiar with, or comply with all Rules and Regulations, general and special orders, and policies and procedures of the Department.

29. Frequently receiving personal mail or visitors at the Police Department and utilizing departmental telecommunications and electronic equipment for non-duty related purposes.

30. Failure to be punctual, properly dressed and prepared for trial or hearing. Members of the Department shall maintain a respectful attitude towards the court and all attorneys. Upon a request or subpoena to testify against the Village or the Department in any hearing or trial, the member shall notify the Chief upon receipt of such request or subpoena.

31. Testifying, making reports or conducting Department business in other than a truthful and cooperative manner; the theft, unauthorized removal, altering, forging or tampering with any kind of police record, report or citation; using Department files, sources, or reports other than for proper Department purposes.

32. Failure to notify a superior officer when ill and unable to report for work. Using sick leave without just cause or furnishing any false information with reference to illness or injury.

33. Absence from work without permission, or evading wholly or in part the full performance of one's duties. Members claiming physical or mental incapacity relating to their employment shall comply with the request of the Chief, to be periodically interviewed as to the nature and extent of a claimed injury or illness and/or submit to an examination of the claimed physical or mental incapacity by an individual chosen by the Chief.

34. Failure to maintain a telephone at one's residence or a mobile phone, or to immediately notify the Chief in writing of any change of address or telephone number.

35. Off-duty employment without the knowledge or approval of the Chief. All approved outside employment activity as a law enforcement officer will be considered as regular law enforcement work and the conduct and performance of duty will be carried out in conformance with these Rules and Regulations, and the general and special orders of the Department.

36. The receipt of any gift or gratuity for acts performed in the performance of the duties of a member without the written permission of the Chief.

37. Engaging in conduct on or off-duty that adversely affects the image, reputation, morale or the efficiency of the Department.

38. Failure to give necessary attention to the performance of departmental duty, or engaging in activities or personal business which would cause a neglect of or inattention to duty.

39. Failure or deliberate refusal to obey a lawful order given by a superior; using disrespectful, insolent, or abusive language or action towards a superior whether in or out of the presence of the superior.

40. Buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to the member's attention or which arose out of the member's departmental employment, except as may be authorized by the Chief.

41. Failure to maintain the good physical and mental health necessary for the proper handling of the physical contacts and requirements of a law enforcement officer.

Members shall submit themselves for a medical examination when so ordered by the Chief or the Board.

42. Possession of keys, fobs, codes, or passwords pertaining to Department business without the approval of the Chief or appropriate supervisor.

43. Failure to answer questions, respond to lawful orders, render material and relevant statements in an internal Department investigation when such orders, questions, and statements are directly related to departmental responsibilities.

44. Giving a deposition, affidavit or appearing as a witness in a civil matter stemming from the member's official duties without the knowledge of the Chief.

45. Going beyond the Village limits while on duty unless in the performance of actual police duty, or upon the approval of a superior.

46. Failure to furnish one's name and badge number in a respectful manner when requested to do so.

47. Failure to turn over to the designated member of the Department all lost, stolen, recovered or abandoned property, or any evidentiary material which comes into the possession of a member in the performance of the member's duties prior to the completion of the tour of duty during which time the material came into possession of the member.

48. Loss or damage to Department or Village property due to negligence or inattention to duty.

49. Allowing a suspect or prisoner to escape from custody due to negligence or inattention to duty.

50. Failure to thoroughly search for, collect, retain and identify evidence pertaining to persons, property and locations in any arrest or investigation.

51. Giving testimony as a character witness for any defendant in a criminal trial without the knowledge of the Chief.

52. Acceptance of money or any other compensation for any damages sustained or expenses incurred in the line of duty from any source without first informing the Chief in writing.

53. Duplicating, trading or exchanging police identification without the knowledge and consent of the Chief.

54. Using the prestige or influence of a member's official position, or the use of time, facilities, equipment or supplies of the Department for the private gain or advantage of the member or other person or persons.

55. Failure to act impartially in dealing with persons or organizations involved in labor disputes.

56. Failure to operate official vehicles in a careful and prudent manner, or to obey all laws and departmental orders pertaining to such operations.

57. Failure to immediately report the loss or suspension of any member's driving license to the Chief.

58. Failure to meet the requirements necessary to obtain a Firearm Owners Identification Card (FOID).

# RULE 9: FIRE DEPARTMENT RULES AND REGULATIONS

### 9.1 IMPORTANCE OF RULES AND REGULATIONS

To achieve success, the Fire Department must attain and maintain the confidence and respect of the community it serves. This goal can be accomplished only by constant and earnest endeavor on the part of all its members to perform their duties in an efficient, honest, and professional manner. The exemplary conduct of each member must foster the fullest public realization that the Fire Department of the Village of Glenview is a reliable and necessary agency in providing for the well-being and security of the community.

In order to perform their duties properly, it is essential that members of the Department familiarize themselves with the following Rules and Regulations pertaining to them as members of the Glenview Fire Department.

### 9.2 IN GENERAL

Pursuant to the laws of the United States of America, the State of Illinois and the Village of Glenview, the Rules and Regulations hereinafter set forth are established for the guidance and governance of the Glenview Fire Department, its members, and employees.

The right is reserved to the Board to amend or revoke any of the Rules and Regulations and to make additional rules and regulations from time to time as the circumstances for the good of the Department may require.

Disciplinary action for a violation of these Rules and Regulations, either attempted or achieved, shall be exclusively limited to reprimand and or suspension by the Chief, or suspension or dismissal by the Board.

A violation of law, rules and regulations, general or special orders, policies or procedures, or written or verbal orders, shall be a basis for departmental discipline. All previous Rules and Regulations set forth in the Rules and Regulations of the Board are superseded as of the date and time of approval of these Rules and Regulations by the Board. Any cause of action which arose or may arise during a period when these Rules and Regulations were not in effect shall be governed by the Rules and Regulations in effect at the time of the occurrence of the event which created the cause of action.

## 9.3 PROHIBITED ACTS

The following prohibited acts shall apply to all members of the Department and may serve as a basis for disciplinary action:

1. Violation or attempted violations of any Federal, State, County or Municipal law.

2. Failure to obey, and fully comply with, or promptly perform any lawful order, written or oral, given by a supervisory officer or supervising employee. (The term "lawful order" shall be construed as any order in keeping with the performance of any duty prescribed by law, all general and special orders, policies, and procedures of the Department, which are not in conflict with these Rules and Regulations.)

3. Possession or use of alcohol while on duty. In addition, no member of the Department shall be in violation of the negotiated drug and alcohol prohibitions found in the collective bargaining agreement.

4. Possession or use of controlled substances at any time except when prescribed by a physician licensed by the State of Illinois and with the knowledge of a supervisor.

5. Failure to pay all legal debts and legal liabilities.

6. Withholding information on criminal activity or assisting others in doing so.

7. Failure to fully cooperate with a police investigation.

8. Publicly criticizing the Department or any of the members thereof.

9. Publicly discussing any confidential matter relating to official business of the Department without the written consent of a superior.

10. Communicating in writing or orally with reference to any official business of the Department, except with the approval of the Chief.

11. Utilizing one's official position with the Department for political purposes. Nothing in this subsection should be construed to prohibit a member of the Department from: (a) casting a vote, (b) expressing political opinions privately, (c) being a delegate to a political caucus, or (d) taking part in a political canvass.

12. Failure to maintain a neat and clean personal appearance.

13. Failure to wear a prescribed uniform, to carry all necessary fire equipment, or to maintain the uniform or equipment in good condition and order.

14. Failure to act in a professional manner, including but not necessarily limited to:

    a. Failure to be courteous in writing, on the telephone, or in person.

    b. Conducting personal business while on duty.

    c. Gambling while on duty.

    d. Unnecessary shouting or using abusive or obscene language.

15. Failure to report to work on time.

16. Failure to respond promptly to a request for service or to return promptly to service after completing a call.

17. Failure to immediately report, in writing, theft, or loss or any damage to fire vehicles or Department or Village property. Such report shall contain all known facts surrounding the nature of the damage and the circumstances under which such damage occurred.

18. Failure to return all equipment owned by the Department upon retirement, resignation, or other departure from the Department.

19. Allowing unauthorized persons to ride in Department or Village vehicles.

20. Failure to read, become familiar with, or comply with all Rules and Regulations, general and special orders, and policies and procedures of the Department.

21. Testifying, making reports or conducting Department business in other than a truthful and cooperative manner; the theft, unauthorized removal, altering, forging or tampering with any kind of Department record, report or citation; using Department files sources or reports other than for proper Department purposes.

22. Failure to notify a superior officer when ill and unable to report for work. Using sick leave without just cause or furnishing any false information with reference to illness or

injury.

23. Absence from work without permission, or evading wholly or in part the full performance of one's duties. Members claiming physical or mental incapacity relating to their employment shall comply with the request of the Chief, to be periodically interviewed as to the nature and extent of a claimed injury or illness and/or submit to an examination of the claimed physical or mental incapacity by an individual chosen by the Chief.

24. Failure to maintain a telephone at one's residence or a mobile phone or to immediately notify the Chief in writing of any change of address or telephone number.

25. Off-duty employment without the knowledge or approval of the Chief.

26. The receipt of any gift or gratuity for acts performed in the performance of the duties of a member without the written permission of the Chief.

27. Engaging in conduct on or off duty that adversely affects the image, reputation, morale, or the efficiency of the Department.

28. Failure to give necessary attention to the performance of departmental duty, or engaging in activities or personal business which would cause a neglect of or inattention to duty.

29. Failure or deliberate refusal to obey a lawful order given by a superior; using disrespectful, insolent, or abusive language or action towards a superior whether in or out of the presence of the superior.

30. Frequently receiving personal mail or visitors at the Department and utilizing departmental telecommunications and electronic equipment for non-duty related purposes.

31. Failure to maintain the good physical and mental health necessary for proper handling of the physical contacts and requirements of a firefighter. Members shall submit themselves for a medical examination when so ordered by the Chief or the Board.

32. Possession of keys, fobs, codes and passwords pertaining to Department business or obtained under departmental authority without the approval of the Chief.

33. Failure to answer questions, respond to lawful orders, render material and relevant statements in an internal Department investigation when such orders, questions, and statements are directly related to departmental responsibilities.

34. Giving a deposition, affidavit or appearing as a witness in a civil matter stemming from the member's official duties without the knowledge of the Fire Chief.

35. Failure to furnish one's name and badge number in a respectful manner when requested to do so.

36. Loss of or damage to Department or Village property due to negligence or inattention to duty.

37. Duplicating, trading or exchanging departmental identification without the knowledge and consent of the Chief.

38. Using the prestige or influence of a member's official position, or the use of time, facilities, equipment or supplies of the Department for the private gain or advantage of the member or other person or persons.

39. Failure to operate official vehicles in a careful and prudent manner, or to obey all laws and departmental orders pertaining to such operations.

40. Failure to immediately report the loss or suspension of any member's driving license to the Chief.