

ILLINOIS STATE POLICE DIRECTIVE PER-008, EMPLOYMENT STANDARDS

RESCINDS: PER-008, 2014-081, revised 10-20-2014.	REVISED: 12-20-2018 2018-047
RELATED DOCUMENTS: PER-009	RELATED CALEA STANDARDS: 26.1.4, 26.1.5, 32.1.2, 32.2.1, 52.1.8, 52.2.7

I. POLICY

The Illinois State Police (ISP) will promulgate directives, rules, and regulations to ensure the integrity of its operations and fulfillment of its mission.

- I.A. The Department will implement the policy and procedures described by this directive in conjunction with any applicable collective bargaining agreements. In the event of irreconcilable conflict between these provisions and an applicable collective bargaining agreement, the collective bargaining agreement will govern.
- I.B. ISP hiring practices shall be consistent with all applicable state and federal laws. To the extent this directive or any ISP directive may be in conflict with state or federal law, the law will take precedence.
- I.C. The Director may authorize deviation from the provisions of this directive but only to the extent permitted by law.

II. AUTHORITY

- II.A. 20 ILCS 415/1, et seq., "Personnel Code"
- II.B. 8 USC 1101, "Immigration Reform and Control Act of 1986" (IRCA)
- II.C. 20 ILCS 2630/5, "Arrest reports"
- II.D. 20 ILCS 2630/5.2, "Expungement, sealing, and immediate sealing"

III. PROCEDURES

III.A. General Provisions

- III.A.1. Any applicant for a position with the Department or a current employee, sworn or code, who has been convicted, pleads guilty, stipulates to the facts supporting the charge, or is found guilty of a reportable misdemeanor or felony offense in this state pursuant to 20 ILCS 2630/5 or an offense of federal law or the law of another state that is substantially equivalent to any reportable misdemeanor or felony offense in this state pursuant to 20 ILCS 2630/5, will not be hired, or once hired, may be subject to discipline up to and including discharge.
- III.A.2. Notwithstanding paragraph III.A.1., the Director may determine that the provisions of III.A.1. are not applicable to a particular position consistent with the provisions of III.B.2. below.
- III.A.3. Every male less than 27 years old seeking employment with the ISP will submit documentation evidencing his registration with the federal Selective Service System. Those seeking employment with the ISP less than 27 years old who fails to submit documentation evidencing registration with the federal Selective Service System are prohibited from employment with the ISP until such documentation is submitted.
- III.A.4. Hiring practices for aliens of the United States will comply with the IRCA.

III.B. Applicants

III.B.1. Applicants for a sworn position within the Department must meet the requirements listed on the ISP Merit Board website: www.illinoistrooper.com.

III.B.1.a. 20 ILCS 2610/9

III.B.1.b. Joint Committee on Administrative Rules (JCAR) Administrative Code Title 80, Subtitle A, Chapter IV, Part 150, Section 150.210

III.B.2. An applicant for a position barred under paragraph III.A. due to a reportable misdemeanor offense in this state pursuant to 20 ILCS 2630/5 or an offense of federal law or the law of another state that is substantially equivalent to any reportable misdemeanor or felony offense in this state pursuant to 20 ILCS 2630/5, may appeal to the Director for relief. The Director may grant such relief if the applicant establishes to the Director's satisfaction that the circumstances regarding a criminal conviction, the applicant's criminal history and reputation are such that the applicant will not be likely to act in a manner detrimental or contrary to the interests of the Department and the public.

III.B.2.a. An applicant for a civilian position with only one DUI guilty plea or conviction that is more than 5 years old shall be granted relief.

III.B.2.b. Such plea or conviction will not be the sole basis for bypassing an applicant for a civilian position.

III.B.3. Any applicant, including temporary and contractual, must be fingerprinted.

III.B.3.a. The Background Investigations Unit, Division of Internal Investigation will:

III.B.3.a.1) Submit a criminal justice applicant State and FBI fingerprint card, manually or electronically via live scan, to the Bureau of Identification (BOI), Division of Administration.

III.B.3.a.2) Ensure that the appropriate Originating (Agency) Identifier (ORI) number is submitted being sure to flag the applicant transaction to have a search conducted of both the State and FBI criminal history record information databases. The application of the proper ORI will also ensure the response is returned to the correct submitting agency. When using live scan equipment from a centralized law enforcement facility not operated by ISP, ensure the proper ISP requesting agency ORI is inserted into the record for proper processing of the fingerprints thru the BOI.

III.B.3.b. The BOI will process and retain every applicant's fingerprint card and will notify the appropriate ORI of the results of a search through the ISP and FBI criminal history records information database files.

III.C. Employees

III.C.1. Department employees who have been arrested, indicted, or convicted for any offense in this state or any other state or jurisdiction (except for minor traffic offenses) are required to report such arrest to their immediate supervisor.

III.C.1.a. Sworn employees who have been arrested, questioned, contacted, or become aware they are the subject of an investigation or a criminal complaint by a law enforcement or a government agency other than the ISP for any misdemeanor or felony offense, will personally immediately notify their commanding officer/work unit supervisor and inform him/her of the circumstances surrounding the incident being investigated, the agency conducting said investigation, and what actions have been taken to resolve the matter. If the sworn employee's commanding officer/work unit supervisor is not immediately available, a supervisor in the officer's chain-of-command must be immediately notified. A written report containing the required information will be submitted as soon as possible. Sworn

- employees must immediately notify their supervisor, in writing, following any indictment or conviction (except minor traffic offenses).
- III.C.1.b. Code employees must notify their immediate supervisor, in writing, within five working days.
 - III.C.1.c. Failure to provide this notification on a timely basis as noted in paragraphs III.C.1.a. and III.C.1.b. may be grounds for discipline up to and including discharge.
- III.C.2. An employee's duty status and job assignment subsequent to arrest and prior to final disposition will be determined on a case-by-case basis by the immediate supervisor and management. Depending upon the severity of the offense, an employee may:
- III.C.2.a. Be temporarily assigned to duties of a non-sensitive nature.
 - III.C.2.b. Be placed on suspension or leave pending judicial verdict in accordance with provisions of the Personnel Rules, Merit Board Rules, or applicable collective bargaining agreement.
 - III.C.2.c. Be barred from all work locations but maintained in a paid status until final disposition of the case.
 - III.C.2.d. Be barred from all work locations and, upon the filing of a Complaint with the ISP Merit Board, placed in a non-paid status pending discharge.
- NOTE:** If any officer or government employee is placed on administrative leave, either voluntarily or involuntarily, pending the outcome of a criminal investigation or prosecution and that officer or government employee is removed from office or employment due to a resultant criminal conviction, then the officer or government employee is indebted to the State for all compensation and the value of all benefits received during the administrative leave. (5 ILCS 430/5-60(a))
- III.C.3. When an employee has been convicted of a felony offense or convicted in another jurisdiction of an offense that is substantially equivalent to a felony under the laws of the state of Illinois, the employee will be relieved of all job responsibilities, barred from all work locations, and be required to turn in any department property assigned to him/her.
- III.C.3.a. The immediate supervisor will prepare a memorandum recommending to the chain-of-command a suspension pending discharge.
 - III.C.3.b. Until a suspension pending discharge action is formally served on the employee, the employee will continue in paid status.

| Indicates new or revised items.

-End of Directive-