



# **KENDALL COUNTY MERIT COMMISSION**

Kendall County Public Safety Center  
1102 Cornell Lane, Yorkville IL 60560  
**Friday July 21, 2023@ 3:30pm**



## **MEETING AGENDA**

1. Call to Order
2. Roll Call: Shawn Flaherty, Rob DeLong, Jamal Williams, Cara Brummel, and Robyn Vickers
3. Approval of Agenda
4. Approval of Minutes from February 24, 2023, Meeting
5. Public Comments
6. Executive Session
7. Old Business
8. New Business
  1. Certification of eighteen (18) month Corrections Deputy eligibility list for testing that was conducted between July 13<sup>th</sup> – July 20<sup>th</sup> of 2023.
  2. Approval to begin promotional testing for both the Patrol and Correctional Divisions
  3. Approval of using C.O.P.S. and F.I.R.E. Personnel testing Service for both the Patrol and Correctional Sgt. Promotional testing
  4. Approval to Amend the Sheriff Merit Commission rules-
    - a. Addition of language to Article III, Section D (4) as follows:
      - i. are in good standing in their current department as of the date of certification by the Merit Commission
    - b. Addition of language to Article III, Section D (5) as follows:
      - i. have two years of full-time, continuous experience with the same law enforcement or correctional agency where currently employed or cumulatively two years of experience with a law enforcement or correctional agency as defined in Article III, section D, subsection A, 1ii, and 1iii and no greater than a thirty (30) calendar day gap of active service between law enforcement or correctional agencies.
9. Adjournment



# **KENDALL COUNTY MERIT COMMISSION**

Kendall County Public Safety Center  
1102 Cornell Lane, Yorkville IL 60560  
Friday February 24, 2023 @ 3:00pm



## MEETING MINUTES

Call to Order- Shawn Flaherty called the meeting to order at 3:03pm on Friday February 24, 2023.

Roll Call- Shawn Flaherty-Here, Rob Delong-Here, Robyn Vickers-Here, Cara Brummel-absent, Jamal Williams absent. With 3 members present a quorum is formed.

Others in Attendance-Mike Peters, Jeanne Russo, and Tracy Page.

Approval of Agenda- Motion by Shawn Flaherty.

Approval of the November 7, 2022, Meeting Minutes- Motion by Shawn Flaherty, Second by Rob Delong. All in favor, motion passes.

Public Comment- None

Executive Session- None

Old Business- None

New Business-

- Certification of eighteen (18) month Corrections Deputy eligibility list and for the Lateral Corrections Deputy eligibility list for testing that was conducted in January of 2023. Overview of the testing process was presented by Chief Deputy Mike Peters– Motion by Robyn Vickers, second by Rob Delong. Roll Call vole – Shawn Flaherty yes, Rob Delong yes and Robyn Vickers yes. All in favor, motion to certify both list passes.
- Chief Deputy Mike Peters asked for authorization to begin testing for entry level Corrections Deputies upon anticipated depletion of the current list or the expiration of the current list. – Motion made by Shawn Flaherty, Second by Robyn Vickers. Roll Call vole – Shawn Flaherty yes, Rob Delong yes and Robyn Vickers yes. All in favor
- Approval to Amend the Sheriff Merit Commission rules. The addition of language of Article III, Section G (4) will be as follows. The Sheriff shall appoint individuals from the certified list, or the lateral transfer applicant list provided by the Commission, and by statute, the Sheriff is free to appoint from either list without regard to final testing score or ranking on either list. Motion made by Rob Delong, Second by Robyn Vickers. Roll Call vole – Shawn Flaherty yes, Rob Delong yes and Robyn Vickers yes. All in favor

Adjournment- Motion to adjourn at 3:16pm by Shawn Flaherty, Second by Robyn Vickers. All in favor, motion passes.

Respectfully submitted by,  
Tracy Page

# ***Kendall County Sheriff***

## ***Merit Commission***

<b>CORRECTIONS DEPUTY</b> <b>Effective July 21, 2023 - January 21, 2025</b>	
<b>NAME</b>	
	Anaya, Rogelio
	Barding, James
	Camardo, Joseph
	Hanson, Jonathan
	Hightower, Tracy
	Johnson, Dustin
	Johnson, KeAndre
	Malonga, Princesse
	Martin, James
	Nevarez, Ivette
	Robles, Isaiah
	Thomas, Eric
	Wagner-Talley, Evan

To be appointed a corrections deputy from this list the candidates still need to successfully pass a background investigation, polygraph, psychological exam and also a medical exam. The medical exam could include an eye exam, and screen for the use of drugs and alcohol.

**Expires 01/21/2025**

# ***Kendall County Sheriff*** ***Merit Commission***

<b>CORRECTIONS DEPUTY</b> <b>Lateral Eligibility List</b> <b>Effective July 21, 2023 - January 21, 2025</b>
<b><u>NAME</u></b>
Brown, Sean
Palumbo, Robert

To be appointed a corrections deputy from this list the candidates still need to successfully pass a background investigation, polygraph, psychological exam and also a medical exam. The medical exam could include an eye exam, and screen for the use of drugs and alcohol.

**Expires 01/21/2025**

## **Patrol Sergeant Promotional Testing and Assessments Cost Proposal for Kendall County Sheriff's Office 2022 - 2023**

**The Patrol Sergeant Written Promotion Exam is \$85.00 per candidate. (minimum \$975.00)**

There is a total of 187 questions on the **Patrol Sergeant Written Promotional Exam** divided between three tests. (One of the three tests is a comprehension test and does not require specific study material.) Our study guide/reading list will be provided to you to make available to the participating candidates. The scoring of the written exam is conducted in our Schaumburg office and entered into our computer for the formulation of the candidate's final score based on 100 points. If a General Orders Exam is conducted, the candidate's score from that test is incorporated with the other written exam scores and formulated in the computer for the candidate's final score. Written reports will be presented to you in rank and identification number order. Additionally, we provide you with a Candidate Profile Form for each candidate, in bar chart format, that defines their individual strengths and weaknesses for each portion of the written test. This includes the General Orders Exam as well, if it is given. The Candidate Profile Form serves as an excellent evaluation tool, simplifying the conference process between supervisor and candidate as the results of the candidate's performance is clearly defined and exhibited on their report.

**The cost to develop a Kendall County Patrol Sheriff General Orders Exam is \$1200.00. (50 questions)** *You can utilize the one we currently have on file for Kendall County Corrections. If you need to make any changes to any of the current questions, the cost is \$25.00 per question. In addition, there will be a charge of \$250.00 to produce new books if we need to make any changes.*

Our senior test developer will create the questions from material submitted in the Kendall County Sheriff Department General Orders Manual. It will take six to eight weeks from receiving the resource material to complete the test development. All questions are multiple choice or require a true or false response. You or your representative will be asked if there are specific areas of the rules that you wish to have emphasized in the development of the questions or if there are a specific number of questions related to those areas. Our test development goal is to personalize the test material to include reference areas that are most important to the duties and job requirements of your Sergeant position. Any input from you will help achieve those goals.

Our fee to administer the **Patrol Sergeant Assessment Center** is \$3600.00 per day for each eight-hour day required and/or \$1900.00 for a half day. In a typical day six candidates are able to go through the evaluation process. The assessment consists of evaluating each candidate's level of alertness, communication skills, emotional stability, judgment, and self confidence in small group settings. In addition, they will participate in two individual exercises to be evaluated independently in one problem-solving exercise and one tactical exercise. These scores will all be combined for one composite score.

Three assessors, each a former law enforcement senior management team member or a law enforcement expert, all staff personnel members of **C.O.P.S. and F.I.R.E. Personnel Testing Service**, will conduct the Sergeant Assessment Center. Our lead assessor will reach out to you, or your representative, for the required information to create the assessment. Each assessor has been trained in the assessment center scoring process and has years of experience with our company. Our scoring process incorporates the representation score from each of the three individual assessors. Those numbers are entered into the computer and formulated for each candidate providing their final overall score. Written reports will be presented to you listing the rank and identification number order. Individual Profile Forms will also be presented representing the candidate's strengths and weaknesses for each characteristic measured. The Candidate Profile Form will serve as an excellent evaluation tool to simplify the conference process between supervisor and candidate as the results of the candidate's performance is clearly defined and exhibited on their report. Our assessors will conduct the Sergeant Assessment Center for each candidate for the required number of days requested. All written results of the process will be mailed to you within five work days.

## **Corrections Sergeant Promotional Testing and Assessments Cost Proposal for Kendall County Sheriff's Office 2022 - 2023**

**The Corrections Sergeant Written Promotion Exam is \$85.00 per candidate.  
(minimum 975.00)**

There is a total of 100 questions on the **Corrections Sergeant Written Promotional Exam** divided between three tests. Our study guide/reading list will be provided to you to make available to the participating candidates. The scoring of the written exam is conducted in our Schaumburg office and entered into our computer for the formulation of the candidate's final score based on 100 points. If a General Orders Exam is conducted, the candidate's score from that test is incorporated with the other written exam scores and formulated in the computer for the candidate's final score. Written reports will be presented to you in rank and identification number order. Additionally, we provide you with a Candidate Profile Form for each candidate, in bar chart format, that defines their individual strengths and weaknesses for each portion of the written test. This includes the General Orders Exam as well, if it is given. The Candidate Profile Form serves as an excellent evaluation tool, simplifying the conference process between supervisor and candidate as the results of the candidate's performance is clearly defined and exhibited on their report.

**The cost to develop a NEW Kendall County Corrections General Orders Exam is \$1200.00. (50 questions)**

*You can utilize the one we currently have on file for Kendall County. If you need to make any changes to any of the current questions, the cost is \$25.00 per question. In addition, there will be a charge of \$250.00 to produce new books if we need to make any changes.*

Our senior test developer will create the questions from material submitted in the Kendall County Sheriff Department General Orders Manual. It will take six to eight weeks from receiving the resource material to complete the test development. All questions are multiple choice or require a true or false response. You or your representative will be asked if there are specific areas of the rules that you wish to have emphasized in the development of the questions or if there are a specific number of questions related to those areas. Our test development goal is to personalize the test material to include reference areas that are most important to the duties and job requirements of your Sergeant position. Any input from you will help achieve those goals.

Our fee to administer the **Corrections Sergeant Assessment Center** is \$3600.00 per day for each eight-hour day required and/or \$1900.00 for a half day. In a typical day six candidates are able to go through the evaluation process. The assessment consists of evaluating each candidate's level of alertness, communication skills, emotional stability, judgment, and self confidence in small group settings. In addition, they will participate in two individual exercises to be evaluated independently in one problem-solving exercise and one tactical exercise. These scores will all be combined for one composite score.

Three assessors, each a former corrections/law enforcement senior management team member or a corrections/law enforcement expert, all staff personnel members of **C.O.P.S. and F.I.R.E. Personnel Testing Service**, will conduct the Corrections Sergeant Assessment Center. Our lead assessor will reach out to you, or your representative, for the required information to create the assessment. Each assessor has been trained in the assessment center scoring process and has years of experience with our company. Our scoring process incorporates the representation score from each of the three individual assessors. Those numbers are entered into the computer and formulated for each candidate providing their final overall score. Written reports will be presented to you listing the rank and identification number order. Individual Profile Forms will also be presented representing the candidate's strengths and weaknesses for each characteristic measured. The Candidate Profile Form will serve as an excellent evaluation tool to simplify the conference process between supervisor and candidate as the results of the candidate's performance is clearly defined and exhibited on their report. Our assessors will conduct the Corrections Sergeant Assessment Center for each candidate for the required number of days requested. All written results of the process will be mailed to you within five work days.



# RULES, REGULATIONS AND PROCEDURES OF THE KENDALL COUNTY SHERIFF'S OFFICE MERIT COMMISSION

Pursuant to its responsibility for the administration and operation of a merit system for all Deputy Sheriffs of the Kendall County Sheriff's Office, as authorized under the Sheriff's Merit System Law, Illinois Compiled Statutes Chapter 55 ILCS 5/3-8001 et. seq., the Merit Commission of the Kendall County Sheriff's Office (hereafter, "the Commission") adopts the following Rules, Regulations and Procedures.

These adopted Rules, Regulations and Procedures supersede all other Rules, Regulations and Procedures previously adopted by the Commission.

## ARTICLE 1 ADMINISTRATION

- A. MEMBERSHIP:** The Commission shall be composed of five members appointed and approved by the Kendall County Board. Members of the Commission shall serve for six years upon their appointment. No more than three members shall be affiliated with the same political party.
- B. ORGANIZATION OF THE COMMISSION:** The officers of the Merit Commission shall be: Chairman, Vice-Chairman, and Secretary. All officers shall be elected by a simple majority vote of the Commission. The term of office shall be two years or until the term of office as a member of the Commission shall expire, whichever period is shorter. The Chairman shall preside at all meetings and shall perform all duties required by these Rules, Regulations and Procedures. The Vice-Chairman shall preside at meetings in the absence of the Chairman. The Secretary shall keep the minutes and records of the Commission.
- C. OFFICE AND STAFF:** The Commission shall maintain an office in Yorkville, Illinois, where its staff, assistants, and clerks shall function and where its files and records shall be maintained.
- D. MEETINGS:** Regular meetings of the Commission shall be held quarterly unless no business or activity exists for consideration during any given quarter. Other meetings may be called, as necessary, by the Chairman. The Chairman shall also call other meetings upon the request of three members of the Commission, or at the request of the Sheriff and at least two members of the Commission. All meetings shall be conducted in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 et. seq.).
- E. QUORUM:** Attendance of at least three members of the Commission at meetings shall constitute a quorum. When considering changes or amendments to the Commission's

Rules, Regulations and Procedures at least four members must be present to take action on any change or amendment.

1. Members of the Commission may attend meetings by video or audio conference (5 ILCS 120/1.02) subject to the following conditions:
  - a. A quorum of the members of the Commission must be physically present at the meeting location.
  - b. The member requesting to attend by video or audio conference must be unable to physically attend the meeting because of: (1) personal illness or disability, (2) employment purposes or business of the Commission or (3) a family or other personal emergency (5 ILCS 120/7a).
  - c. The member requesting to attend by video or audio conference must notify the recording secretary before the meeting, if practical.
  - d. A majority of the members of the Commission must approve the member's request to attend by video or audio conference.
  - e. Equipment must be available that will permit the member to participate in the meeting so that the member can hear and/or see the other members of the Commission and the other members of the Commission can hear and/or see the member attending by video or audio conference.
2. If a member of the Board attends a meeting by video or audio conference in accordance with these rules, the minutes of that meeting shall reflect that the member was present via video or audio conference.
3. Members attending by video or audio conference shall be permitted to participate in the meeting as if they were physically present to the extent permitted by the equipment used including the right to vote on any matters that come before the Commission.
4. Members attending by video or audio conference shall not be eligible for any per diem or stipend that would otherwise be authorized for members physically present at the meeting.

**F. VOTING:** On all matters brought before the Commission, the concurrence of at least three members of the Commission shall be necessary for a decision, and the action of such a majority shall be considered the act of the Commission. For changes to the Commission's Rules, Regulations and Procedures, all Commissioners must have received notice of proposed changes and the date of the meeting that such changes will be considered for action. At least four members must be present to act on proposed changes.

**G. RECORDS:** The Commission shall:

1. Maintain such personnel records and files as are necessary to execute its responsibilities. These records and files shall be confidential except that the Sheriff (or his designees) may examine such files at any time, and any member of

the Sheriff's Office shall be permitted on request to examine their personal graded written examination. The Commission shall comply with the provisions of the Illinois Personnel Record Review Act (820 ILCS 40).

2. Keep and maintain all other records and files necessary for the proper administration and operation of the Commission's business.

**H. MINUTES:** The Commission shall:

1. Keep and maintain the minutes of all meetings. Commission agendas and meeting minutes shall be posted on the Kendall County government website.
2. All Commission minutes and records shall be maintained in compliance with the Illinois Open Meetings Act (5 ILCS 120/1 et. seq.) and shall be disposed only pursuant to the provisions of the Illinois Local Records Act (50 ILCS 205 et. seq.).

**I. CHANGES IN RULES, REGULATIONS AND PROCEDURES:** No change in the Commission's Rules, Regulations and Procedures shall be made until the Sheriff has been notified of the proposed changes in writing and has been afforded an opportunity to formally comment on the proposed changes, and the requirements in Section F of this Article have been met. The Commission shall report adopted changes to the County Board.

**J. ETHICS:** Members of the Commission shall be subject to the provisions of the Kendall County Ethics Ordinance (Ordinance number 12-18).

## **ARTICLE II RANK STRUCTURE**

**A. RANK:** For the purpose of the administration and operation of the merit system of the Kendall County Sheriff's Office, the ranks in the Sheriff's Office as denoted by the Sheriff of Kendall County are:

Deputy Sheriff-Corrections  
Deputy Sheriff- Police Officer  
Sergeant - Corrections  
Sergeant – Police Officer

**B. POSITION:** Persons meeting the requirements of the qualifications and procedures stated in these Rules and Regulations can attain certification of tenure in these ranks.

**C. EXEMPTION OF CERTAIN POSITIONS:** Personal assistants of the Sheriff shall be exempt from the Rules and Regulations of this Commission. Personal assistants of the Sheriff shall be defined as "Chief Deputy", "Undersheriff", "Administrative Assistant", "Jail Administrator" and any and all other equivalent positions consistent with the intent of the

sheriff's merit system law, regardless of the title which is assigned by the Sheriff, and shall include, without limitation, the following titles: "Corrections Commander", "Corrections Deputy Commander", "Operations Commander" and "Operations Deputy Commander". While personal assistants of the sheriff shall be at will positions, any employee who is under the jurisdiction of the Commission at the time of his or her appointment as a personal assistant of the sheriff shall, upon termination of such appointment, be returned to the last highest merited rank achieved by the employee immediately prior to accepting the appointment as a personal assistant, at which time the employee shall be subject to the sheriff's merit system law and the jurisdiction of the Commission.

1. Time spent in the position of Sheriff or personal assistant to the sheriff shall count toward seniority provided the Sheriff or personal assistant to the sheriff came from a tenured position within the merit system.

### **ARTICLE III APPOINTMENT TO THE SHERIFF'S OFFICE**

**A. ENTRY INTO MERIT SYSTEM:** The rank of Deputy Sheriff is the sole point of entry into the Sheriff's merit system.

**B. APPOINTMENT TO THE SHERIFF'S OFFICE:** Applicants for certification for appointment to the Sheriff's Office as a Deputy Sheriff, in addition to meeting all standards prescribed by the Illinois Compiled Statutes, must;

1. Be 21 years of age. An applicant may apply at age twenty (20), provided that no applicant shall be eligible for employment certification until their 21<sup>st</sup> birthday
2. Be a high school graduate, or have a certification of equivalency.
3. Possess a valid Driver's License at the time of appointment.
4. Must be a citizen of the United States, or an alien admitted for permanent residence or lawfully admitted for temporary residence who produces evidence of intention to become a citizen of the United States.
5. Successfully complete all examinations, physical, written and oral, as prescribed by the Commission.
6. Meet such mental, medical and physical standards as prescribed by the Commission.
7. Subsequent to successful completion of all examinations prescribed by the Commission, must be judged acceptable to the Sheriff following an investigation of background, integrity, reputation and character.

8. Be appointed from the certified list of qualified applicants by the Sheriff when a vacancy or vacancies exist, or be appointed from a list of qualified lateral applicants when a vacancy or vacancies exists.
9. Successfully pass a Police Officer's Wellness Evaluation Report (P.O.W.E.R.) test and provide a P.O.W.E.R card as required by the Commission for eligibility for appointment as a Deputy Sheriff assigned to the Operations Division or, successfully pass a Corrections Agility Test (C.A.T.) for eligibility for appointment as a Deputy Sheriff assigned to the Corrections Division. The P.O.W.E.R. test and/or C.A.T. requirement may be satisfied by presentation of a valid P.O.W.E.R. card evidencing the passing of the P.O.W.E.R. test within the 12-month period immediately preceding the date of the applicable entrance examination.
10. Meet the qualifications as prescribed by the Sheriff's Office Job Description for the rank being sought.
11. Any qualified applicant who declines to accept an appointment will be replaced for said appointment by another qualified applicant. A refusal to accept an appointment may constitute grounds for removal from the list of certified applicants.

### **C. TESTING PROCEDURES**

1. Types of Examinations: applicants may be required to submit to the following examinations including, but not limited to:
  - a. Orientation
  - b. Physical Agility
  - c. Written Test
  - d. Oral Interview
2. Scoring of Examinations: Applicants must pass all phases of the examinations independently. Scoring standards shall be set by the Commission. Failure to meet minimum passing requirements on any phase eliminates the applicant from further consideration in that testing cycle.
3. Ranking of Scores: Each applicant who has successfully advanced in the testing process by meeting at least the minimum passing requirements on all phases of examinations as prescribed by the Commission will receive a final numeric score calculated by using scores achieved on the written examination and the oral interview. All final scores are based on a maximum of 100%.
4. Quorum for Testing Procedures: A quorum of the Commission is required for conducting all oral interview examinations. The Commission reserves the right to assign or delegate any portion of other required examinations to the Sheriff and/or

his designee(s) including those instances where a quorum of the Commission is not possible.

**D. OTHER CONSIDERATIONS BY THE COMMISSION:** In considering applicants, the Commission:

1. May give preference to persons who have honorably served in the military or naval services of the United States.
2. Is authorized to waive one or more of the requirements set forth herein for applicants who have served with another Sheriff's Office, police department or any other law enforcement agency, and who are certified as a Law Enforcement or Correctional Officer by the Illinois Law Enforcement Training and Standards Board.

**A. Application Guidelines for Lateral Transfer Candidates**

1. Select application requirements may be waived for transfer applicants who:
  - i. **Meet the requirements specified in Article III, Section B, Paragraphs 1, 2, 3, 4, 5, 6, 7, 8 and 10**
  - ii. are currently employed in the State of Illinois as a Deputy Sheriff, Municipal Police Officer, a County Forest Preserve Police Officer, an Illinois State Police Trooper, or those who possess prior continuous law enforcement experience with a municipality, county, or Illinois state law enforcement agency as authorized in 55 ILCS 5/3-8010 or 5/3-8011; or,
  - iii. are currently employed in the State of Illinois as a Correctional Deputy Sheriff, a Municipal Correctional Officer, an Illinois State Correctional Officer, or those who possess prior continuous Correctional experience with a municipality, county, or Illinois state correctional agency, and
  - iv. are in good standing in their current department as of the date of certification by the Merit Commission; and,
  - v. have two years of full-time, continuous experience with the same law enforcement or correctional agency where currently employed OR cumulatively two years of experience with a law enforcement or correctional agency as defined in Article III, section D, subsection A, 1ii, and 1iii AND no greater than a thirty (30) calendar day gap of active service between law enforcement or correctional agencies, the definition of which may include, but is not limited to, authority to make arrest and carry firearms; and,
  - vi. have successfully completed Illinois Basic Police Officer Training or the Basic Correctional Officer training as recognized by the Illinois Law Enforcement Training and Standards Board (ILETSB) or successfully completed Basic Police Officer or Basic Corrections Officer Training

Program which can be transferred, accepted, and approved by ILETSB to obtain an Illinois Certification; and,

- vii. complete a Supplemental Transfer Application in addition to the Merit Commission's regular application.
- viii. law enforcement applicants must complete a minimum of one ride along and corrections applicants must complete a minimum of one jail tour prior to the initiation a background investigation.
- ix. existing Kendall County Corrections Deputies in good standing seeking appointment to the position of Law Enforcement Deputy; may apply at any time and seek certification by the Commission to be placed upon the certified list of eligible applicants.
- x. All correctional applicants, including lateral applicants, must complete a physical agility test or show prior completion of the correctional agility test or a P.O.W.E.R. card.

2. Once these requirements are met and the stated applicant evaluation criteria waived, all other standards for appointment delineated in the Merit Commission Rules shall apply and the procedures shall be as follows:

- i. Lateral transfer applicants may apply for consideration for appointment at any time.
- ii. Lateral transfer applicants must pass a written exam and complete an oral interview with either the Commission, the Sheriff, or their designee. Any applicants rejected will be so notified by the Commission or its designee.
- iii. After successfully passing the written exam and the interview, applicants must undergo a background investigation. Any candidates not passing this screening will be contacted by the Merit Commission or its designee. Those who do pass will be conditionally certified.
- iv. Those applicants who are deemed qualified by the Commission shall be certified for appointment and placed upon a list of lateral transfer applicants, for a period not to exceed eighteen (18) months.
- v. Lateral transfer applicants that fail any written exam, interview, or background investigation will not be allowed to apply for consideration for appointment for a period of twelve (12) months.

**E. PREA:** The agency shall not hire or promote anyone who may have contact with inmates who:

- 1. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997).
- 2. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or

3. Has been civilly or administratively adjudicated to have engaged in the activity described in section 2 of this section.

**F. RIGHT OF REFUSAL:** The Commission may refuse to examine an applicant or, after examination to certify him as eligible if applicant:

1. Is found lacking in any of the established preliminary requirements for the position for which he or she applies.
2. Illegally uses controlled substances, or uses cannabis or alcoholic beverages to excess.
3. Has been convicted of a felony or any misdemeanor involving moral turpitude, or convicted of any offenses listed in the Illinois Police Training Act (50 ILCS 705/6(e))
4. Has been dismissed from any previous employment for good cause.
5. Has attempted to practice any deception or fraud at any point in his or her application.
6. Whose character and employment references are unsatisfactory.
7. For sufficient just cause.

**G. APPOINTMENT PROCEDURE:** The responsibilities of the Merit Commission include:

1. Preparing and posting in a prominent location in the Public Safety Center a list of all qualified applicants at the completion of each entry screening process. The name of each qualified applicant shall remain on the posted list for a period as indicated on the job posting notice not to exceed eighteen (18) months, or as designated by the Merit Commission.
2. Notifying all qualified applicants of their acceptance, and that they are being placed on the certified list of qualified applicants.
3. Nothing in these Rules shall diminish the authority of the Commission to certify for appointment at any time or promote individuals who possess prior law enforcement experience as authorized in 55 ILCS 5/3-8010 or 5/3-8011.
4. The Sheriff shall appoint individuals from the certified list or the lateral transfer applicant list provided by the Commission, and by statute, the Sheriff is free to appoint from either list without regard to final testing score or prior to appointment, the Sheriff shall conduct a background investigation, psychological and medical testing, and a polygraph exam that may disqualify candidates from appointment. In addition, the appointee is in good standing with ILETSB. The Sheriff shall notify the



Commission in writing when a candidate is so disqualified. A candidate who is so disqualified may appeal to the Commission, in writing, within thirty days of having received notice of disqualification.

**H. PROBATIONARY PERIOD:** All qualified applicants appointed by the Sheriff must successfully complete a probationary period. The length of the probationary period shall be as stipulated in the collective bargaining agreement that governs the position appointed. If no collective bargaining agreement exists for the appointed position, the probationary period shall be twelve months. During this probationary period these persons are subject to removal by the Sheriff as at-will employees. The Commission shall be notified by the Sheriff in writing whenever an individual is discharged during that individual's probationary period.

**I. CERTIFICATION OF TENURE:** After successfully completing the entire probationary period, the Commission shall certify the individual as being tenured as a Deputy Sheriff.

## **ARTICLE IV PROMOTION**

**A. PROMOTION:** To be eligible for promotion to the following ranks, an individual must have served continuously with the Kendall County Sheriff's Office for the minimum time period indicated for the particular rank sought, prior to taking the competitive examinations for that rank:

Sergeant – Corrections: Three years' service as Deputy Sheriff – Corrections  
Sergeant – Police Officer: Three years' service as Deputy Sheriff – Police Officer

1. In addition to the minimum standards denoted above, a candidate for promotion must:
  - a. File a formal application with the Commission
  - b. Successfully complete and pass any written, oral, or promotional examinations for said rank as prescribed by the Commission
  - c. Be adjudged by the Commission to be eligible for promotion and placed upon a list of persons certified as eligible for promotion.
  - d. Not be under suspension.
  - e. Not be on a leave of absence, except for military service.
  
2. All certified lists for promotions shall be valid for two years, or until the list is exhausted, whichever time period is shorter. If the list is no longer valid, the Commission will establish a new list when there is a need as determined by the Sheriff.
  
3. Whenever the Sheriff desires to fill a vacant rank under the jurisdiction and rules of merit system, the person selected shall be taken from the list of persons certified for promotion in accordance with Article IV of these Rules, Regulations and

Procedures. If the Sheriff rejects all persons so certified, the Sheriff shall state the reason for such refusal in writing to the Commission.

**B. PROBATIONARY PERIOD:** All qualified applicants appointed by the Sheriff must successfully complete a probationary period. The length of the probationary period shall be as stipulated in the collective bargaining agreement that governs the rank/position appointed. If no collective bargaining agreement exists for the appointed rank/position, the probationary period shall be six months. During this probationary period the promoted individual shall be subject to be returned to the individual's previously held tenured rank if, in the opinion of the Sheriff, the individual has failed to demonstrated the ability perform satisfactorily in the promoted rank. The Commission shall be notified by the Sheriff in writing whenever an individual returned to a previously held tenured rank during that individual's probationary period.

**C. CERTIFICATION OF TENURE:** After successfully completing the entire probationary period, the promoted individual shall be certified as tenured at the appropriate rank by the Commission.

Hereby adopted this:

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Shawn Flaherty Chairman,  
Kendall County Merit Commission

---

Date

---

Cara Brummel Secretary,  
Kendall County Merit Commission

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Date