

BYLAWS OF THE UNIVERSITY CIVIL SERVICE MERIT BOARD



Effective: November 10, 2022

State Universities Civil Service System

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ARTICLE I. INTRODUCTION

On January 1, 1952, the State of Illinois enacted the State Universities Civil Service Act (Act), which is presently codified in 110 ILCS 70/36b *et seq.*. As part of the Act, the State Universities Civil Service System (University System) was created as a separate entity of the State of Illinois, to be under the control of the University Civil Service Merit Board (Merit Board). The purpose of the University System is to establish a sound program of personnel administration for the Illinois Community College Board, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, University of Illinois, State Universities Civil Service System, State Universities Retirement System, Illinois Student Assistance Commission, and Illinois Board of Higher Education.

In accordance with the Act, the Merit Board is charged with making and publishing rules (80 Ill. Adm. Code 250) to carry out provisions of the Act, and establishing an effective merit program for the agencies and universities under its jurisdiction. These rules provide detailed procedures along a broad spectrum of human resource activities including examinations, eligible registers resulting from examinations, appointments (both status and nonstatus), probationary periods, reassignments and transfers, separations and demotions, and seniority. The Director, who also may be known as the Executive Director, and University System Office staff members are involved in the development, implementation, and maintenance of the rules and procedures, providing an appeal process for applicants, employees and employers, as well as hearing procedures in matters related to discharge and demotion. Furthermore, they are responsible for coordinating and implementing the entire merit program, which includes preparing and administering all examinations, conducting ongoing validation studies, making a continuous study of wage and salary programs of the universities, overseeing a responsible classification program, and conducting a continuous and ongoing audit program of both records and operational procedures at each university and affiliated agency. Finally, they are responsible for the technical functions essential to the effective administration of a merit program, including the development and presentation of training and workshop sessions for the university/agency human resource staff and members of various state universities advisory committees.

ARTICLE II. MEMBERS OF THE MERIT BOARD

Section I. Membership

In accordance with section 36c of the Act (110 ILCS 70/36c), the membership of the Merit Board shall be composed of 11 members, 3 of whom shall be members of the Board of Trustees of the University of Illinois, one of whom shall be a member of the Board of Trustees of Southern Illinois University, one of whom shall be a member of the Board of Trustees of Chicago State University, one of whom shall be a member of the Board of Trustees of Eastern Illinois University, one of whom shall be a member of the



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Board of Trustees of Governors State University, one of whom shall be a member of the Board of Trustees of Illinois State University, one of whom shall be a member of the Board of Trustees of Northeastern Illinois University, one of whom shall be a member of the Board of Trustees of Northern Illinois University, and one of whom shall be a member of the Board of Trustees of Western Illinois University. The members of the Merit Board shall be elected by the respective Boards in which they hold membership.

Section II. Powers and Duties of the Merit Board

In accordance with section 36d of the Act (110 ILCS 70/36d), the powers and duties of the Merit Board are determined as follows:

1. To approve a classification plan prepared under its direction, assigning to each class positions of substantially similar duties. The Merit Board shall have power to delegate to its Director the duty of assigning each position in the classified service to the appropriate class in the classification plan approved by the Merit Board.
2. To prescribe the duties of each class of positions and the qualifications required by employment in that class.
3. To prescribe the range of compensation for each class or to fix a single rate of compensation for employees in a particular class; and to establish other conditions of employment which an employer and employee representatives have agreed upon as fair and equitable. The Merit Board shall direct the payment of the "prevailing rate of wages" in those classifications in which, on January 1, 1952, any employer is paying such prevailing rate and in such other classes as the Merit Board may thereafter determine. "Prevailing rate of wages" as used herein shall be the wages paid generally in the locality in which the work is being performed to employees engaged in work of a similar character. Each employer covered by the University System shall be authorized to negotiate with representatives of employees to determine appropriate ranges or rates of compensation or other conditions of employment and may recommend to the Merit Board for establishment the rates or ranges or other conditions of employment which the employer and employee representatives have agreed upon as fair and equitable. Any rates or ranges established prior to January 1, 1952, and hereafter, shall not be changed except in accordance with the procedures herein provided.
4. To recommend to the institutions and agencies specified in Section 36e of the Act (110 ILCS 70/36e) standards for hours of work, holidays, sick leave, overtime compensation and vacation for the purpose of improving conditions of employment covered therein and for the purpose of insuring conformity with the prevailing rate principle.
5. To prescribe standards of examination for each class, the examinations to be related to the duties of such class. The Merit Board shall have power to delegate to the Director and his staff the



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preparation, conduct and grading of examinations. Examinations may be written, oral, by statement of training and experience, in the form of tests of knowledge, skill, capacity, intellect, aptitude; or, by any other method, which in the judgment of the Merit Board is reasonable and practical for any particular classification. Different examining procedures may be determined for the examinations in different classifications but all examinations in the same classification shall be uniform.

6. To authorize the continuous recruitment of personnel and to that end, to delegate to the Director and his staff the power and the duty to conduct open and continuous competitive examinations for all classifications of employment.
7. To cause to be established from the results of examinations registers for each class of positions in the classified service of the State Universities Civil Service System, of the persons who shall attain the minimum mark fixed by the Merit Board for the examination; and such persons shall take rank upon the registers as candidates in the order of the relative excellence as determined by examination, without reference to priority of time of examination.
8. To provide by its rules for promotions in the classified service. Vacancies shall be filled by promotion whenever practicable. For the purpose of this paragraph, advancement in class shall constitute a promotion.
9. To set a probationary period of employment of no less than 6 months and no longer than 12 months for each class of positions in the classification plan, the length of the probationary period for each class to be determined by the Director.
10. To provide by its rules for employment at regular rates of compensation of physically handicapped persons in positions in which the handicap does not prevent the individual from furnishing satisfactory service.
11. To make and publish rules, to carry out the purpose of the State Universities Civil Service System and for examination, appointments, transfers and removals and for maintaining and keeping records of the efficiency of officers and employees and groups of officers and employees in accordance with the provisions of Sections 36b to 36q of the Act (110 ILCS 70/36b and 36q), inclusive, and said Merit Board may from time to time make changes in such rules.
12. To appoint a Director and such assistants and other clerical and technical help as may be necessary to efficiently administer Sections 36b to 36q of the Act, inclusive. To authorize the Director to appoint a Designated Employee Representative (DER) at the place of employment of each employer specified in Section 36e of the Act and this DER may be authorized to give examinations and to certify names from the regional registers provided in Section 36k of the Act (110 ILCS 70/36k).



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13. To submit to the Governor of this State on or before November 1 of each year prior to the regular session of the General Assembly a report of the University System's business and an estimate of the amount of appropriation from state funds required for the purpose of administering the University System.

ARTICLE III. OFFICERS OF THE MERIT BOARD

Section I. Elections

The election of Officers of the Merit Board shall include a Chair and Vice Chair. The election shall be conducted on at least an annual basis and shall be placed on the agenda for the first meeting of each calendar year. Procedures for the election of officers shall be as follows:

1. Any member of the Merit Board may make a nomination for the officer position to be filled by a motion and a second. Nominations shall be completed by a motion and a second to close the nominations.
2. If only one candidate is nominated, the Chair may proceed to election by method of voice vote to attain an election by unanimous consent or acclamation.
3. If more than one candidate is nominated, the Chair shall proceed to election by any method of voting that would create a majority vote, such as roll call, ballot, or showing of hands.
4. When the vote has been taken, the Chair shall announce or declare the vote and election.
5. In the event that there is a vacancy in the Vice Chair for whatever reason, there shall be an election at the next meeting of the Merit Board to elect a Vice Chair.

Section II. Duties of Officers of the Merit Board

The duties of the Chair include:

1. Presiding over all Merit Board meetings, with full power to vote and discuss all matters before the Board.
2. Announcing the business before the Merit Board and to state and put to vote all questions that are so moved and to announce the result of the vote.



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3. Recognizing Merit Board members entitled to the floor and any other interested party that has been granted an appearance before the Board.
4. Expediting business and enforcing the observance of order and decorum.
5. Directing the Executive Director and Secretary for the Merit Board in the preparation of the meeting agenda.

The duties of the Vice Chair include performing the above duties in the absence of the Chair. If the Chair is unable to complete his/her entire term, the Vice Chair shall serve as Chair for the remainder of the term and until a new Chair is elected at the next regularly scheduled election.

ARTICLE IV. EXECUTIVE DIRECTOR

1. The Executive Director of the University System shall be appointed by the Merit Board and shall be directly responsible to the Merit Board for:
 - a. Operating and administering the University System in accordance with the Act and the Rules;
 - b. Operating and administering the University System budget and program administration;
 - c. Leading the University System to accomplish its mission and goals;
 - d. Consulting with the Merit Board in a timely manner on matters concerning policy and rule making, and other issues as needed that fall within the Merit Board's authority and jurisdiction;
 - e. Serving as the University System spokesperson; and
 - f. Executing documents on behalf of the Merit Board consistent with laws, regulations, and the best interest of the University System.
2. The Merit Board shall periodically evaluate the performance of the Executive Director and set specific employment conditions as may be required.



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ARTICLE V. SECRETARY FOR THE MERIT BOARD

The Merit Board shall appoint a Secretary for the Merit Board on an annual basis at the first meeting following the first of each calendar year and at any time there is a vacancy. The Secretary for the Merit Board shall be an employee of the University System. The duties of the Secretary for the Merit Board shall include:

1. Assisting the Merit Board in conducting Board meetings by
 - a. calling of the roll as provided in the voting procedures in accordance with Article VI, Section I herein;
 - b. recording the minutes of all Board meetings in accordance with Article VII, Section VII herein;
2. Preparing and signing correspondence and documents on behalf of the Merit Board or the Chair consistent with laws, regulations, and the best interest of the University System.
3. Keeping a record of all policies and resolutions approved by the Merit Board.
4. Performing other duties and functions as prescribed by the Merit Board.

ARTICLE VI. OPERATING PROCEDURES

Section I. Quorum and Voting Procedures

1. All quorum determinations and voting procedures of the Merit Board shall be held in accordance with the Open Meetings Act (5 ILCS 120/1 *et seq.*) and the Act.
2. A majority of the Merit Board members elected to the Merit Board by their respective university boards of trustees shall constitute a quorum. In the event that a university board of trustees fails to elect a representative or representatives to the Merit Board, then the quorum shall be determined based on the number of Merit Board members actually appointed by the respective universities.
3. A quorum must be physically present at the meeting locations of an open meeting.
4. A physical presence of a quorum may be established by counting those Merit Board members physically present at the primary location of an open meeting and by counting Merit Board members physically present at simultaneously held interactive video conferencing held at the primary location



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- of the open meeting and one or more locations in an open building, provided there is public notice and public access at each such location.
5. The Chair shall be counted in determining the presence of a physical quorum.
 6. Once a quorum has been established, the continued presence of a quorum is presumed to exist for the entire meeting. If the Chair or any other member notices that a quorum no longer exists, he/she should declare this fact before taking action on any matter.
 7. Once a quorum of Merit Board members are physically present at the meeting location(s) of an open meeting, a Merit Board member may attend and vote by other means, such as audio or video conference, provided the following conditions are met:
 - a. The Merit Board member wishing to participate by other non-physical means must have notified the Secretary for the Merit Board before the meeting, and indicate which of the following reasons is the basis for his/her inability to be physically present at the location of the meeting:
 - (i) personal illness or disability;
 - (ii) employment purposes or the business of the Merit Board; or
 - (iii) a family or other emergency.
 - b. The Chair shall announce at the beginning of each meeting which Merit Board members are on the telephone and attending by audio conference. A majority of Merit Board members physically present must approve such attendance, and state for the record which of the three statutory grounds set forth in the preceding paragraph is the basis for allowing attendance by other means.
 - c. The vote to allow attendance by other means shall be the first action item after roll call is taken.
 8. Each Merit Board member may participate in the discussion leading to the specific vote on any action item and he/she shall cast their own vote. Votes shall not be cast by proxy or in any other form except by direct personal participation.
 9. A majority vote of the members of the Merit Board in attendance shall be required to approve any action. An 'abstention vote' is considered a refusal to vote. In accordance with Robert's Rules of Order, an 'abstention vote' does not alter the mathematical calculation of a majority required to approve any action.
 10. Every motion or resolution adopted by the Merit Board shall be by determining the ayes and nays. A roll call vote shall be taken on any motion or resolution involving an action item. Every motion or



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resolution involving an action item shall be seconded. Other votes may be taken by voice vote unless a member of the Merit Board requests the matter to be voted on by call of the roll.

11. The voting order of Merit Board members shall be determined by the Merit Board member making the original motion, with that Merit Board member casting the first vote, and subsequent votes taken by calling of the roll in alphabetical order from the person first to vote.

Section II. Audio Conference Attendance

1. The telephone used for audio conferencing must provide a clear connection and be in a location with relatively no background noise.
2. The following guidelines will govern audio conference attendance and participation of Merit Board members at scheduled Merit Board meetings;
 - a. If the Merit Board member is not available at the start of the meeting, a phone number will be available for the Merit Board member to call. Any Merit Board member entering the audio conference after the start of the meeting must identify themselves.
 - b. Any Merit Board member who participates by audio conference must identify themselves and be recognized by the Chair before speaking.

Section III. Rules of Order

Meetings of the Merit Board shall be conducted in accordance with the bylaws stated herein, controlling statutes, regulations and laws. In the absence of the above mentioned, meetings shall be conducted in accordance with the current edition of Robert's Rules of Order, as interpreted and applied by the Chair.

Section IV. Order of Business

The agenda of regular meetings of the Merit Board shall include, but not limited to, the following: call to order and roll call; motion to allow alternate participation and attendance; approval of minutes; informational items such as report of the Executive Director and committees; public comments; items for action; discharge and demotion cases; and other items as presented. The order of business shall be determined during the preparation of the agenda for each meeting, but the Chair may revise the order of business during the meeting at his or her discretion.



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Section V. Filing Periods

If the last date for filing falls upon a weekend or legal holiday, the last date for filing is the first business day following such weekend or legal holiday.

Section VI. Public Participation before the Merit Board

The Merit Board recognizes a responsibility to hear the views of interested persons on topics directly related to areas within the Board's authority or jurisdiction under the Act. Each regular meeting of the Merit Board will include an opportunity, prior to the action items, for input at which time individual speakers will be permitted to address the Merit Board.

The following will govern public participation before the Merit Board:

1. The total time allotted for public comment per meeting shall be thirty (30) minutes. The Chair, with consent of a majority of the Merit Board members attending the meeting, may extend the time limitation for public comment.
2. The time allotted to any individual speaker shall be five (5) minutes.
3. When the number of requests to speak before the Merit Board exceeds the allotted time, the Merit Board will call speakers based on the order in which they submitted their requests for public participation, subject to the remainder of this paragraph. In case of numerous requests to address the same item, the Chair may ask speakers to select one or more representatives to speak on their behalf.
4. Speakers may be asked the topic that they wish to address so that the Board may, if it so chooses, permit public participation immediately prior to discussion of that topic, and to allow for the possibility of representative speakers if there are more speakers than time allows.
5. The Chair of the Merit Board shall determine any questions of appropriateness and relevancy. Interruptions or other interference with the orderly conduct of Merit Board business shall not be allowed. Remarks by any person addressing the Merit Board that reflect adversely upon the racial, religious, economic, or political views of any person, or the character or motives of any person, shall not be allowed and shall be considered out of order.
6. The Merit Board cannot vote on an item or issue raised by a speaker that is not part of the scheduled agenda. The Chair may refer any matter or issue raised by a speaker to the Executive Director or the Executive Committee for study and/or recommendation. If appropriate, the matter may be considered at a future meeting.



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Section VII. Oral Argument before the Merit Board

A party to any discharge or demotion case may request oral argument before the Merit Board. To do so, a party must file a request with the Secretary for the Merit Board with notice to opposing party within fourteen (14) days from the date of the postmark of the certified hearing record, in cases of discharge or demotion. The request must specifically state the issues and any relevant law that will be the subject of argument. Any party who requests oral argument in accordance with this section shall not also be allowed public participation under Section VI of this Article.

ARTICLE VII. MEETINGS

Section I. Open Meetings Act

All regular, special and emergency meetings of the Merit Board shall be held in accordance with the Open Meetings Act. All regular, special and emergency meetings of the Merit Board shall be open to the public, unless the Merit Board takes special action to go into closed session. A meeting for the purpose of this Act shall mean any gathering, whether in person or by audio or video conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the Merit Board members of a public body held for the purpose of discussing public business (5 ILCS 120/1.02).

E-mails should not be used to transmit messages concerning Merit Board business by and between a majority of a quorum of Merit Board members except for the communication of procedural matters such as: 1) requests for available dates and times for meetings, 2) meeting reminders, and 3) agenda materials. Generally, the mere dissemination of information by e-mail does not constitute a meeting and the passive receipt of e-mail does not automatically constitute a meeting. However, the active exchange of information and opinions through an e-mail or through forwarding of e-mails can constitute a meeting.

Section II. Location of Meetings

Unless an alternative location is approved by the Merit Board, meetings shall be held at:

State Universities Civil Service System
1717 Philo Rd. Suite 24,
Urbana, Illinois 61802-6099



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Additional video locations may also be established for each meeting of the Merit Board, in accordance with provisions contained in the Open Meetings Act.

Section III. Regular Meetings

1. The Merit Board shall convene at least three (3) times per calendar year. At the last meeting in the calendar year the Merit Board shall determine the meeting dates for the next calendar year.
2. At the beginning of each calendar year, the Merit Board shall have prepared and made available a schedule of all its regular meetings for that calendar year, listing the dates, times and places of the meetings. Public notice shall be given by posting the schedule outside of the University System Office and on University System website. The schedule of all regular meetings for that calendar year shall remain on the University System website until all of the regular meetings have been concluded and a new public notice of a schedule of public meetings is approved and posted. Also, notice shall be given to any news medium which has filed an annual request for notice (5 ILCS 120/2.02(a) and (b)).
3. An agenda for each regular meeting shall be posted 48 hours in advance of each meeting outside of the University System Office and on the University System website. The agenda for a regular meeting shall remain posted on the University System website until the regular meeting is concluded (5 ILCS 120/2.02(a)).
4. If a permanent change is made to regular meeting dates, at least 10 days' notice of such change shall be given in the same way as specified in posting the original schedule as provided in paragraph two of this section and shall be posted on the University System website. Also, notice of the change shall be included in the local newspaper (5 ILCS 120/2.03).
5. Within 30 days before the date of a regular meeting the Merit Board members shall be given a written or electronic notice containing the date, time and place of meeting. The notice shall be sent to each member of the Merit Board at the address provided by the Merit Board member.
6. Within five (5) days before the date of a regular meeting the Merit Board members shall be sent a written or electronic copy of the meeting agenda and other related material. The materials shall be sent to each member of the Merit Board at the address provided by the Merit Board member.

Section IV. Rescheduled and Reconvened Meetings

1. Notice of a rescheduled or reconvened meeting shall be given at least 48 hours in advance of the meeting listing the date, time and place of the meeting. The agenda of the rescheduled or



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reconvened meeting shall be included in the notice. Public notice shall be given by posting a copy of the notice outside of the University System Office and on the University System website. Notice of a rescheduled or reconvened meeting shall remain posted on the University System website until the rescheduled or reconvened meeting is concluded. Also, notice shall be given to any news medium which has filed an annual request for notice.

2. Notice of a reconvened meeting shall not be required if:
 - a. The meeting was open to the public and reconvened within 24 hours; or
 - b. The reconvened meeting was announced at the original meeting open to the public and there was no change in the agenda (5 ILCS 120/2.02(a) and (b)).

Section V. Special and Emergency Meetings

1. Upon the call of the Chair or upon the request of one-third of the Merit Board members, a special meeting may be held to conduct Merit Board business.
2. Notice of a special meeting shall be given at least 48 hours before such meeting. The agenda of the special meeting shall be included with the public notice. The written notice shall include date, time, place and purpose of the special meeting. Public notice shall be given by posting a copy of the notice outside of the University System Office and on the University System website. Notice of a special meeting shall remain posted on the University System website until the special meeting is concluded. Also, notice shall be given to any news medium which has filed an annual request for notice (5 ILCS 120/2.02(a) and (b)).
3. During special meetings, the Merit Board shall consider only those matters on the agenda for the special meeting (5 ILCS 120/2.02(a)).
4. Emergency meetings may be held in the event of a *bona fide* emergency. Notice of an emergency meeting shall be given as soon as is practical. The written notice shall include date, time, place and purpose of the emergency meeting. Public notice shall be given by posting a copy of the notice outside of the University System Office and on the University System website. Notice of an emergency meeting shall remain posted on the University System website until the emergency meeting is concluded. Also, notice shall be given to any news medium which has filed an annual request for notice (5 ILCS 120/2.02(a) and (b)).
5. During emergency meetings, the Merit Board shall consider only those matters directly related to the purpose of calling the emergency meeting (5 ILCS 120/2.02(a)).



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Section VI. Closed Meetings

1. In accordance with section 2(c) of the Open Meetings Act (5 ILCS 120/2(c)), closed meetings may be held by the Merit Board to consider the following matters:
 - a. The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Merit Board, or legal counsel for the Merit Board, including hearing testimony on a complaint lodged against an employee of the Merit Board or against legal counsel for the Merit Board to determine its validity (5 ILCS 120/2(c)(1)).
 - b. Deliberations concerning salary schedules for one or more classes of employees (5 ILCS 120/2(c)(2)).
 - c. Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, if the Merit Board acts as a quasi-adjudicative body, as defined in this Act, provided that the Merit Board prepares and makes available for public inspection a written decision setting forth its determinative reasoning (5 ILCS 120/2(c)(4)).
 - d. Litigation, when an action against, affecting or on behalf of the Merit Board has been filed and is pending before a court or administrative tribunal, or when the Merit Board finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting (5 ILCS 120/2(c)(11)).
 - e. Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the Merit Board of the minutes or semi-annual review of the minutes as mandated by Section 2.06 of the Open Meetings Act (5 ILCS 120/2(c)(21)).
 - f. Any other matters as expressly authorized or required by State statute.
2. A meeting may be closed, or a closed meeting held at a specified date, upon presentation of a motion by a member of the Merit Board at an open meeting for which notice has been given and passed by a majority vote of a quorum present. The motion to close a meeting, or a portion thereof, shall cite the exception to the requirement of an open meeting listed in section 2(c) of the Open Meetings Act (5 ILCS 120/2(c)). The vote of each Merit Board member shall be taken by roll call, shall be publicly disclosed, and shall be recorded and entered into the minutes. A single vote may be taken with respect to a series of closed meetings as long as each meeting in the series involves the same particular matter and is scheduled to be held within three months of the vote (5 ILCS 120/2a).



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3. Additional notice shall not be required prior to holding a closed meeting when such a meeting is part of an open meeting for which proper notice was given (5 ILCS 120/2a).
4. Discussion in a closed meeting shall be limited to the matter covered by the exception specified in the vote to close the meeting (5 ILCS 120/2a).
5. The Merit Board shall not take any final action in a closed meeting. Final action shall be taken at an open meeting and preceded by a public recital of the nature of the matter being considered and other information that will inform the public of the business being conducted (5 ILCS 120/2(e)).

Section VII. Minutes

1. A record shall be taken at regular, special, emergency and closed meetings and shall include, at least, the date, time and place of the meeting; the Merit Board members present or absent and whether they were physically present or present by means of audio or video conference and a summary of the discussion on all matters proposed, deliberated or decided, and a record of any votes taken (5 ILCS 120/2.06).
2. The Secretary for the Merit Board shall take and record the roll of Merit Board members present at all regular, special, emergency and closed meetings; record the minutes of these meetings; record the votes for all motions for which roll call is taken; and perform such duties as assigned. Audio recordings of all meetings may be utilized to assist in the preparation of the written record. In these instances, such audio recordings will be managed in accordance with the Open Meetings Act.
3. All minutes shall be approved by action of the Merit Board and signed by the Chair and Secretary for the Merit Board. The minutes shall be prepared and submitted in draft form to the members of the Merit Board in advance of the Merit Board meeting at which the minutes shall be reviewed.
4. Minutes of an open meeting shall be made available for public inspection within seven (7) days of Merit Board approval. Also, minutes of an open meeting shall be posted on the University System website within seven (7) days of the Merit Board's approval and shall remain posted for at least 60 days after their initial posting (5 ILCS 120/2.06(b)). Audio recordings of open meetings shall be destroyed upon formal approval of the minutes of that open meeting.
5. A verbatim record in the form of an audio or video recording shall be made of all closed meetings (5 ILCS 120/2.06 (a)).
6. Closed meeting recordings may be destroyed after 18 months if the Merit Board approves:
 - a. the closed meeting minutes of that meeting; and



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- b. the destruction of the particular recording (5 ILCS 120/2.06(c)).
7. Minutes and recordings of closed meetings shall be made available for public inspection only after a determination that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential. The Merit Board shall review closed meeting minutes every six (6) months to determine whether a need for confidentiality exists with regard to all or part of the minutes. Such determination shall be made and reported in an open meeting (5 ILCS 120/2.06(c)).

ARTICLE VIII. COMMITTEES

Section I. Election of Officers of the Executive Committee

The Executive Committee shall consist of two (2) Merit Board members in addition to the Chair and Vice Chair of the Merit Board. The election shall be conducted on an annual basis and placed on the agenda for the first meeting of each calendar year, and, in the event that one or more of the Executive Committee is no longer on the Merit Board, at the next meeting of the Merit Board. Procedures for the election of the Executive Committee shall be the same as stated in Article III, Section I, concerning the Election of Officers of the Merit Board.

Section II. Duties of the Executive Committee

1. The Executive Committee shall have all the powers of the Merit Board, except as limited in these Bylaws, or as limited by an affirmative vote of a majority of a quorum of the full Merit Board vote taken at a duly-noticed meeting expressly limiting the powers of the Executive Committee.
2. Three members of the Executive Committee shall constitute a quorum. An affirmative vote of three members of the Executive Committee shall be needed to take any action.
3. All meetings of the Executive Committee shall be held in accordance with the Open Meetings Act (5 ILCS 120/1 et seq.) and the Act.
4. The Executive Committee's acts shall not conflict with action taken by the Merit Board. Regardless of any public notice, the Merit Board Chair shall provide the Merit Board written notice of any proposed actions that, if adopted, will constitute a final determination no less than three (3) business days prior to the meeting date with a description of any and all items being considered for final determination. If circumstances dictate that notice cannot be provided within three (3) business days, notice shall be provided as soon as practicable.



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5. The Executive Committee shall meet between regularly scheduled Merit Board meetings as directed by the Merit Board.
6. The Executive Committee shall act on behalf of the Merit Board when a quorum of the full Merit Board is unable to meet, including but not limited to the circumstance in which there is an absence of a quorum of the full Merit Board at a previously scheduled meeting, and all of the members of the Executive Committee are present. In that event, any Merit Board member in attendance who is not a member of the Executive Committee may participate in discussion, but may not vote or make motions.
7. If, following the Merit Board Chair's notice, two (2) or more members of the Merit Board object to a matter being considered by the Executive Committee for final determination, any action on the matter shall be postponed until it can be added to the agenda of a meeting of the full Board. Members of the Merit Board issuing such objection must do so in written form no later than twenty-four (24) hours prior to the planned start of the meeting, addressed to the Merit Board Chair and the Board Liaison. An objection may be retracted in written form any time prior to the start of the meeting. If objections render the meeting of the Executive Committee no longer necessary, the Merit Board Chair shall notify the Merit Board that the meeting has been cancelled. The ability of Merit Board members to object to consideration of matters by the Executive Committee shall only apply to matters being considered by the Executive Committee for final determination.
8. The Executive Committee may not take action on the following:
 - a. Any discharge matter before the Merit Board, unless the Merit Board has specifically voted to authorize the Executive Committee to take such action.
 - b. The discipline, hiring, or discharge or other termination of the Legal Counsel or the Executive Director.
9. Actions by the Executive Committee shall be reported to the full Merit Board within two calendar days of the action taken or at the next Merit Board meeting, whichever occurs first. All actions taken by the Executive Committee shall be entered into the minutes of the meeting of the full Merit Board where the Executive Committee action was reported.

ARTICLE IX. AMENDMENT, SUSPENSION AND REPEAL OF BYLAWS

These bylaws, except for those set forth in Article VI or required by the Open Meetings Act may be amended, suspended, or repealed at any regular meeting of the Merit Board by a majority vote of a



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quorum present. These bylaws are intended to be supplemental to the applicable statutes and not in conflict.