

15th. All personal days so converted must be used during the succeeding calendar year in accordance with Section 12.4.

9.5 Computation of Vacation Entitled Upon Separation from Service

When an officer who is a member of the bargaining unit covered under the terms of this Agreement quits, retires or dies, he or his beneficiaries, if any, shall be entitled to compensation for all accrued vacation days earned. This compensation shall be paid according to the current practice of the parties taking into consideration the vacation benefits under this Agreement.

ARTICLE X

SENIORITY

10.1 Definition of Seniority

(A) For the general purpose of this Agreement, departmental seniority shall be the accumulation of continuous paid service with City of Springfield commencing on the date of original appointment thereto.

(B) In all cases of civil service rank of sergeant or above, seniority shall be determined by date of appointment to such rank. If more than one person is appointed on the same day, the person occupying the higher position on the Civil Service appointment list shall have the greater seniority.

(C) Seniority for officers assigned to the Criminal Investigations Division shall be calculated based on the officer's most recent appointment to the position of Detective regardless of the Division, Section, or Unit of assignment when appointed.

(D) Seniority for officers assigned to the Criminal Investigations Division shall be calculated based on the officer's most recent appointment to the position of Evidence Technician regardless of the Division, Section, or Unit of assignment when appointed.

(E) Except as otherwise provided herein seniority for promotion and other purposes is within the control and jurisdiction of the Civil Service Commission.

10.2 Computation of Seniority

Consistent with any applicable Civil Service rules, the computation of seniority shall be subject to the following:

- (A) Continuous paid service shall include vacations, leave of absence with pay and military service honorably completed.
- (B) In the event an officer accepts a line of duty disability pension which is later terminated and the officer later is allowed to return to active duty with the Department, he shall be entitled to his seniority during the period of line of duty disability.
- (C) A disciplinary suspension shall not interrupt seniority except that an officer who accrues in excess of thirty (30) days of suspension during his employment with the Employer shall have his seniority reduced by the number of suspension days which accumulate in excess of thirty (30).

10.3 Termination of Seniority

- (A) Consistent with the currently applicable rules and regulations of the Civil Service Commission, seniority and the employment relationship shall be terminated when an officer: (1) quits, or (2) is discharged consistent with the terms of this Agreement, or (3) retires or is retired, or (4) is laid off and fails to report to work within fourteen (14) calendar days after having been recalled; provided, further, that the officer must have notified the Employer of his intention to return within five (5) calendar days after receiving the notice of recall. All notices are to be by certified mail. The Employer may at its discretion grant additional time to return to work, or (5) does not report to work at his scheduled time for his second scheduled work day after the termination of an authorized leave of absence, or (6) is absent for two (2) consecutive work days without notifying the Employer in accordance with Department procedure.
- (B) Service and seniority broken under subsections (A)(5) and (6) above may be reestablished if the officer can show that extenuating circumstances prevented his timely return or notification of absence.

10.4 Seniority List

(A) The Employer shall maintain a seniority list of officers covered by the terms of this Agreement. The list shall be updated by the Employer on October 31st and May 31st of each year. The list shall be posted on the Department bulletin boards and a copy forwarded to the PBPA Secretary within ten (10) calendar days of compilation.

(B) When new officers are hired or other changes to seniority occur, the Employer will re-post the seniority list in accordance with the provisions of paragraph (A) above.

(C) An officer objecting to his numerical placement on the seniority list will forward an objection in writing stating his reasons within fourteen (14) days of the date of posting. The written objection will be filed with the Deputy Chief of Administrative Services. If an officer does not file an objection, the list shall stand approved as posted.

10.5 Probationary Officers

(A) Each newly hired officer shall be considered a probationary officer for the first twelve (12) months of continuous service, after which his seniority shall date back to his date of hire with the Employer. However, such probationary period may be extended, on a day-for-day basis, by the Employer for a further period not to exceed ninety (90) days under the following circumstances: failure to commence training at an approved State of Illinois Police Officer training facility to be calculated from the date of appointment to the commencement of such training; or illness, injury, or other authorized leaves of absence exceeding thirty (30) days; or an extension of any portion of the field training program.

(B) There shall be no contractual seniority among probationary officers, and they may be discharged or otherwise terminated without recourse at the sole discretion of the Employer in compliance with applicable Civil Service Rules and Regulations which may be in effect from time to time and in compliance with all other applicable law.

10.6 Probationary Sergeants

Each newly promoted sergeant will undergo the statutory six (6) months of probation, training and orientation during which time the salary as provided in Appendices A & B shall be paid. Upon successful completion of the probationary period, the individual's salary will increase to that provided for sergeants in Appendices A and B.

ARTICLE XI

LAYOFF AND RECALL

11.1 Layoffs

In the event a reduction of officers covered by the terms of this Agreement becomes necessary, such reduction may occur only for a bona fide lack of funds or a bona fide anticipated lack of funds. Layoffs, in such event, shall not occur prior to sixty (60) days before the date of the anticipated lack of funds. In accordance with the provisions of the Illinois Compiled Statutes as they pertain to layoff, officers with the least departmental seniority shall be laid off first. If a reduction of rank of certain officers is necessary in such a layoff, officers in the affected classification with the least seniority shall displace the least senior officer in the next lower rated classification. An officer not eligible to be placed under the provisions of the preceding sentence shall be laid off. For purposes of determining which officers will be reduced from one such classification to another in the event of an economic layoff, seniority shall be determined by time spent in that rank or position and not departmental seniority.

11.2 Recall Procedures

Officers who are laid off shall have their names placed on the appropriate reemployment list in the reverse order of dates of layoff. Officers who are laid off shall remain on the recall list for a period of thirty-six (36) months, at which time their names will be removed from said list. Probationary officers and those officers on leaves of absence shall be included in any layoff in accordance with the foregoing.