

ORDINANCE NO. 007-102

AN ORDINANCE REPEALING
ORDINANCE NO. 005-31 AND
AUTHORIZING THE PRESIDENT TO
DESIGNATE EXEMPT AT-WILL
POSITIONS

WHEREAS, The Chicago Transit Authority ("Authority") is established pursuant to the Metropolitan Transit Authority Act, 70 ILCS 3605; and

WHEREAS, Section 28 of the Metropolitan Transit Authority Act ("Section 28") states that the Board shall classify the offices, positions and grades of employment required by the Authority; and

WHEREAS, Section 28 further requires that the Board designate no more than 3% of the Authority's employment as having the status of exempt at-will employment; and

WHEREAS, Under Section 28, exempt employment will not include any employees who are represented by a labor organization that has a labor agreement with the Authority; and

WHEREAS, The following officers are appointed by the Board and not considered under Section 28 to be positions in employment: the Chairman of the Board, the President, the Inspector General, Board Secretary, Treasurer, General Counsel and Chief Engineer ; and

WHEREAS, On March 9, 2005, the Transit Board enacted Ordinance No. 005-31, designating certain offices, positions and grades of employment as exempt and at-will, and repealed Ordinance Nos. 97-145, dated December 1997, and 98-20, dated February 20, 1998, which had made the initial designations; and

WHEREAS, Ordinance No. 005-31 requires that staff review the list of offices, positions and grades of employment deemed to be exempt and at-will, and to provide recommendations for changes to the Board; and

WHEREAS, The practical needs of the Authority require that the exempt, at-will list be adjusted more frequently in response to position changes; and

WHEREAS, Staff recommends that the President be delegated the authority, with approval of the General Counsel, and maintain and to change the exempt at-will list, and to certify to the Board on an annual basis that the list does not exceed 3% of employment; now, therefore:

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BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. Ordinance No. 005-31, designating certain offices, positions and grades of employment as exempt and at-will, is hereby repealed.

SECTION 2. The Chicago Transit Board hereby authorizes the President to establish, upon approval by the General Counsel, the list of exempt at-will positions within the limits specified under the Metropolitan Transit Authority Act, except that the President may not change the status of those positions that report directly to the Board or the Inspector General.

SECTION 3. The following Board-appointed officer positions shall not be considered for purposes of the at-will list: Chairman of the Board, President, Inspector General, Board Secretary, Treasurer, General Counsel and Chief Engineer.

SECTION 4. The President, or his designee, is authorized to make changes to the offices, positions, and grades of employment deemed to be exempt and at-will, after approval by the General Counsel. Further, the President shall certify to the Transit Board on an annual basis that the list of exempt, at-will positions does not exceed 3% of the Authority's employment, and that discrimination based upon race, gender, national origin, religion, sexual orientation, disability or marital status has not determined the selection of individuals for the at-will positions.

SECTION 5. The President, or his designee, shall disseminate the at-will list and make it available to the Board upon request.

SECTION 6. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

Assistant Secretary

September 12, 2007

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