

ORDINANCE NO. 015-81

AN ORDINANCE AMENDING  
ORDINANCE 005-201 AND  
RESTATING THE AUTHORITY'S  
RESIDENCY REQUIREMENT

WHEREAS, On March 11, 1998, in Ordinance 98-31, the Chicago Transit Board enacted a residency requirement that new Authority employees who were not members of labor organizations which had collective bargaining agreements with the Authority reside within the metropolitan area of Cook County as defined in 70 ILCS 3605/2 as of the date they begin employment with the Authority; and

WHEREAS, In Ordinance 004-124, the Chicago Transit Board adopted a six-month grace period for members of labor unions who move into positions not covered by a collective bargaining agreement to relocate to the residency area, with a one-year extension to be granted by the President upon good cause shown and, in Ordinance 005-201, the same grace period was extended to Authority employees hired after December 14, 2005 who were subject to the residency requirement; and

WHEREAS, The residency requirement still does not apply to the majority of the Authority's employees because they are members of labor organizations with collective bargaining agreements with the Authority and that requirement has not been negotiated as part of a collective bargaining agreement; and

WHEREAS, The residency requirement has impeded the Authority's ability in some circumstances to promote qualified candidates who are members of labor unions insofar as accepting a promotion into a position not covered by a collective bargaining agreement requires the candidate, if not living within the residency area, to move into the residency area and, in other instances, has created an extreme hardship for new employee compliance; and

WHEREAS, The Chicago Transit Board believes the Authority would benefit if the residency requirement is amended to eliminate the residency requirement for members of labor unions who move into positions not covered by a collective bargaining agreement and to permit additional time extensions or a waiver of the residency requirement in cases of extreme hardship; now, therefore:

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

Ordinance 005-201 is amended to read as follows:

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SECTION 1. (a) From March 11, 1998, and thereafter, all CTA employees who are not members of labor organizations that have collective bargaining agreements with the Authority shall have their residence within the metropolitan area of Cook County as defined in 70 ILCS 3605/2 ("residency area").

(b) From March 11, 1998, and thereafter, all CTA employees who are not members of labor organizations that have collective bargaining agreements with the Authority and who live within the residency area must continue to reside in the residency area so long as they are employed by the CTA.

(c) This residency requirement shall not apply to CTA employees who are not members of labor organizations that have collective bargaining agreements with the Authority and who on March 11, 1998, resided outside of the residency area.

(d) CTA employees who are not members of labor organizations that have collective bargaining agreements with the Authority and who live within the residency area, but who, on March 11, 1998, are in the process of moving their residence outside of the residency area, shall be entitled to a waiver of the residency requirement as set out in subsection (c), provided that they file an application for such waiver within 90 days from March 11, 1998.

(e) Any person newly hired as a CTA employee after December 14, 2005, whose position is subject to this ordinance ~~and any CTA employee who is a member of a labor organization that has a collective bargaining agreement with the Authority who moves into a position not subject to a collective bargaining agreement~~ must live in the residency area within six months of starting work in the new position. A one-year extension of this requirement may be granted by the President upon good cause shown. A request for the one-year extension shall be filed by the employee with the Board Secretary prior to the expiration of the original six-month period. In cases of demonstrated extreme hardship and upon an employee's request before the expiration of a one-year extension granted for good cause, the President may, with the approval of the Chairman, grant a further extension and/or waiver of the residency requirement.

~~(f) This residency requirement shall not apply to any CTA employee who: (i) on March 11, 1998, was both an employee of CTA and a member of a labor organization subject to a collective bargaining agreement with CTA; and (ii) after March 11, 1998, but prior to September 22, 2004 (the effective date of Ordinance 004-124), moved into a position not subject to a collective bargaining agreement with CTA; and (iii) prior to the effective date of Ordinance 004-124, through CTA residency surveys or other writing, advised CTA that he/she did not live in the residency area.~~

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~~(g) Unless otherwise stated herein, this ordinance shall apply to any employee who is a member of a labor organization subject to a collective bargaining agreement with the CTA and who, on or after the date of this ordinance, moves into a position not subject to a collective bargaining agreement as a result of any personnel action.~~

(f) Summer employees and temporary interns employed by the CTA are not required to reside in the residency area during the term of their employment/internship.

~~(i) Toward the end that CTA employees shall reside within the residency area, the President is hereby directed to commence negotiations with the bargaining unit representatives of the CTA's unionized employees with respect to the implementation of a residency requirement covering unionized CTA employees.~~

(g) "Residence" shall be defined to be the actual domicile of the individual. An individual can have only one domicile.

(h) An employee's failure to reside within the residency area shall be considered cause which is detrimental to the service and grounds for discharge.

(i) The President is directed to put in place policies and procedures designed to implement the residency requirement as set forth in this ordinance.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

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Chairman

July 15, 2015

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Assistant Secretary

July 15, 2015