CIVIL SERVICE
RULES AND REGULATIONS

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RULES AND REGULATIONS
CIVIL SERVICE COMMISSION
OF THE
CITY OF GAHANNA, OHIO

RULE 1
DEFINITIONS OF TERMS

The several terms herein specified whenever used in the Rules and Regulations of the Gahanna Civil Service Commission or in the Administration of the Civil Service Laws shall be construed as follows:

Section 1.01 **Applicant** refers to an individual who formally applies for a position utilizing the City of Gahanna's defined application process.

Section 1.02 **Appointing Authority** refers to the person having the power of appointment or removal from positions in the classified service**.**

Section 1.03 **Candidate** refers to an individual who has expressed an interest in the position, but is not yet an applicant.

Section 1.04 **City** shall refer to the City of Gahanna, Ohio.

Section 1.05 **Civil Service** refers to and includes all officers and positions of trust or employment in the service of the City of Gahanna.

Section 1.06 **Classification** shall refer to the arrangement of positions into classes including grades. Positions shall be classified in accordance with the duties and responsibilities of the position.

Section 1.07 **Classified Service** shall comprise all persons in the employ of the City, not specifically included in the unclassified service.

Section 1.08 **Commission** refers to the Civil Service Commission of the City of Gahanna.

Section 1.09 **Department Head** refers to the person having the supervisory power for day to day operations of a City department.

Section 1.10 **Employee** shall signify any person holding a position subject to appointment, removal, promotion or reduction by an appointing authority.

Section 1.11 **Examination** is a test to demonstrate a person's skills, knowledge and ability.

Section 1.12 Internal Candidates. Those candidates already employed by the City in a Civil Service position.

Section 1.13 Position when used by itself shall refer to any employment or job calling for the performance of certain duties, and for the exercise of certain responsibilities of the position.

Section 1.14 Probationary Period. All probationary periods shall, unless otherwise provided by labor contract, be uniform in all classes and shall be for a period of one hundred eighty (180) days. Probationary appointments are subject to removal without cause during the probationary period. Probationary Period is that period of time set by contract or ordinance in which a classified employee may be terminated or removed without cause.

Section 1.15 Reallocate. To distribute and redistribute by a plan; allot; assign.

Section 1.16 Reclassify. To arrange or group; to place in a category; to put like civil service positions together.

Section 1.17 Unclassified Service shall comprise those positions set forth in Charter Article XIII, Section 13.03, Classified and Unclassified Service, of the City of Gahanna.

RULE 2
ADMINISTRATION

Section 2.01 **Powers & Duties.** The Civil Service Commission shall have the jurisdiction derived from Article XIII of the Charter, and the power, and duty to hear and decide appeals/grievances from Administrative determinations pursuant to the provisions of the Civil Service Rules and Regulations as enacted by Council and the codified ordinances. The Commission shall have such other powers, duties, and functions as provided by ordinance and in accordance with applicable Collective Bargaining Agreements. The City may, from time to time, contract with other public entities.

Section 2.02 **Employee Records.** The Human Resources Department shall maintain an official roster of all classified employees of the City.

RULE 3
POSITION CLASSIFICATION

Section 3.01 **Classified Service**. All employees in the service of the city, except those in the unclassified service which are exempt by ARTICLE XIII, Section 13.03 of the Charter, shall be included in the classified service. The provisions of the Civil Service Rules shall be applicable to only classified employees and are subject to a labor agreement signed by the City.

Section 3.02 **Classification Plan**. A classification plan for the employees in the classified service shall be maintained by the Human Resources Department, which plan shall provide for the standardization and classification of all positions and employment in the classified service. All of the positions in the classified service shall be so grouped and arranged that each class shall consist of those positions so similar in respect to the duties, responsibilities and authority that the same descriptive title may be used to designate each position allocated in the class. Each position within a class shall require similar requirements as to education, experience, knowledge, proficiency, ability and other necessary qualifications.

Section 3.03 **Establishment of New Positions**. Whenever a Department Head desires to establish a new position in the classified service, he shall present a statement of the proposed duties and responsibilities of such position, the conditions which made its establishment necessary, the qualifications which should be required and recommendations for title and rates of compensation. After review and approval by the Mayor, the Human Resources Department and the Department Head shall bring forth to Council a request to create the position.

Section 3.04 **Reclassification of Existing Positions.** If the duties of an existing classified position are changed so that in effect the position no longer exists and it becomes necessary to create a new position to correspond to the current duties, the appointing authority and the Human Resources Director shall bring forth to Council a request to reclassify the position. This request shall include a full statement of circumstances and a description of the duties and changes.

Any changes made to positions during the collective bargaining process are final once the labor contract is approved by Council and the bargaining unit.

Section 3.05 **Enforcement**. Each Department Head is responsible for maintaining the integrity of the classification plan.

RULE 4
HIRING AND PROMOTIONAL PROCESS

Section 4.01 **General Requirements.** All positions within the classified service, except those addressed in Rule 13 and Rule 14, are subject to the application and examination provisions of these Rules. When no written or practical test is available for a position, one and/or both of the following methods or procedures, in lieu of said written examination shall be used:

a. A practical or performance examination, and/or;

b. Process of evaluating experience, based on information in the application.

The Human Resources Department shall establish a ranking of applicants which shall be known as the eligibility list.

If the Director of Human Resources concludes that an appropriate written examination is available through a non-City administered testing facility, the selection process for candidates may begin through this non-City administered testing process. In these instances candidates who take the examination at the non-City administered testing facility will then be notified via email to apply with the City during a specified time period designated by the Director of Human Resources. Candidates who have taken the examination at a non-City administered testing facility will not be considered applicants subject to appeal rights referenced in Rule 11 until their application has been received within the designated timeframe. Therefore, all challenges of the non-City administered written examinations must be made to the non-City testing facility.

Section 4.02 **Applications**. Except as otherwise specifically provided for by law or by the Civil Service Rules and Regulations, all applicants must:

a. File an application with the Human Resources Department by the specified time.

b. Pay the filing fee established by the City. This fee to the City of Gahanna is waived for applicants who have already taken the required examination in this eligibility period through a non-City administered testing facility.

c. Meet the minimum requirements as stated in the job posting.

d. General. Applicants for any class of position may be required to submit evidence that they possess the minimum qualifications set forth in the specifications for the class. A certificate, license or other evidence of competency may be required.

e. Proof of Age. Applicants may be required to meet minimum age requirements.

f. Acceptance of Applications. The Department of Human Resources shall review all applications for completeness. No changes may be made to the application once it has been certified and submitted by the applicant. Human Resources may allow an application to be reactivated but the applicant must make any changes and re-certify their application. The Director of Human Resources may, for sufficient cause, reject an application prior to the date of the examination or the posting deadline date for which it is submitted. In all cases of rejection an applicant shall be notified of the rejection. Upon rejection of an application any applicant shall have an opportunity to show cause to the Commission why the application should not have been rejected. The applicant shall submit his/her objection to the Civil Service Commission within seven (7) business days following notification of the rejection of the application. Any one of the following may be sufficient cause for rejecting an application:

1. Does not meet the minimum qualifications set forth in the job posting.

2. Has been convicted of a felony in the last ten (10) years.

3. Has made false statement of any material fact or practiced, or attempted to practice, any deception or fraud in the application.

4. Any other just and reasonable cause.

Section 4.03 **Internal Only Postings.** The Director of Human Resources may request of the Civil Service Commission permission to allow an internal only posting of a position if qualified applicants exist within the current employment of the City. Such approval by the Civil Service Commission shall not preclude the Director of Human Resources from seeking external candidates for the competitive application process if such additional application process would be beneficial.

Section 4.04 **Examinations**. In all cases where an examination is being administered under City auspices, the Director of Human Resources shall be the examining authority for hiring and promotional examinations in the classified service. The Director of Human Resources shall designate the dates, time and place of each examination. The Director of Human Resources or

designee shall prescribe the subjects of each examination and the relative weights to be attached thereto.

a. Entrance Examinations shall be practical in character, and shall relate directly to those matters which fairly test the relative capacity of the person examined to perform the particular duties of the position for which appointment is sought.

b. Original Appointment Examination. A competitive examination shall require applicants for positions and places in the classified service to report to a designated place at a designated time to participate in examinations prescribed and administered under the direction of the Director of Human Resources.

c. Promotional Examination. Notice of competitive promotional examinations shall be emailed and posted on bulletin boards in conspicuous places in the department whose employees may be qualified. Such notice shall be given not less than two (2) weeks prior to the examination or filing deadline. Vacancies in the classified service shall be filled by promotion of permanently appointed classified employees in all cases where it is for the best interest of the service. Promotional examinations shall be held, unless there are fewer than three (3) people eligible to take the examination; in that case the testing procedure shall be waived. Promotional examinations shall be practical in character, and shall relate directly to those matters which fairly test the relative capacity of the person examined to perform the particular duties of the position for which promotion is sought. Promotional examinations shall consist of one of the following or combination of the following:

   Oral Interview or Examination, Practical or Performance Examination.

d. Postponement and Cancellation. The Director of Human Resources shall have the right to postpone or cancel any examination. A copy of the notice of cancellation or postponement shall be posted in City Hall, posted on the City's website and notification made to all applicants.

Section 4.05 **Eligibility**. When promotional examinations are held, they shall be limited to employees who shall be permanently appointed, shall have served not less than a total of twelve (12) months after permanent appointment and whose most recent performance appraisal shall have been satisfactory. As far as practicable, promotions shall be made from the next lower class.

Section 4.06 **Conduct of Examinations**. All examinations administered under City auspices shall be conducted under the direction of the Director of Human Resources and at least one (1) City employee.

a. Time. The limit of time prescribed for each part of the examination shall appear in the general instructions and shall also be announced at the beginning of the examination.

b. Admittance. Any person who is not an applicant, shall not be present in the examination room except by special permission of the Director of Human Resources. Admittance to an examination shall be refused to an applicant arriving after the designated starting time for testing, and shall automatically be eliminated.

c. Identification Procedures. All paper submitted by the applicant shall have their name printed legibly. If the name is not printed legibly, and cannot be read, the applicant shall be automatically disqualified. The applicant shall be required to provide two (2) forms of ID, one being a government issued ID bearing a photograph.

Section 4.07 **Offenses in Examination.**

a. Frauds Prohibited. No person shall knowingly:

1. Falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered or certified pursuant to the provisions of the civil service law, or aid in so doing.

2. Make any false representations concerning the results of such examination or concerning any person examined.

3. Furnish to another person special or secret information for the purpose of either improving or injuring the prospects or chances of another person so examined, registered or certified, or to be appointed, employed or promoted.

4. Impersonate another person, or permit or aid in any manner another person to impersonate an applicant, in connection with any examination, registration or appointment or application or request to be examined, registered or appointed.

5. Furnish false information about himself/herself, or other person, in connection with any examination, registration, or appointment or application or request to be examined, registered or appointed.

6. Make known or assist in making known to any applicant for examination, any question to be asked on such examination.

7. Personally solicit a favor from any appointing officer, or have any person on his/her behalf solicit a favor.

b. Penalty for Deception. Any person or persons attempting to deceive any of the examiners in any manner whatsoever by impersonation or by assisting or receiving assistance shall not be permitted to take part in any examination for a minimum period of five (5) years. If the person is already in the city service, such conduct shall be grounds for disciplinary action.

Section 4.08 Grading of Examinations.

a. Method of Grading Examinations. The total grade attainable in each examination shall be 100%. A candidate who achieves a passing grade of 70% or above shall be eligible for consideration as a possible applicant for the position tested. In cases where an examination is requested and the testing company recommends what the passing score should be, the Director of Human Resources may set a percentage other than 70% as the passing score, but this must be done at the time of scheduling the examination.

b. Notification of Grade. Each applicant examined shall be notified of his/her grade. Where non-City administered testing facilities are being utilized, the testing company will notify the candidate of his/her initial score.

Section 4.09 Preservation of Examination Papers. Applications and examination papers of applicants shall be maintained in accordance with the Gahanna approved records retention schedule. This section is not applicable when using non-City administered testing facilities.

Section 4.10 Eligibility Lists.

The term or eligibility of each list and of the names appearing thereon shall be set by the Director of Human Resources for a period of one (1) year from the date of the establishment of the eligibility list. At the discretion of the Director of Human Resources an eligibility list may be terminated before its expiration date or extended for an additional six (6) months.

a. Tied Scores in Entrance Examination. In the event two or more applicants receive the same score in open competitive examination, names of all applicants receiving such score shall be placed on the eligibility list with the same ranking.

b. Tied Scores in Promotional Examination. In the event of two or more applicants receiving the same score on a promotional examination, their names shall be placed on the eligibility list with the same ranking.

Section 4.11 Removal of Names from Eligibility Lists. The name of an eligible applicant shall be removed from an eligibility list for one or more of the following reasons:

a. Written request of the eligible applicant.

b. Failure to appear or arrange for an interview or respond to communication from a City official.

c. Failure to file with the Department of Human Resources written notice of any change of address.

d. Declining appointment in writing or failing to accept appointment.

e. A disability that prevents the applicant from satisfactorily carrying out the essential duties of the position with or without a reasonable accommodation.

f. Violating any of the prohibited actions described in Section 4.07 of these Rules.

g. At the request of the Department Head for just cause.

h. As a result of an unfavorable background investigation.

i. Name certified to Department Head three (3) times without an appointment to a same or similar position.

Section 4.12 Restoration of Names to the Eligibility List. Any applicant whose name is removed from the eligibility list shall not be eligible for appointment. The applicant shall be notified to this effect.

An applicant may have his/her name restored to any eligibility list from which his/her name may have been previously removed upon a successful appeal filed with the Commission.

Section 4.13 <u>Military Service Credit</u>

a. Active Duty or Active Military Duty means full time duty with military pay and allowances in the armed forces. Reserve training, exercises and time less than 180 days shall be excluded.

b. When an applicant has received a passing grade of seventy percent (70%), or the grade set by the Director of Human Resources as passing for that particular position per Section 4.08 of the Rules & Regulations, in any regular entrance application he/she shall be granted an additional credit of five (5) points for military credit. Requests for additional credit for military service, along with proof of satisfactory service, shall be submitted to the Human Resources Department with the application for the examination. Documentation for credit must be received on or before the close of the job posting. Such proof shall identify: Branch of service, service dates and character of discharge.

c. Candidates who have taken an examination through a non-City administered testing facility will receive their initial score through the testing company. Adjustments to this score for military service credit will be made by City personnel, and the final score will be sent with the eligibility list ranking after the applicant has completed an application in the time period designated by the Director of Human Resources.

d. <u>Priority</u>. In cases of tie scores in an examination, applicants entitled to veteran's preference credit shall be placed ahead of non-veterans.

RULE 5
PERFORMANCE APPRAISAL

Section 5.01 **Performance Appraisal**. The Department Head or designee shall be required to submit a performance appraisal of individual employees to the Director of Human Resources, when and as deemed advisable, but no less than every twelve (12) months.

Section 5.02 **Removal of Inefficient Employees**. It may be grounds for removal if an employee is unable to maintain a "meets expectations" performance appraisal each year.

Section 5.03 **Appeal**. An employee may appeal their performance appraisal to the Civil Service Commission only after all attempts are made to come to an agreement under the direction of the Director of Human Resources. If all attempts have been made and the employee remains dissatisfied the employee may, within ten (10) business days of a written decision, appeal to the Civil Service Commission.

a. This appeal must state specific reasons for the appeal, the points of disagreement, and contain any supporting documentation to support the employee's claim.

b. After receipt of the appeal the Commission shall hold a hearing as outlined in Chapter 149, Civil Service Commission of the Codified Ordinances.

RULE 6
POLICE CHIEF/DEPUTY POLICE CHIEF REVIEW BOARD

Section 6.01 **Establishment of Police Chief/Deputy Police Chief Review Board**. At the Council's request, the Civil Service Commission, shall provide for and develop procedures for the operation of a review board to consider applicants for a vacancy in the Office of Chief of Police or Deputy Chief of Police.

Section 6.02 **Review Board Composition and Procedure.** The review board shall consist of the following five (5) members: (1) a City elector selected by the Mayor; (2) a City elector selected by City Council; (3) a City elector selected by the City Attorney; (4) a member of the police officer bargaining unit; provided that the individual selected is not an applicant for the position of Chief of Police/Deputy Chief of Police; (5) a member of the police supervisory bargaining unit selected by the bargaining unit; provided that the individual selected is not an applicant for the position of Chief of Police/Deputy Chief of Police.

The herein organized review board shall interview each applicant certified to them, and thereafter shall submit to the Director of Public Safety the names of up to six (6) applicants whom the board, by consensus or by majority vote, finds to be the best qualified for appointment to the vacancy. The review board, in its discretion, may rank the applicants in order of preference. In making its selections, the review board shall consider each applicant's job experience, education, and work history, as well as the skills, knowledge, and abilities shown by the applicant during the review board process. In carrying out its duties, the review board may consult with individuals and organizations outside the Police Department and the City.

RULE 7
REINSTATEMENT AND LAYOFFS

Section 7.01 **Layoff Procedure**. Whenever it becomes necessary in any office or department, other than the police department, to reduce the number of employees within a class, probationary appointees, if any, shall be laid off first.

All layoffs shall occur in the inverse order of the seniority of the employees; with the employees having the least seniority being laid off first.

A classified employee may request a transfer to a different division in the City to a position where they meet the qualifications and experience of the position. Such a transfer would only take place after the approval of any Department Head affected, and the Director of Human Resources.

Section 7.02 **Establishment of Layoff Lists**. The names of persons holding permanent positions in the classified service shall be placed on an appropriate layoff list in order of their original appointment. For a period not to exceed one (1) year said persons shall be eligible for re-employment as in the case of original appointments. Whenever discontinued positions are re-established, the Department Head may make a request for eligible names on the layoff list, if one has been established, before requesting names from the eligibility list. Former employees of the department in question who have been laid off and whose names appear on the layoff list shall be first to receive appointment.

Section 7.03 **Reinstatements**. Any permanently appointed employee who has resigned may be reinstated, to an open position upon written request to the Director of Human Resources. The Director of Human Resources shall forward said request to the Department Head, and if there are no objections the employee shall be reinstated. This must be done within one (1) year from the date of such separation provided there are no employees of the department who have been laid off and whose names appear on the layoff list of the class.

Section 7.04 **Restoration of Seniority and Other Benefits after Reinstatement**.

Any person holding a classified position who voluntarily resigns shall forfeit all rights of grade and such other benefits, except seniority, afforded employees with uninterrupted service except as otherwise provided for veterans of the Armed Forces of the United States of America.

Section 7.05 **Part-time Employees to Full-time Classified Positions.**

At the request and discretion of a Department Head and the Director of Human Resources, as well as the request of the part-time employee involved, any part-time employee who has been performing the exact same job

description as a full-time employee and has successfully completed their probationary period may be placed in an available and identical full-time position without being subject to the testing requirements of Rule 4. The Department Head and the Director of Human Resources shall consider such factors as the employee's attendance record, job performance, disciplinary record, and full-time position needs.

RULE 8
APPOINTMENTS

Section 8.01 **Appointments**. Appointments to classified positions that are not filled by promotion, transfer, or reduction, shall be made only from the established eligibility list in accordance with the Civil Service Laws and Rules and Regulations.

The Department Head shall fill such position by appointment of one of the applicants. If all applicants are determined ineligible then a new examination may be given.

Section 8.02 **Number of Names to be Certified**. The Department of Human Resources shall certify to the Department Head of the department in which the position in the classified service is to be filled, the names of the ten (10) applicants standing highest on the appropriate eligibility list. When there are tie scores, names of all persons with the same score shall be submitted to the Department Head.

Section 8.03 **Probationary Period; Probationary Removal or Reduction**. All probationary periods shall, unless otherwise provided, be uniform in all classes and shall be for a period of one hundred eighty (180) days.

Section 8.04 **Temporary Appointments**. In case of an emergency an appointment may be made without regard to the Civil Service Laws or the Civil Service Rules and Regulations, but in no case to continue longer than one hundred eighty (180) calendar days in one calendar year, and in no case shall successive temporary appointments be made.

Where the services to be rendered by an appointee are for a temporary period, and the need of such service is important and urgent, the Department Head may select for such temporary service any qualified person on the eligibility list of those eligible for permanent appointment. If there is no current eligibility list the Department Head may solicit applications for the temporary position. Successive temporary appointments to the same position shall not be made under this provision. The acceptance or refusal of a temporary appointment by a candidate shall not affect his standing for permanent appointment; nor shall the period of temporary service be counted as part of the probationary service in case of subsequent appointment to a permanent position.

Section 8.05 **Temporary Promotional Appointments**. A temporary promotion to a higher position may be authorized by the Director of Human Resources upon the written request of a Department Head. Such temporary promotions shall be made, in so far as practicable, from the class or grade of

positions immediately below the class or grade in which the temporary vacancy exists.

Section 8.06 **Abolished Positions**. If a previously abolished position is found necessary to be recreated or reestablished within one (1) year from the date of abolishment, the last incumbent of the position shall be entitled to the position, provided he/she was, at the date of his/her separation, a classified employee in good standing.

RULE 9
RESIGNATION AND LEAVE OF ABSENCE

Section 9.01 **Leave of Absence with Pay**. Any absences because of illness or injury in excess of three (3) consecutive working days shall require a medical certification and approval by the Department Head and/or the Director of Human Resources prior to return to work. Repeated absences because of either sickness or injury by an employee involving leaves of less than two (2) days at any one time, may at the discretion of the Department Head, require his/her approval prior to return to work.

Section 9.02 **Leave of Absence without Pay**. The Department Head and/or the Director of Human Resources may grant a leave of absence without pay to a classified employee. The Department Head shall exercise discretion in granting leave, taking into consideration length and quality of service and the sufficiency of the reasons for requesting the leave.

Section 9.03 **Absence without Leave and Failure to Report**. Following three (3) consecutive working days of not reporting to work as scheduled and not contacting the employee's supervisor to inform him or her of the employee's absence, the City will consider that the employee has voluntarily resigned their classified position and will accept the employees' resignation as such.

a. Absence without Leave. Absence from duty without approved leave for any length of time may be subject to disciplinary action.

b. Failure to Report. Failure to report after a leave has expired or has been disapproved or revoked may be cause for removal.

Section 9.04 **Resignations**. Any employee in the classified service who desires to resign his/her position shall submit to the Department Head a written resignation giving at least two (2) weeks notice of his/her intention to resign, unless the Department Head agrees to him/her leaving sooner. Such request when approved by the Department Head shall be forwarded immediately to the Director of Human Resources.

Section 9.05 **Restoration of Employment Rights After Military**. The City of Gahanna follows the Federal Laws and Regulations as set forth by USERRA (Uniformed Services Employment and Reemployment Rights Act) as may be amended from time to time.

RULE 10
TENURE, SUSPENSION, DEMOTION AND REMOVAL

Section 10.01 **Basis for Suspension, Demotion or Removal.** Every employee in the classified service of the City may be suspended, demoted or removed for incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, conviction of a felony, violation of the provisions of the City Charter, Ohio Revised Code, the Civil Service Rules and Regulations, City policies, or any other failure of good behavior or any other act of misfeasance, malfeasance, or nonfeasance in office, or any other reasonable and just cause.

Section 10.02 **Suspensions**. The Appointing Authority may suspend an employee or subordinate without pay for purposes of discipline.

Section 10.03 **Demotion for Disciplinary Purposes**. The Appointing Authority may demote an employee for disciplinary purposes to a lower related class and pay will be adjusted accordingly.

Section 10.04 **Notification.** The Director of Human Resources shall notify the employee, in writing, of the proposed disciplinary action. Said written notice shall contain the specific factual basis supporting one or more of the grounds for disciplinary action delineated in Section 10.01.

In the event the employee cannot be located, the written notice shall be sent by certified mail to the last known address of record and/or his or her representative.

RULE 11
APPEALS/GRIEVANCES

Section 11.01 **Appeal/Grievance**. The appeal/grievance procedure outlined below shall apply only to classified employees not covered by a union contract. If a union contract is silent to any provision of the Civil Service Rules and Regulations then the procedure outlined below will be applicable.

Section 11.02 **EMPLOYEE Filing.** An employee who has exhausted all measures with administrative management may file an appeal/grievance with the Civil Service Commission who shall hold a hearing as outlined in Chapter 149, Civil Service Commission, of the codified ordinances.

SECTION 11.03 **Applicant Filing.** An applicant may file an appeal with the Civil Service Commission who shall hold a hearing as outlined in chapter 149.05 of the codified ordinances.

Section 11.04 **Hearing Procedures.** Hearing procedures shall be as outlined in the Civil Service Rules of Procedure.

RULE 12
SAVING CLAUSE

Section 12.01 **Saving Clause**. If any section, or part of a section, of these rules is held by any court to be invalid or unconstitutional, the same shall not invalidate or impair the validity, or force and effect of any other section or part of a section of these rules.

RULE 13
POLICE RADIO DISPATCHER APPLICATION PROCEDURES

Section 13.01 **General Requirements.** All police radio dispatcher positions within the classified service are subject to the application and examination provisions of these rules. All applicants must:

a. File an application with the Human Resources Department by the specified time.

b. Pay the filing fee established by the City. This fee to the City of Gahanna is waived for applicants who have already taken an examination through a non-City administered testing facility.

c. Meet the minimum requirements as stated in the Police Radio Dispatcher application packet.

Section 13.02 **Original Appointment Applications.** If the Director of Human Resources concludes that an appropriate written examination is available through a non-City Administered Testing facility, the selection process for Police Radio Dispatcher positions may begin through this non-City administered process. In these instances, interested candidates who pass the examination at the non-City administered testing facility will then be notified via email to apply with the City during a specified time period designated by the Director of Human Resources. Candidates who have taken the examination at a non-City administered testing facility will not be considered applicants subject to appeal rights of these Rules until their application has been submitted in the designated timeframe. Therefore, all challenges of non-City administered written examinations must be made to the non-City testing entity

Except as otherwise specifically provided for by law or by the Civil Service Rules and Regulations all applicants must:

a. General. An applicant for any Police Radio Dispatcher position may be required to submit evidence that he/she posseses the minimum qualifications set forth in the specifications for the position.

b. Acceptance of Applications. In all cases of rejection the applicant shall be notified in writing, and the reason for the rejection shall be stated. The applicant shall have an opportunity to appeal said rejection to the Commission. The applicant shall submit his/her appeal to the Civil Service Commission who shall hold a hearing as outlined in Chapter 149, Civil Service Commission, of the Codified

Ordinances. Any one of the following may be sufficient cause for rejecting an application:

1) Lacks one or more of the minimum qualifications set forth in the examination announcement.

2) Has been convicted of a felony.

3) Has made false statement of any material fact or practiced, or attempted to practice, any deception or fraud in his application.

4) Any apparent violation of hiring standards upon acceptance of application.

5) Any other just and reasonable cause.

Section 13.03 **Entrance Examinations**. In all cases where an examination is being administered under City auspices, the Director of Human Resources shall be the examining authority for hiring in the classified service. The Director of Human Resources shall designate the date, time and place of each examination. The Director of Human Resources or designee shall prescribe the subjects of each examination and the respective weights.

Whether an entrance examination is administered by the City or through a non-City testing facility, entrance examinations shall be practical in character, and shall relate directly to those matters which fairly test the relative capacity of the person examined to perform the particular duties of the position for which appointment is sought.

A Police Radio Dispatcher examination shall require applicants to report to a designated place at a designated time to participate in examinations prescribed and administered under the direction of the Director of Human Resources or under the direction of the personnel with the non-City testing facility.

a. Postponement and Cancellation. The Director of Human Resources shall have the right to postpone or cancel any examination. A copy of the notice of cancellation or postponement shall be posted in City Hall, posted on the City's website, and notification made to all applicants.

Section 13.04 **Conduct of Examinations**. All examinations administered under city auspices shall be conducted under the direction of the Director of Human Resources and at least one (1) City employee.

a. Time. The limit of time prescribed for each part of the examination shall appear in the general instructions and shall also be announced at the beginning of the examination.

b. Admittance. Any person, who is not an applicant, shall not be present in the examination room except by special permission of the Director of Human Resources in charge of the examination. Admittance to an examination shall be refused to an applicant arriving after the designated starting time.

c. Identification Procedures. All paper submitted by applicants shall contain their name printed legibly. If the name is not printed legibly, and cannot be read, the applicant shall be automatically disqualified. The applicant shall be required to provide two (2) forms of ID, one being a government issued ID bearing a photograph.

Section 13.05 Offenses in Examination. All examinations administered under City auspices shall be conducted in a manner to prohibit fraud. No person shall knowingly:

a. Falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered or certified pursuant to the provisions of the Civil Service law, or aid in so doing.

b. Make any false representations concerning the results of such examination or concerning any person examined.

c. Furnish to another person special or secret information for the purpose of either improving or injuring the prospects or chances of another person so examined, registered or certified, or to be appointed, employed or promoted.

d. Impersonate another person, or permit or aid in any manner another person to impersonate an applicant, in connection with any examination, registration or appointment or application or request to be examined, registered or appointed.

e. Furnish false information about himself/herself, or other person, in connection with any examination, registration, or appointment or application or request to be examined, registered or appointed.

f. Make known or assist in making known to any applicant for examination, any question to be asked on such examination.

g. Personally solicit a favor from any appointing officer, or have any person on his/her behalf solicit a favor.

h. Penalty for Deception. Any person or persons attempting to deceive any of the examiners in any manner whatsoever by impersonation or by assisting or receiving assistance shall not be permitted to take part in any examination for a minimum period of five (5) years. If such person is already in the City service, such conduct shall be grounds for discipline.

Section 13.06 Grading of Examinations.

a. Method of Grading Examinations. The total grade attainable in each examination shall be 100%. An applicant who achieves a passing score of 70% or above shall be eligible for consideration as a possible applicant for the position tested. In cases where an examination is requested and the testing company recommends what the passing score should be, the Director of Human Resources may set a percentage other than 70% as the passing score, but this must be done at the time of scheduling the examination.

b. Notification of Grade. Each applicant examined shall be notified of his/her grade. Where non-City administered testing facilities are being utilized the testing company will notify the candidate of his/her initial score.

Section 13.07 Additional Credit Allowances. The total grade attainable in each examination shall be 100%. Applicants may obtain additional credit for the following:

a. Military Service Credit: Active duty or active military duty means full duty with military pay and allowances in the Armed Forces. Reserve training, services and time less than 180 days shall be excluded.

When an applicant has received a passing grade of seventy percent (70%), or the grade set by the Director of Human Resources as passing, for a Police Radio Dispatcher entrance examination he/she shall be granted an additional credit of five (5) points for military credit. Requests for additional credit for military service, along with proof of satisfactory service, shall be submitted to the Human Resources Department with the application for the examination. Documentation for credit must be received on or

before the close of the job posting. Such proof shall identify: branch of service, service dates, and character of discharge.

b. Credit for Service as Gahanna Reserve Officer. When an applicant has received a passing grade of seventy percent (70%), or the grade set by the Director of Human Resources as passing for a Police Radio Dispatcher entrance examination, he/she shall be granted an additional credit of five (5) points for reserve credit. Documentation for Reserve Credit must be received on or before the close of the job positing and applicant must have served as a Reserve Officer for a period of one (1) year in good standing to receive the credit.

c. The Maximum allowable additional credit allowance is established at ten (10) points.

d. Notification of Grade. Each applicant examined shall be notified of his/her grade.

Police Radio Dispatcher candidates who have taken an examination through a non-City administered testing facility will receive their initial score through the testing company. Adjustments to this score for credits listed in this section will be made by City personnel, and final score will be sent with the eligibility list ranking after the Police Radio Dispatcher applicant has completed an application in the time period designated by the Director of Human Resources.

Section 13.08 Preservation of Examination Papers. Applications and examination papers of applicants shall be maintained in accordance with the approved records retention schedule. This is not applicable when using non-City administered testing facilities.

Section 13.09 Eligibility Lists.

a. Duration of Lists. The term or eligibility of each list and of the names appearing thereon shall be for a period of one (1) year from the date of the establishment of the eligibility list. At the discretion of the Director of Human Resources, an eligibility list may be terminated before its expiration date or extended for an additional six (6) months.

b. Tied Scores. In the event two or more applicants receive the same score in open competitive examination, names of all applicants receiving such score shall be placed on the eligibility list with the same ranking.

Section 13.10 **Removal of Names from Eligibility Lists.** The name of an eligible applicant shall be removed from an eligibility list for one or more of the following reasons:

a. Written request of the eligible applicant.

b. Failure to appear or arrange for an interview or respond to communication from the appointing authority.

c. Failure to file with the Department of Human Resources written notice of any change of address.

d. Declining appointment in writing or failing to accept appointment.

e. A disability that prevents the applicant from satisfactorily carrying out the essential duties of the position with or without a reasonable accommodation.

f. Violating any of the prohibited actions described in section 13.05 of these rules.

g. At the request of the Department Heard for just cause.

h. Name certified to Department Head three (3) times without an appointment to position.

i. As a result of an unfavorable background investigation.

Section 13.11 **Restoration of Names to the Eligibility List.** An applicant may have his/her name restored to any eligibility list from which his/her name may have been previously removed upon a successful appeal filed with the Civil Service Commission.

RULE 14
POLICE OFFICER APPLICATION PROCEDURES

Section 14.01 **General Requirements**. All police officer positions within the classified service are subject to the application and examination provisions of these Rules. All applicants must:

a. File an application with the Human Resources Department by the specified time.

b. Pay the filing fee established by the City. This fee to the City of Gahanna is waived for applicants who have already taken an examination through a non-City administered testing facility.

c. Meet the minimum requirements as stated in the Police Officer Application Packet.

Section 14.02 **Original Appointment Applications**. If the Director of Human Resources concludes that an appropriate written examination is available through a non-City administered testing facility, the selection process for police officer positions may begin through this non-City administered process. In these instances, interested candidates who pass the examination at the non-City administered test facility will then be notified via email to apply with the City during a specified time period designated by the Director of Human Resources. Candidates who have taken the examination at a non-City administered testing facility will not be considered applicants subject to appeal rights of these rules until their application has been submitted in the designated timeframe. Therefore, all challenges of non-City administered written examinations must be made to the non-City testing entity.

Except as otherwise specifically provided for by law or by the Civil Service Rules and Regulations, all applicants must:

a. General. An applicant for any police officer position may be required to submit evidence that he/she possess the minimum qualifications set forth in the specifications for the position.

b. Acceptance of Applications. In all cases of rejection an applicant shall be notified of the rejection. The applicant shall have an opportunity to show cause to the Commission why the application is acceptable. The applicant shall submit his/her appeal to the Civil Service Commission who shall hold a hearing as outlined in Chapter 149, Civil Service Commission, of the Codified

Ordinances. Any one of the following may be sufficient cause for rejecting an application:

1) Lacks one or more of the minimum qualifications set forth in the examination announcement.

2) Has been convicted of a felony.

3) Is otherwise prohibited by state or federal law from owning or possessing a firearm; and/or being employed as a peace officer.

4) Has made false statement of any material fact or practiced, or attempted to practice, any deception or fraud in his application.

5) Any apparent violation of Hiring Standards upon acceptance of application.

6) Any other just and reasonable cause.

Section 14.03 **Entrance Examinations**. In all cases where an examination is being administered under City auspices, the Director of Human Resources shall be the examining authority for hiring in the classified service. The Director of Human Resources shall designate the date, time and place of each examination. The Human Resources Director or designee shall prescribe the subjects of each examination and the respective weights. An examination shall consist of a written examination, which measures aptitude and knowledge.

Whether an entrance examination is administered by the City or through a non-City testing facility, entrance examinations shall be practical in character, and shall relate directly to those matters which fairly test the relative capacity of the person examined to perform the particular duties of the position for which appointment is sought.

A police officer position examination shall require applicants to report to a designated place at a designated time to participate in examinations prescribed and administered under the direction of the Director of Human Resources or under the direction of the personnel with the non-City testing facility.

a. Police Physical Fitness Test. The Director of Human Resources shall administer a physical fitness test to all applicants as detailed in the police officer application packet. Applicants who pass the written examination and who complete an application in the

designated timeframe will be invited to take the physical fitness test. Applicants must obtain a passing score on the written examination prior to taking the physical fitness test. If any applicant wishes to protest the results of an event in the physical fitness test, it must be done immediately after that event, and the decision of the Director of Human Resources will be final; however, information will be given to the applicant for appeal rights to the Civil Service Commission.

b. In the hiring process, the successful applicant may be asked to complete several elements as detailed in the police officer application packet.

c. Postponement and Cancellation. The Director of Human Resources shall have the right to postpone or cancel any examination. A copy of the notice of cancellation or postponement shall be posted in City Hall, posted on the City's website, and notification made to all applicants.

Section 14.04 Conduct of Examinations. All examinations administered under City auspices shall be conducted under the direction of the Director of Human Resources and at least one (1) City employee.

a. Time. The limit of time prescribed for each part of the examination shall appear in the general instructions and shall also be announced at the beginning of the examination.

b. Admittance. Any person, who is not an applicant shall not be present in the examination room except by special permission of the Director of Human Resources in charge of the examination. Admittance to an examination shall be refused to an applicant arriving after the designated starting time for testing.

c. Identification Procedures. All paper submitted by candidates shall contain their name printed legibly. If the name is not printed legibly, and cannot be read, the applicant shall be automatically disqualified. The applicant shall be required to provide two (2) forms of ID, one being a government issued ID bearing a photograph.

Section 14.05 Offenses in Examination.

a. Frauds Prohibited. No person shall knowingly:

1. Falsely mark, grade, estimate or report upon the examination or proper standing of any person examined,

registered or certified pursuant to the provisions of the civil service law, or aid in so doing.

2. Make any false representations concerning the results of such examination or concerning any person examined.

3. Furnish to another person special or secret information for the purpose of either improving or injuring the prospects or chances of another person so examined, registered or certified, or to be appointed, employed or promoted.

4. Impersonate another person, or permit or aid in any manner another person to impersonate an applicant, in connection with any examination, registration or appointment or application or request to be examined, registered or appointed.

5. Furnish false information about himself/herself, or other person, in connection with any examination, registration, or appointment or application or request to be examined, registered or appointed.

6. Make known or assist in making known to any applicant for examination, any question to be asked on such examination.

7. Personally solicit a favor from any member of the Commission, appointing officer, or have any person on his/her behalf solicit a favor.

b. Penalty for Deception. Any person or persons attempting to deceive any of the examiners in any manner whatsoever by impersonation or by assisting or receiving assistance shall not be permitted to take part in any examination for a minimum period of five (5) years. If such person is already in the city service, such conduct shall be grounds for discipline.

Section 14.06 Grading of Examinations.

a. Method of Grading Examinations**.** The total grade attainable in each examination shall be 100%. An applicant who achieves a passing score of 70% or above shall be eligible for consideration as a possible applicant for the position tested. In cases where an examination is requested and the testing company recommends what the passing score should be, the Director of Human Resources may set a percentage other than 70% as the passing score, but must be done at the time of scheduling the examination.

b. Notification of Grade. Each applicant examined shall be notified of his/her grade. Where non-City administered testing facilities are being utilized the testing company will notify the candidate of his/her initial score.

Section 14.07 Additional Credit Allowances. The total grade attainable in each examination shall be 100%. Applicants may obtain additional credit for the following:

a. Military Service Credit: Active Duty or Active Military Duty means full time duty with military pay and allowances in the armed forces. Reserve training, exercises and time less than 180 days shall be excluded.

When an applicant has received a passing grade of seventy percent (70%), or the grade set by the Director of Human Resources as passing in a police officer entrance examination he/she shall be granted an additional credit of five (5) points for military credit. Requests for additional credit for military service, along with proof of satisfactory service, shall be submitted to the Human Resources Department with the application for the examination. Documentation for credit must be received on or before the close of the job posting. Such proof shall identify: branch of service, service dates, and character of discharge.

b. Credit for Service as Gahanna Reserve Officer. When an applicant has received a passing grade of seventy percent (70%), or the grade set by the Director of Human Resources as passing for a Police entrance examination, he/she shall be granted an additional credit of five (5) points for reserve credit. Requests for Reserve Credit shall be submitted to the Human Resources Department along with the application for examination. Documentation for Reserve Credit must be received on or before the close of the job posting and applicant must have served as a Reserve Officer for a period of one (1) year in good standing to receive the credit.

c. Additional Education Credit. When an applicant has received a passing grade of seventy percent (70%) or the grade set as passing in a police officer entrance examination he/she shall be granted an additional credit of: three (3) points for an Associate Degree, or five (5) points for a Bachelors Degree. Requests for additional Education Credit together with proof of degree shall be submitted to the Human Resources Department with the application for examination. Documentation for additional education credit must be received on or before on or before the close of the job posting.

d. The maximum allowable additional credit allowance is established at ten (10) points.

e. Notification of Grade. Each applicant examined shall be notified of his/her grade.

Police candidates who have taken an examination through a non-City administered testing facility will receive their initial score through the testing company. Adjustments to this score for credits listed in this section will be made by City personnel, and final score will be sent with the eligibility list ranking after the police candidate has completed an application in the time period designated by the Director of Human Resources.

Section 14.08 Preservation of Examination Papers. Applications and examination papers of applicants shall be maintained in accordance with the approved records retention schedule. This is not applicable when using non-City administered testing facilities.

Section 14.09 Eligibility Lists.

a. Duration of Lists. The term or eligibility of each list and of the names appearing thereon shall be for a period of one (1) year from the date of the establishment of the eligibility list. At the discretion of the Director of Human Resources, an eligibility list may be terminated before its expiration date or extended for an additional six (6) months.

b. Tied Scores. In the event two or more applicants receive the same score in open competitive examination, names of all applicants receiving such score shall be placed on the eligibility list with the same ranking.

Section 14.10 Removal of Names from Eligibility Lists. The name of an eligible applicant shall be removed from an eligibility list for one or more of the following reasons:

a. Written request of the eligible applicant.

b. Failure to appear or arrange for an interview or respond to communication from the appointing authority.

c. Failure to file with the Commission written notice of any change of address.

d. Declining appointment in writing or failing to accept appointment.

e. A disability that prevents the applicant from satisfactorily carrying out the essential duties of the position with or without a reasonable accommodation.

f. Violating any of the prohibited actions described in Section 15.05 of these Rules.

g. At the request of the Department Head for just cause.

h. Name certified to Department Head three (3) times without an appointment to position.

i. Recommendation from Human Resources and/or Department Head as a result of an unfavorable background investigation.

j. Failure to successfully complete or receive a passing score in any step outlined in the police officer application packet.

Section 14.11 **Restoration of Names to the Eligibility List**. An applicant may have his/her name restored to any eligibility list from which his/her name may have been previously removed upon a successful appeal filed with the Commission.

Section 14.12 **Full time to Part-time Police Officer**. At the discretion of the Director of Public Safety, and the request of the Police Officer involved, any full time Gahanna Police Officer, or retired Gahanna Police Officer who was full time at the time of his/her retirement, may transfer or be rehired to an available part-time police officer position without being subject to the testing requirements of Rule 14. The Director of Public Safety shall consider such factors as the police officer's attendance record, job performance, disciplinary record, and staffing needs.

In case of rehire, the request must be made within one (1) year of the officer's retirement.

Section 14.13 **Part-time to Full time Police Officer.** At the request and discretion of the Director of Public Safety, and the request of the Police Officer involved, any part-time Gahanna Police Officer may transfer to an available full time Police position without being subject to testing requirements of Rule 14 as the applicant will have already passed all phases of the testing process before being hired part-time. The Director of Public Safety shall consider such factors as the Police Officer's attendance record, job performance, disciplinary record, and staffing needs.

RULE 15
PROMOTIONAL PROCESS
GAHANNA POLICE DEPARTMENT

Section 15.01 **Promotional Examinations.** Notice of competitive promotional examinations shall be given as outlined in the F.O.P. collective bargaining agreement.

Section 15.02 **Conduct of Promotional Police Examinations**. All examinations shall be conducted under the direction of at least one Human Resources Representative.

a. Time. The limit of time prescribed for each part of the examination shall appear in the general instructions and also shall be announced at the beginning of the examination.

b. Admittance. Any person, who is not an applicant, shall not be present in the examination room except by special permission of the Human Resources Director or designee. Admittance to an examination shall be refused to an applicant arriving after the designated starting time for testing.

c. Identification Procedures. All paper submitted by applicants shall contain their name printed legibly. If the name is not printed legibly, and cannot be read, the applicant shall be automatically disqualified.

Section 15.03 **Offenses in Examination**.

a. Frauds Prohibited. No person shall knowingly:

1. Falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered or certified pursuant to the provisions of the civil service law, or aid in so doing.

2. Willfully or corruptly make any false representations concerning the results of such examination or concerning any person examined.

3. Willfully or corruptly furnish to another person special or secret information for the purpose of either improving or injuring the prospects or chances of another person so examined, registered or certified, or to be appointed, employed or promoted.

4. Willfully impersonate another person, or permit or aid in any manner another person to impersonate an applicant, in connection with any examination, registration or appointment or application or request to be examined, registered or appointed.

5. Furnish false information about himself/herself, or other person, in connection with any examination, registration, or appointment or application or request to be examined, registered or appointed.

6. Make known or assist in making known to any applicant for examination, any question to be asked on such examination.

7. Personally solicit a favor from any member of the Commission, appointing officer, or have any person on his/her behalf solicit a favor.

b. Penalty for Deception. Any person or persons who attempt to deceive any of the examiners in any manner whatsoever by impersonation or by assisting or receiving assistance shall not be permitted to take part in any examination for a minimum period of five (5) years or for a longer period as the Human Resources Director may decide and record. If such person is already in the city service, such conduct shall be grounds for discipline.

c. Method of Grading Examinations. The total grade attainable in each examination shall be 100%.

Section 15.04 Inspection of Rating Keys. In examinations where the Human Resources Director considers it feasible, and where a rating key is available to the City, for a period of ten (10) business days after the scores for the examination are mailed, participants may inspect the Rating Key and questions in the office of the Civil Service Commission.

Section 15.05 Preservation of Examination Papers. Applications and examination papers of applicants shall be preserved for seven (7) years, or the approved Records Retention schedule except that examination papers of those appointed from eligibility lists shall be retained in the individual personnel file of each appointee. Examination papers shall be those papers that were written on during an examination and preserved, except for scrap paper.

Section 15.06 Removal of Names from Eligibility Lists. The name of an eligible applicant shall be removed from an eligibility list by the Human Resources Director for one or more of the following reasons:

a. Written request of the applicant.

b. A disability that prevents the applicant from satisfactorily carrying out the essential duties of the position.

c. Violating any of the prohibited actions described in Section 15.03 of these Rules.

d. At the request of the Department Head for just cause.

Section 15.07 Postponement and Cancellation of Promotional Examination. The Director of Human Resources shall have the right to postpone or cancel any examination**.** A copy of the notice of cancellation or postponement shall be posted in City Hall, on the City's website, at the Police Department, and notification made to all applicants.

Section 15.08 Fewer than Three Applicants Pass Written Examination. In the event that fewer than three applicants pass a Civil Service promotional examination, the applicants who passed shall be included on the eligibility list for the position. The names shall be compiled until such time as an eligibility list is established. The time limits set forth in the F.O.P. Collective Bargaining Agreement for the oral board shall be extended until another examination has been held. Those applicants who pass the subsequent examination shall be added to the eligibility list for the position. The process shall continue until at least three applicants shall be on the eligibility list; those who passed the examination shall proceed to the oral board. Under these circumstances the time limit for the expiration of the eligibility list shall begin to run from the date that the last examination was conducted which resulted in at least three applicants passing the examination.

Section 15.09 Process after Oral Board. After interviewing all applicants, the oral board shall prepare and submit to the Human Resources Director a report listing the applicants ranked in order of their scores. The Civil Service Commission shall maintain the report from the oral board as the scores of the applicants in order of their oral board scores.

Upon receipt of the eligibility list the appointing authority shall fill such position by appointment of one of the three (3) applicants certified and shall report the name of such appointee.