

RULE 6

CERTIFICATION AND APPOINTMENT

FROM ELIGIBILITY LISTS

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## **RULE 6 - CERTIFICATION AND APPOINTMENT FROM ELIGIBILITY LISTS**

### **6.1 General:**

The Department Head shall fill position vacancies by appointment of eligible candidates subject to their satisfactory completion of the probationary/permanent trainee period.

Positions shall be grouped into two (2) types for the purpose of appointments: Competitive and Non-Competitive positions. Vacant positions shall be filled from eligible candidates on request of the Department Head, recommendation of the Director of Human Resources and approval of the City Manager or the City Auditor and Clerk, for their respective employees.

### **6.2 Requisition:**

When a vacancy occurs in any position or if a new position or positions are duly authorized, a requisition on the required form (Personnel Requisition Form--See Page 6-7) shall be submitted by the responsible Department Head to the Director of Human Resources for each such vacancy. The requisition shall state the number of vacancies to be filled, title, grade and duties, the necessary and desirable qualifications, and other pertinent information relative to the positions to which appointments are to be made. All appointments shall be made from the eligible lists established by the Civil Service Board and/or the Director of Human Resources, as required.

As far as possible, a Department Head shall anticipate any vacancy sufficiently in advance to give the Civil Service Board or the Director of Human Resources sufficient time to establish a list of eligible candidates.

Prior to budget preparation, the Department Head shall advise the Director of Human Resources of any new personnel requirements for the next fiscal year. If each personnel requisition receives the tentative approval of the City Manager or City Auditor and Clerk, for their respective employees, the Civil Service Board/Director of Human Resources shall establish lists of eligible candidates for each class of position where vacancies are anticipated, if no list of eligible candidates exist.

### **6.3 Certification of Eligible Candidates:**

Upon receipt of a requisition from a Department Head for an eligibility list of certified eligible candidates, the Director of Human Resources shall furnish to the Department Head the entire list of eligible candidates from the Re-employment, Transfer or Entrance Eligibility Lists, and the Department Head shall select the most qualified person for the position from the eligibility list.

If a Department Head finds that the certified eligible candidates are not the best/fully qualified, he or she may request a second eligibility list from the Director of Human Resources and then select the most qualified person from the list provided.

It shall be the responsibility of the Director of Human Resources to limit the number of non-Civil Service eligible candidates on an Entrance Eligibility List to a practical and reasonable number.

### **6.4 Administration of Competitive Positions:**

To fill vacancies, the Director of Human Resources shall certify to the Department Head eligible candidates on the appropriate eligibility list.

A permanent employee may be promoted to a vacancy within a department without City Career Development competition, providing the Department Head certifies to the City Manager or City Auditor and Clerk, for their respective employees that all other eligible department permanent employees were considered for the position and that their skills, abilities and experience were reviewed. Such certification shall be on the required personnel action papers.

The following employment eligibility lists shall be used in the sequence indicated if the department vacancy is not filled by an employee from within the department.

- 1st Re-employment List
- 2nd Transfer List
- 3rd Promotion List
- 4th Open Competitive List
- 5th Non-Competitive List

#### **6.5 Re-employment Eligibility List:**

When a permanent employee whose service is rated as satisfactory or better is separated from the combined Classified Service by layoff or voluntary resignation in good standing, his or her name shall be placed on the suitable re-employment lists for consideration for re-employment should a vacancy occur and he or she meets the minimum requirements. The names of available eligible candidates, not less than three (3), provided three or more are eligible, shall be certified to the requisitioning Department Head.

A permanent employee may be re-employed within one (1) year from the date of separation as prescribed herein. The eligible employee shall receive permanent employment status and an adjusted date of hire based on the number of days between the date of separation and the re-hire date. The re-employment shall be based on the request of the Department Head, recommendation of the Director of Human Resources and approval of the City Manager or City Auditor and Clerk, for their respective employees. The re-employment appointment shall be class probationary. The employee shall nevertheless be entitled to receive fringe benefits.

If an employee has been laid off for more than twelve (12) months and has not been re-employed, the employee's name shall be removed from the re-employment List.

If there is more than one person on a Re-employment List, the order of re-employment shall be based on merit first, and then, on the length of their service prior to layoff.

#### **6.6 Transfer Eligibility List:**

If it is found that a person with at least minimum requirements to fill a position vacancy is not available on the Re-employment List, then the Department of Human Resources shall survey the transfer list.

The Department of Human Resources shall maintain suitable lists of those employees who have given notice in writing of their desire to be transferred to a position of the same class in another department.

No person shall be considered for transfer without the prior approval of their current Department Head. Approval shall be requested from the Department Head when the employee initiates the initial request for a transfer.

No employee shall be transferred to a position for which he or she does not possess the minimum requirements. Eligible employees must be currently rated as satisfactory or better to qualify for a potential transfer.

#### **6.7 Promotional Lists:**

If at the discretion of the Department Head, there is a necessity for a promotion, it shall be in coordination with the Director of Human Resources, and with the approval of the City Manager or City Auditor and Clerk, for their respective employees.

A. General Personnel: If eligible employees are not available on the re-employment list or the transfer list, the Department of Human Resources shall determine if there is a current promotional list of eligible candidates for the position.

B. Civil Service: If there is no current Civil Service promotional list or valid re-employment list, for Civil Services positions, the Civil Service Board shall administer promotional examinations, as required.

Upon receipt of a requisition from the Chief of Police for an eligibility list of certified eligible candidates for promotion, the Director of Human Resources shall furnish to the Chief of Police eligible candidates that have been certified by the Civil Service Board as follows:

- 1 to 4 vacancies - add 2 to number of vacancies;
- 5 to 8 vacancies - add 3 to number of vacancies;
- 9 to 12 vacancies - add 4 to number of vacancies; etc.

If the candidates on the certified list are not the best/fully qualified in the opinion of the Chief of Police, the eligibility list may be rejected and additional promotional eligibility lists shall be furnished to the Chief of Police by the Director of Human Resources.

If, after the entire eligibility list has been considered by the Chief of Police, and none of the candidates are selected, the Chief of Police may request re-examination of eligible civil service candidates.

#### **6.8 Open Competitive List:**

If a vacancy cannot be filled through the use of Re-employment, Transfer or Promotional Lists, the Civil Service Board/Director of Human Resources shall certify persons from an Open Competitive Eligible List, appropriate for filling the position.

If such an Open Competitive List of eligible candidates is not available or if it does not suffice to fill the requisition, then a temporary appointment may be made as provided in these Rules and Regulations.

#### **6.9 Appointment:**

If the Department Head should, after interview and consideration, make a probationary appointment from among those certified on the eligibility lists, the Department Head shall, no later than the next business day, notify the Director of Human Resources in writing on the required personnel action form.

If a candidate fails to present himself or herself for duty within five (5) days after instructed to do so following his or her acceptance of an appointment, he or she shall be deemed to have declined the appointment.

#### **6.10 Temporary Appointments:**

When a Department Head finds it essential to fill a vacancy and the Civil Service Board/Director of Human Resources is unable to certify eligible candidates for such vacancy because there is no existing appropriate list or because no certified eligible candidates are acceptable, the City Manager or City Auditor and Clerk for their respective employees may authorize filling the vacancy by means of a temporary appointment.

Department Heads shall request prior approval of the City Manager or City Auditor and Clerk, for their respective employees for all temporary appointments and such approval shall be attached to the Personnel Requisition Form as required by Rule 6.2.

A temporary appointment to a position shall expire two (2) calendar weeks after a list of certified eligible candidates has been prepared for such position.

If the Civil Service Board/Director of Human Resources is unable, within the period of two (2) calendar weeks, to certify an acceptable eligible candidate for the vacancy in the class of position to which the temporary appointment was made, the Department Head may recommend to Director of Human Resources and the City Manager or City Auditor and Clerk, for their respective employees that the temporary appointment be continued for a period of three (3) months. However, under unusual circumstances, the Department Head may request an extension for not more than twelve (12) consecutive months in total. In addition, temporary employee appointments are required to be terminated at the end of each Fiscal Year. In such event, however, the same temporary could be re-hired at the beginning of the next Fiscal Year to complete the term of the approved extension.

#### **6.11 Emergency Police Appointments:**

In the event of an emergency rendering it impractical and undesirable to delay the making of an appointment(s) from lists certified by the Board and during elections or similar occasions, the Chief of Police may select and appoint persons without regard to the rules governing appointments, but in no case shall such emergency appointments exceed three (3) days without the written approval of the City Manager.

#### **6.11 Full-Time and Part-Time Positions:**

Each position in the combined Classified Service shall be designated as either full-time or part-time, as defined in these Rules and Regulations. Such designation shall be used in any requisition or communication to the Director of Human Resources regarding any position.

A permanent employee may be assigned to fill a vacancy on a temporary basis where such assignment involves either a promotion or a demotion. Any permanent employee so assigned shall return to his former position when the term of the temporary position is ended or expires.

If a permanent employee is assigned to a temporary position, he or she shall retain all benefits authorized as a permanent employee unless the temporary assignment is the result of a demotion.

### **6.13 Administration of Non-Competitive Positions:**

Appointments to non-competitive positions may be made by the City Manager or City Auditor and Clerk, for their respective employees from certified Re-employment, Transfer, Promotion or Non-Competitive Lists of eligible candidates, furnished in that order by the Director of Human Resources, as available.

All such appointments shall, as with competitive positions, be subject to the satisfactory completion of at least a six (6) month probationary/permanent trainee period prior to the appointment being made permanent, except employees eligible for re-employment in accordance with Rule 6.5.

