

ORDINANCE C-08-13

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 155 TITLED CIVIL SERVICE COMMISSION

WHEREAS, over the past year, the City of Grove City has been working to update its Civil Service practices and procedures; and

WHEREAS, this Chapter has not been updated in over ten years and significant changes have occurred with regard to Civil Service and at the state and local level during that time; and

WHEREAS, Section 4.04 of the City Charter allows Council to enact practices and procedure that vary from State law; and

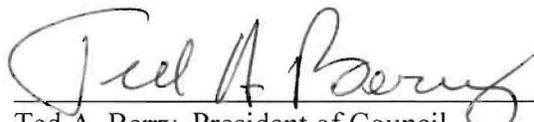
WHEREAS, working with the Civil Service Commission, the City Administration has reviewed and updated Chapter 155 to reflect the new operating practices and procedures; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

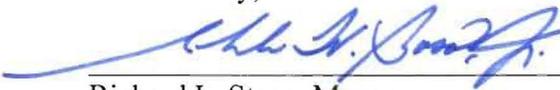
SECTION 1. Chapter 155 titled Civil Service Commission is hereby repealed and replaced as attached hereto in Exhibit "A".

SECTION 2. This ordinance shall take effect at the earliest opportunity allowed by law.

Passed: 02-19-13
Effective: 03-21-13

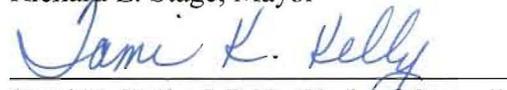


Ted A. Berry, President of Council



Richard L. Stage, Mayor

Attest:



Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance
is correct as to form.



Stephen J. Smith, Director of Law

CHAPTER 155
Civil Service Commission

155.01 Deviation from State law.

155.02 Examinations; preferences.

155.03 Eligibility List.

155.04 Appointments; certified and provisional; probationary period.

155.05 Filling vacancies above rank of Police Officer

155.06 Promotions.

CROSS REFERENCES

Civil service - see Ohio Const., Art. XV, Sec. 10

Composition and powers - see CHTR. 4.04

Qualifications of members - see CHTR. Sec. 4.05

Civil Service Law - see Ohio R.C. Ch. 124

Provisions - see Ohio R.C. 124.40

Classification Plan authority and duties - see ADM. 159.07

155.01 DEVIATION FROM STATE LAW.

(a) The following set of Civil Service Regulations are hereby adopted in accordance with the authority conferred upon the Civil Service Commission of the City of Grove City by Section 10 of Article XV of the Constitution of the State of Ohio, Ohio R.C. 124.40, and by the City Charter, Sections 4.04 and 4.05, with the following changes to:

- (1) Ohio R.C. 124.23 Examinations-
- (2) Ohio R.C. 124.26 Eligibility lists - veteran's preference - provisional employees.
- (3) Ohio R.C. 124.27 Appointments-from eligible lists - probation.
- (4) Ohio R.C. 124.31 Promotions;
- (5) Ohio R.C. 124.44 Police department promotions.
- (6) and as otherwise provided, if applicable, in Chapter 161.

(b) In the event of a conflict, the terms of any collective bargaining agreement shall control over any provision in this Chapter or under Chapter 124 of the Ohio Revised Code.

155.02 EXAMINATIONS; PREFERENCES.

(a) All applicants for positions and places in the classified service shall be subject to examination, which shall be public and open to all citizens of the United States and those persons who have legally declared their intentions of becoming United States citizens, within certain limitations to be determined by the Civil Service Commission, as to citizenship, residence, age, experience, education, health, habit and moral character.

(b) Such examination may include an evaluation of such factors as experience, education, training, capacity, knowledge, habit and moral character, manual dexterity and physical or psychological fitness. Examinations shall consist of one or more tests in any combination. Tests may be written, oral, physical, demonstration of skill, or an evaluation of training and experiences and shall be designed to fairly test the relative capacity of the persons examined to discharge the particular duties of the position for which appointment is sought. Examinations may include structured interviews, assessment centers, work simulations, examinations of knowledge, skills, and abilities, and any other acceptable testing methods. Where minimum or maximum requirements are established for any examination, they shall be specified in the examination announcement.

(c) Except as otherwise provided in this Chapter, when a position in the classified service is to be filled, an examination shall be administered. The Commission shall have control of all examinations. The Commission shall prescribe the notification method that is to be used by the appointing authority to notify the Commission that a position in the classified service of the City is to be filled. Unless prohibited by a collective bargaining agreement, the Commission may allow the appointing authority to fill a position without an examination provided that the appointing authority can provide sufficient justification for such appointment, and provided further that the opening has been advertised internally and that the candidate meets the stated job requirements and is a current employee of the City.

No questions in any examination shall relate to political or religious opinions or affiliations. No extra credit for seniority, efficiency, or any other reason shall be added to an applicant's examination grade unless the applicant achieves at least the minimum passing grade on the examination without counting such credit. Seniority shall be applied as set forth in this Chapter. Reasonable notice of the time, place and general scope of every examination for appointment to a position in the civil service shall be given by the Civil Service Administrative Advisory Officer or designee. Notices of every examination shall be posted in conspicuous appropriate public places such as City Hall and Southwestern City School District Administrative office and posted electronically on the City's and District's internet sites on the World Wide Web for at least one week before any examination.

(d) Any person who is a resident of this State and who has completed service in any branch of the United States armed forces, who has been honorably discharged from the uniformed services or transferred to the reserve with evidence of satisfactory service, or who is a member of the national guard or a reserve component of the armed forces of the United States has completed more than one hundred eighty days of active duty service pursuant to an executive order of the President of the United States or an act of the Congress of the United States may file with the Commission, or its designee, a certificate of service or honorable discharge, and, upon this filing, the person **on any original appointment, excluding an original appointment for the Chief of Police, on any original appointment, excluding an original appointment for the Chief of Police,** shall receive additional credit of ten per cent of the person's total grade given in the examination in which the person receives a passing grade.

155.03 ELIGIBILITY LISTS

From the returns of the examinations, the Commission, or its designee, shall prepare an eligibility list of the persons who scored not less than the minimum score fixed by the Commission and who are otherwise eligible. The names shall be ranked based on examination score, including military and seniority credit, without reference to when the application for the examination was made, with the examinee receiving the highest grade

being placed first on the list. If two or more applicants receive the same score on an examination, including consideration of veteran and seniority credit, priority in the time of filing the application with the Commission, or its designee, shall determine the order in which their names shall be placed on the eligibility list, except that applicants eligible for veteran's preference under this Chapter shall receive priority in rank on the eligibility list over nonveterans on the list with a rating equal to that of the veteran. Ties among veterans shall be decided by priority of filing the application.

An eligibility list expires one year after its creation or upon the administration of a new examination. The Commission may approve an additional one year extension.

155.04 ORIGINAL APPOINTMENTS; CERTIFIED AND PROVISIONAL APPOINTMENTS; PROBATIONARY PERIOD.

(a) Upon written request of the appointing authority in which a position in the classified service is to be filled, the Commission or its designee shall certify to the appointing authority the names and addresses of the twelve candidates standing highest on the eligibility list for the class or grade to which the position belongs; provided that the Commission may certify less than twelve names if twelve names are not available. If more than one position is to be filled, the Commission shall certify to the appointing authority a list of names consisting of the original twelve plus one name for each additional position to be filled.

(b) The appointing authority shall appoint from the candidates on the certified list. The certified list expires upon the filling of the position(s) for which the list was requested. Each time a candidate removes himself/herself from the certified list, the appointing authority may request a new certified list.

(c) A person certified from an eligibility list more than three times to the same appointing authority for the same or similar positions, may be omitted from future certification to such appointing authority, provided that certification for a temporary appointment shall not be counted as one of such certifications.

(d) If an eligibility list becomes exhausted, or when no eligibility list exists for a position, and it is unreasonable or administratively burdensome to delay filling a vacancy in the classified service until an eligibility list can be created, names may be certified by the Commission from eligibility lists deemed to be most appropriate for the group or class of positions in which the vacancy exists.

(e) Appointments to all positions in the classified service that are not filled by promotion or transfer, shall be made only from those persons whose names are certified to the appointing authority, and no employment, except as provided in such sections shall be otherwise given in the classified service of the City, unless otherwise provided in this Chapter.

(f) All original and promotional appointments, including provisional appointments made pursuant to this Chapter, shall be for a probationary period of one year. No original appointment or promotion is final until the appointee has satisfactorily served the required probationary period. Service as a provisional employee in the same or similar class shall be included in the probationary period. If the service of the probationary employee is unsatisfactory, the probationary employee may be removed or reduced at any time during the probationary period. A probationary employee removed or reduced in position for unsatisfactory service does not have the right to appeal the removal or reduction.

155.05 FILLING VACANCIES ABOVE RANK OF POLICE OFFICER.

(a) No positions above the rank of police officer in the Division of Police shall be filled by original appointment except for the position of Chief of Police which may be filled by either promotion or original appointment following an examination as defined in this Chapter.

(b) No position above the rank of police officer in the Division of Police shall be filled by any person unless that person has first passed a promotional examination. Promotion shall be by successive ranks so far as

practicable, and no police officer in the Division of Police shall be promoted to the rank of Sergeant unless that person has first passed a promotional examination and has served at least sixty months as a police officer. No person with the rank of Sergeant or above shall be promoted to the next higher rank unless that person has first passed a promotional examination and has served at least twelve months in the then next lower rank. No person who takes an examination shall be appointed to the position of Chief of Police unless that person has at least twelve months experience in an equivalent rank or next lower rank in another police department or law enforcement agency.

(c) No examination or promotional examination shall be held unless there are at least two persons eligible and willing to compete. Whenever the Commission determines that there are fewer than two persons eligible and willing to compete, such Commission shall allow persons in the Division of Police holding positions in the second lower rank than the position to be filled who are eligible and willing, to compete for the position to be filled. Whenever a vacancy occurs in the position above the rank of police officer in the Division of Police and there is no eligibility list for such rank, the Commission shall, within one hundred and eighty days of such vacancy, hold a promotional examination. After such examination(s) has been held and an eligibility list has been established, the Commission, or its Designee, shall forthwith certify to the appointing authority the names of the three (five for position of Chief of Police) persons receiving the highest rating, including any applicable seniority or other preference points. When less than three (five for position of Chief of Police) names are certified to an appointing authority, appointment from that list shall not be mandatory. When the minimum number of names required herein are certified, the appointing authority shall appoint one of the three (five for position of Chief of Police) persons so certified within thirty days from the date of such certification. The certified list expires upon the filling of the position(s) for which the list was requested.

(d) No credit for seniority or any other reasons shall be added to an applicant's examination grade unless the applicant achieves at least the minimum passing grade on the examination without counting such extra credit. Seniority of service for a promotion in the Division of Police, beginning with the date of employment as a full-time police officer with the City of Grove City, shall equal for each of the first four years of service, one percent of the total grade attainable in the promotion examination, and, for each of the fifth through fourteenth years of service, six-tenths percent of the total grade attainable. Notwithstanding any provision herein, a candidate for promotion in the Division of Police may petition the Commission for additional seniority credit, up to the maximum set forth herein, for other full-time positions the candidate held if such positions provided training or other skills that were related to and/or beneficial to the candidate's current or prospective position within the Division of Police. When ruling on such a determination, the Commission shall have the ability to award full or partial credit up to the maximum set forth herein. The decision of the Commission shall be final and not subject to appeal.

155.06 PROMOTIONS.

(a) This Section shall apply to promotions outside of the Division of Police.

(b) Vacancies in positions in the classified service shall be filled insofar as practicable by promotions, except as otherwise provided in this Chapter. The Commission shall provide for making promotions in the classified service on the basis of merit, to be ascertained as far as practicable by promotional examinations and by seniority in service. In all cases where vacancies are to be filled by promotional examination, the Commission shall certify to the appointing authority only the names of the three persons having the highest score.

(c) In promotional examinations, seniority in service shall be added to the examination grade, but no credit for seniority or any other reason shall be added to an examination grade unless the applicant achieves at least the minimum passing score on the examination without counting such extra credit. For all promotions, seniority of service beginning with the date of full-time employment with the City of Grove City shall equal for each of the first four years of service, one percent of the total grade attainable in the promotion examination, and, for each of the fifth through fourteenth years of service, six-tenths percent of the total grade attainable.

Unless otherwise provided herein, the procedural rules and processes for original examinations shall apply to promotional examinations.