

## CIVIL SERVICE COMMISSION RULE 2

### ORGANIZATION OF THE COMMISSION AND THE HUMAN RESOURCES DEPARTMENT

#### 2.01 Purpose

The purpose of Rule 2 is to describe the Civil Service Commission, the Human Resources Department, and the respective organization and responsibilities of each. For the purpose of these Rules, the Human Resources Department is defined as the Human Resources Director and his or her staff. (CSC 2/24/09)

#### 2.02 Civil Service Commission: Organization, Meetings, and Powers

##### A. Commissioners

There will be three Civil Service Commissioners appointed by the City's Executive Committee with the approval of City Council. (CSC 12/15/15)

1. Each Commissioner serves a three year term with one term expiring each year on March 1. Any vacancies occurring otherwise will be only for the unexpired term. Commissioners will continue in office until their successors have been officially appointed. (CSC 12/15/15)
2. An oath for the faithful discharge of duties will be administered by the City Clerk to each Commissioner prior to beginning their term of office.
3. A Commissioner shall not be eligible to apply for any position in the classified service during their term in office. (CSC 4/26/90)

##### B. Meetings

Regular meetings of the Commission will be scheduled for the fourth Tuesday of each month; additional meetings may be held if necessary. The meetings will follow the guidelines below: (CSC 3/11/04)

1. An organizational meeting will be held on the second Monday in August for the purpose of electing the President, Vice President and Secretary of the Commission. (CSC 12/15/15)
2. Commission meetings may be postponed with the consent of the President of the Commission; notices of such postponements will be clearly and publicly communicated by the Commission/Human Resources Department. (CSC 12/15/15)

3. Two Commissioners constitute a quorum; the concurrence of two members will be necessary for any action or vote to carry.
4. Minutes of all meetings will be prepared and maintained by the Human Resources Department on behalf of and subject to the approval of the Commission. (CSC 12/15/15)

C. Powers

1. Rule Making

The Civil Service Commission may make, amend, or repeal rules in order to promote sound human resource management practices, to promote efficiency of the service and to carry out the intent of the City Charter. (CSC 2/24/09) (CSC 12/15/15)

2. Administrative

The Civil Service Commission directs the Human Resources Department to administer the policies and procedures necessary to carry out the intent of the City Charter and Commission Rules.

3. Investigative

a. The Commission may investigate or direct the Human Resources Department to investigate appeals about the application or the enforcement of the Civil Service Commission rules and regulations. The investigations include the following: (CSC 12/15/15)

1. Matters relating to the action of examiners and procedures followed during examinations;
2. Classification audits;
3. Any other such matters that fall within the scope of the City Charter and these Rules.

b. The investigations will include review of relevant documents or records as well as gathering information and testimony from all concerned parties. (CSC 12/15/15)

c. In the course of investigations, each Commissioner will have power to issue subpoenas, to administer oaths, to compel attendance and testimony of witnesses and to require the production of books and papers if these are not made readily available to investigators.

### **2.03 Human Resources Department Responsibilities**

The Human Resources Department, under the direction of its Director, is responsible for carrying out the provisions of Civil Service Commission Rules and shall, in addition: (CSC 12/15/15)

- A. Develop policies and procedures to administer these Rules, including but not limited to: recruitment, examination and certification of qualified applicants for open and promotional positions; evaluation and classification of positions; audit and verification of payroll; maintenance of employee records; coordination of employee job skill training programs; and perform other duties related to efficient human resource administration; (CSC 2/24/09)
- B. Propose changes to the Rules based on developments in the fields of human resources and public administration; (CSC 2/24/09)
- C. Serve as examiners for appropriate open/competitive examinations;
- D. Work cooperatively with all City departments to provide a coordinated and effective Human Resource Management system; and (CSC 2/24/09) (CSC 12/15/15)
- E. Communicate with employees regarding policies, procedures and rules.
- F. Perform other duties or functions as specified in the Rules or as required by the Commission. (CSC 12/15/15)

### **2.04 Appeals**

The Human Resources Department is authorized to receive appeals by employees when permitted by City Charter or these Rules. Applicants who are not employees have no right of appeal under these Rules. The following guidelines for appeals will be observed: (CSC 12/15/15)

#### **A. Time Limits**

No appeal will be considered unless it is timely filed in accordance with this Rule.

- 1. Appeals on rejection of an application or Not-Selected-for-Testing (NST) must be made in writing to the Human Resources Department and must be received within 15 calendar days of the sending of the rejection or NST notice. (CSC 12/15/15)
- 2. Appeals related to any part (written, oral, practical, T & E, etc.) of an examination must be made in writing to the Human Resources Department and must be received within 15 calendar days of the sending of the grade notice; and must clearly specify the items or matters contested. (CSC 12/15/15)

3. Appeals related to disciplinary action, including the removal or discharge of a veteran, shall be made in accordance with CSC Rule 11. (CSC 12/15/15) (CSC 01/24/17)
4. Appeals of any other nature under these Rules must be made in writing to the Human Resources Department and must be received within 15 calendar days of the action or when the employee would have reasonably been aware of the action. (CSC 12/15/15)

B. Format for Appeals

Appeals by employees under this Rule will be accepted for consideration only if they specifically cite the facts and circumstances upon which the employee asserts that a Commission Rule or Charter provision was allegedly violated. (CSC 12/15/15)

C. Consideration of the Appeal

The Human Resources Department will investigate appeals by employees based on the Civil Service Commission Rules, policies, and precedents, and make a determination, which shall be communicated to the employee and the Civil Service Commission in writing. The Commission may reconsider the staff determination in such appeals. In these cases, the appeal will be heard on the public agenda of the Commission's regular meeting. If the Commission declines to reconsider the staff determination the staff determination shall be final and binding. (CSC 12/15/15)

D. Commission Action

The Commission will take remedial action necessary to preserve the intent of the Charter and these Rules. (CSC 12/15/15)

E. Appeals Under a Labor Agreement

Appeals related to specific provisions of a labor agreement will not be heard by the Civil Service Commission unless specifically so allowed by the labor agreement. (CSC 12/15/15)

F. Rehearing

No appeal will be reheard on a matter after it has appeared on the public agenda, and on which the Commission has already acted. (CSC 12/15/15)

G. Final Authority

The Civil Service Commission has the final authority to determine whether or not the Human Resources Department's decision is consistent with the intent of the Rules and/or established policy and precedent. (CSC 12/15/15)