

## CIVIL SERVICE COMMISSION RULE 8

### CERTIFICATIONS, APPOINTMENTS AND PROBATION

#### **8.01 Purpose**

The purpose of Rule 8 is to describe the process of filling vacancies with qualified candidates. (CSC 3/14/02)

#### **8.02 Requisitions**

The process for filling vacancies in the classified service is initiated when a City department submits a requisition to the Human Resources Department.

#### **8.03 Rule-of-Certification**

The Human Resources Department will send the requisitioning department (certify) the allowable number of names of eligible candidates for each vacancy. Eligible candidates not hired will be returned to the list in their proper order. Exceptions to this general rule-of-certification include: (CSC 3/14/02) (CSC 12/15/15)

##### A. Laid-Off Eligible Employees

When there are City employees who have been laid-off from the job class being requisitioned for, the Human Resources Department will certify the name of the most senior, laid-off employee on the recall list to the vacancy. For each additional vacancy, one additional name of a laid-off employee will be certified. (CSC 3/14/02) (CSC 12/15/15)

##### B. Lists With Less Than Three Names

When there is a list of qualified candidates (other than a recall list) with less than three names, the department may request the establishment of an additional list so that there will be a total of at least three persons from which to select. (CSC 3/14/02) (CSC 12/15/15)

#### **8.04 Priority of Requisitions**

In the case of high turnover positions or where a backlog of requisitions is occurring, the Human Resources Department may implement expeditious procedures to fill the vacancies. (CSC 3/14/02) (CSC 12/15/15)

## **8.05 Order of Certification of Hiring Lists**

The priority of hiring lists as well as the order of certification within lists is cited below. Except for recall lists, certification from a lower priority list will generally not be made unless deemed necessary by the Human Resources Director after determining that there is no qualified eligible candidate on any existing internal-only list. (CSC 4/11/02) (CSC 12/15/15)

### **A. Recall Lists (CSC 12/15/15)**

1. The person whose position was abolished in the department making requisition. Department for the purpose of recall lists shall mean the City or the Park Board. (CSC 12/15/15)
2. The person on the recall list for reasons other than abolishment of the position in the Department making requisition.

### **B. Promotional Lists (CSC 12/15/15)**

The top person on the list from the Department making requisition along with the pool of qualified candidates on the list. (CSC 01/24/17)

### **C. Restricted Lists**

The top person(s) on the list resulting from examination restricted to City employees. (CSC 3/14/02)

### **D. Open Lists (CSC 3/14/02)**

The top person(s) on the list resulting from open competitive examination.

## **8.06 Certification from a Related List**

In the absence of a list of eligible candidates for the job class requested, the Human Resources Department may certify candidates from a closely related list, where the examination reasonably measures the ability of the candidate to perform the duties of the vacant position. (CSC 3/14/02) (CSC 12/15/15)

## **8.07 Notification to Candidates**

If a department is unable to contact a certified candidate within three business days the department may notify the Human Resources Department, and may request the certification of additional candidates. All eligible candidates who respond to the appointing authority within three business days may be interviewed. (CSC 3/14/02) (CSC 12/15/15)

### **8.08 Objections by Department**

A department may object to the certification of an eligible candidate on the grounds that the candidate is unsuitable for the position. The reasons must be submitted to the Human Resources Department in writing. Human Resources Department may maintain the certification or place the matter on the agenda of the Commission, which may (CSC 12/15/15):

- A. Maintain the certification;
- B. Cancel the certification; or,
- C. Remove the name from the list of eligible candidates. (CSC 3/14/02).

### **8.09 Types of Employment (CSC 1/2/15/15)**

- A. Permanent, or Regular, employment means any employment in a budgeted position which requires the service of an incumbent for not less than half-time on a year-round basis or, for not less than full-time on a seasonal or intermittent basis where employment leads to seniority rights for year-round work. (CSC 3/14/02) (CSC 12/15/15)
- B. Temporary employment means any employment other than permanent or seasonal. No temporary employment will be construed as giving employee permanent rights. (CSC 3/14/02)
- C. Seasonal employment means any employment that requires the services of an incumbent at a particular time of each year. The employee has the right of recall in subsequent seasons and seasonal employment may lead to seniority rights for year-round work. (CSC 3/14/02) (CSC 12/15/15)

### **8.10 Types of Position Assignments**

- A. Full-time means a position which requires the service of an incumbent one hundred percent of the normal work week on a year-round basis. (CSC 3/14/02)
- B. Part-time means a position that requires the services of an incumbent for less than the full working day or week and may or may not be intermittent in nature. (CSC 3/14/02)
- C. Intermittent means a position that requires the services of an incumbent at irregular time periods and/or on an irregular basis. (CSC 3/14/02)

### **8.11 Probation Following Initial Employment**

The probationary period is the final step in the selection process before the employee gains permanent status. (CSC 3/14/02) (CSC 12/15/15)

A. Objective

The primary objectives of a probationary period are training and evaluation of the new employee's job performance. There should be informal review and feedback of job performance of the probationary employee. In addition, there should be at least one formal review of job performance at which time the employee is clearly informed of any deficiencies in performance that must be corrected in order to successfully complete probation. Such formal review should be scheduled to allow adequate time for the employee to correct any deficiencies before the end of the probationary period. Any employee whose performance is unsatisfactory after reasonable time has been allowed for improvement should be released during the probationary period. (CSC 8/24/89) (CSC 12/15/15)

B. Duration

1. All employees shall serve a twelve- month probationary period. Completion of probation requires working twelve full months. (CSC 10/15/87) (CSC 12/15/15)
2. Employees who have passed probation and have been laid-off are not required to serve a new probationary period when re-certified to the same class unless the job has significantly changed. (CSC 3/14/02)
3. Temporary service in a position immediately preceding certification to that position, without interruption, shall:
  - a. Count towards satisfaction of the probationary period;
  - b. Count toward benefits eligibility (without retroactivity for benefits) and pay progression requirements, provided the duties of the temporary and permanent assignments are the same; and,
  - c. This provision regarding temporary service shall not apply to employees of the Park Board. (CSC 12/15/15)

**8.12 Probation Following Promotion or Voluntary Transfer**

Permanent employees who obtain a promotion or a voluntary transfer of title to a different job class within the City must serve a new probationary period. (CSC 3/14/02) (CSC 12/15/15)

A. Objective

Because a promotion or change to a different job class requires employees to demonstrate different job skills or assume additional responsibilities, their job performance during the promotional period is to be evaluated by the department as if

they were new employees. Employees who are substandard in the performance shall be returned to their status class before promotion or transfer. (CSC 12/15/15)

B. Duration

1. Permanent full-time or regular employees serve a six-month probationary period. Completion of probation requires working six full months. (CSC 12/15/15)
2. Permanent part-time employees must serve a probationary period of at least six full months within a calendar year with hours prorated according to job assignment.
3. Temporary service in a position immediately preceding certification to that position, without interruption, shall count towards satisfaction of the probationary, benefits eligibility (without retroactivity) pay progression requirements and seniority, unless the job has significantly changed. This provision shall not apply to employees of the Park Board. (CSC 11/21/95) (CSC 3/14/02) (CSC 12/15/15)

**8.13 Probation Following Voluntary Transfers across Departments within the Same Job Class**

Employees who voluntarily request and receive transfers to their same job class in other departments must serve a probationary period of three full months of actual work. At any time during this three-month period, both the employee and the employing department have the right to repeal their approval of the transfer. In this case, the employee returns to their job class in the former department without loss of seniority, benefits, or other rights.

**8.14 Appeal Rights of Employees Removed During Probationary Period**

A. Appeal Rights

1. Employees removed during a probationary period may not appeal and are not entitled to a hearing under these rules.

B. Veterans

1. A Veteran removed during an initial probationary period is not entitled to a Veteran's Preference hearing.
2. A Veteran removed during probation following a promotion or a voluntary transfer is entitled to a Veteran's Preference hearing.
3. The rights of a veteran are subject to Minnesota Statute § 197.46.