

Rules of the Colorado Springs

Civil Service Commission

for the Municipal Police and

Fire ~~Forces~~Departments



August 2014 ~~March 2013~~ FIRE DEPARTMENT

RULE 1

ORGANIZATION AND BASIC POWERS OF THE CIVIL SERVICE COMMISSION

1.1 *Appointment of Commission (1979)*

The Civil Service Commission consists of five (5) members who shall serve without compensation. The City Council shall appoint two (2) members to said Commission to serve for one (1) year, another two (2) members to said Commission to serve for two (2) years, and one (1) member to serve for three (3) years. Thereafter, as the initial terms of such appointments expire, Council shall appoint members whose terms shall be for a period of three (3) years. Members of the Civil Service Commission shall be allowed to be appointed for a second consecutive three-year term, but none thereafter. If a vacancy shall occur in the Commission, it shall be filled by appointment by the Council for the unexpired term.

1.2 *Organization*

The Commission shall choose from its own membership a Chairman, who shall serve at the Commission's pleasure, and who, subject to the direction of the Commission, shall have such general authority and responsibility in the administration of these Rules as shall not be inconsistent with the powers reserved to the Commission by Article XVIII of the Charter, or by these Rules, or vested directly in some other office.

1.3 *Office Facilities and Payment of Expenses (2014)*

The Mayor shall provide a suitable and properly furnished meeting place for the Civil Service Commission. An estimate of the anticipated expense of the Commission for the ensuing fiscal year shall be prepared by the Commission and presented to the Mayor at the appropriate time for inclusion in the Mayor's annual budgetary request. The Controller shall, from time to time, pay the expenses of the Commission.

1.4 *Reports to City Council and the Mayor (2014)*

The Commission shall in January of each year make an annual report to the Mayor and City Council showing its own actions, the number of examinations held, the number of persons placed on employment lists, and other like information; and setting forth any suggestions it may approve for the more effectual enforcement and carrying out of the principles of sound personnel administration. Special reports shall be submitted as requested by the Mayor or City Council.

1.5 *Secretary to Commission (2015)*

The Director of ~~Personnel~~ Human Resources or such other person as the Commission shall designate shall serve as Secretary to the Commission. The Secretary shall administer the provisions of the Civil Service Rules under the direction of the Civil Service Commission and perform, as Secretary, such other duties as these Rules or the Commission may assign.

1.6 *Authority to Make Investigations*

The Commission shall have authority to make investigations, either sitting as a body or through a single Commissioner appointed by the Commission for that purpose, concerning all matters touching the enforcement and effect of the Civil Service provisions of the Charter and of these Rules.

RULE 2 POLICE AND FIRE CLASSIFICATION PLAN

2.1 *Division of Service (1999, ~~2015~~)*

All salaried positions of the Police and Fire Departments of the City are divided into the classified and unclassified services. The unclassified service shall include the positions of Chief of Police, Deputy Chiefs (Police), Chief of Fire ~~and~~ Deputy Chiefs (Fire), ~~and Assistant Chiefs (Fire)~~. The classified service shall include all other positions of the Fire and Police Departments of the City service which are eligible for participation in the Police and Fire pension funds.

2.2 *Classification of Positions*

The Secretary shall ascertain the duties, authority, and responsibilities, of all positions in the classified service. After consultation with departmental officials, the Secretary shall recommend to the Civil Service Commission a plan of position classification which shall group all positions in the classified service in classes based on their duties, responsibilities, and work requirements. The classification shall set forth for each class of positions a class title, a statement of duties, authority, and responsibilities thereof, and the qualifications that are necessary for the satisfactory performance of the duties of the class.

2.3 *Adoption of the Classification*

The Civil Service Commission shall, after hearing suggestions and recommendations which Department Heads, supervisors, employees, and other interested persons may present, approve and forward the plan of classification and the allocation of positions thereto to the Secretary for inclusion in the Citywide position classification plan.

2.4 *Interpretation of Class Specifications*

The Secretary shall prepare specifications for each class of positions. Specifications will be interpreted in their entirety and in relation to others in the classification plan. Particular phrases or examples will not be isolated and treated as full definitions of a class. Specifications shall be deemed only as descriptive and explanatory of the kind of work required, in positions in the several classes, but not necessarily inclusive of all duties to be performed.

2.5 *Administration of Plan*

Revisions of class specifications, reallocations within the approved classifications, abolition of classes, the establishment of new classes and other changes, will be recommended by the Department Head as often as necessary in order that the classification will reflect current work situations.

2.6 *Use of Class Titles*

The class title set forth in the classification plan shall be used to designate positions in all official records, vouchers, payrolls and other communications. No person shall be appointed to or employed in a position

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under a class title which has not been approved by the Commission and included in the citywide classification plan.

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POLICE AND FIRE CLASSIFICATION PLAN

RULE 3 METHOD OF ESTABLISHING ENTRY LEVEL EMPLOYMENT LISTS

3.1 *Announcements of Examinations (1988, 1998, 2003, 2009)*

All examinations or selection processes for entry level and lateral entry and reserve entry positions in the classified service shall be announced at least two weeks (14 days) in advance by advertisements placed in the news media or in any other manner deemed appropriate by the Commission. The announcement shall specify the title and salary range of the class for which the examination is announced; the weights given each part of selection procedure; the required qualifications; the duration of the employment list or, if applicable, the period that test scores will remain valid; the time, place, and manner of making applications; and the closing date, if applicable, for receiving applications.

3.2 *Application Forms (1989, 2003, 2015)*

Applications shall be made ~~on forms provided by the Secretary and in a manner~~ approved by the Commission. Such ~~forms applications~~ may require information covering age, citizenship, residence, military service, training, experience, education, references, or other pertinent information. As a condition of appointment, candidates shall be required to submit proof of their age, educational level completed, legal right to work within the United States, and military service. All applications must be signed by the person applying. In the case of continuous testing, an application shall be rejected if the applicant's test scores are still valid.

3.3 *Disqualification (1982, 1990, 1998, 2009, 2015)*

The Police and Fire Department shall reject an application which indicates that the candidate does not meet the established minimum qualifications for the position. Applicants for Police Officer or Recruit shall be disqualified if they have been convicted of a felony or a crime involving moral turpitude, ~~unless they have received a pardon~~. Candidates may also be rejected if they have made any false statements of any material fact; or practices, or attempts to practice any deception or fraud in their application for employment.

At any time after an application is submitted and prior to an offer of employment, a background investigation will be conducted of the applicant. Such investigation may include a polygraph examination. Any portion of the investigation that involves a medical examination and/or is likely to elicit information about a disability must be conducted after a conditional offer of employment is made. The results of this investigation may constitute grounds for disqualification by the Fire/Police Chief or Designee, respectively. Grounds for disqualification may include, but are not limited to: conviction of a crime; admission by the candidate of conduct of a criminal nature, whether or not resulting in a conviction, or other wrongful acts of a serious nature; use or sale of controlled substances; excessive use of alcohol; other evidence of bad character or irresponsible conduct of such a nature that in all likelihood would render the candidate unfit for employment in the Uniformed Police or Fire Service. If at any time during

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the course of the background investigation, information is discovered that disqualifies the applicant, the department may disqualify the applicant at that time without completing the investigation. The department is responsible for informing the applicants in writing that they have not been selected for appointment.

3.4 *Competitive Examinations For Entry Level Positions (1989, 1994, 1998, 2000)*

In an effort to obtain the best possible individuals to fill the City's need for classified employees, all appointments to entry level positions shall be made in accordance with a valid selection procedure consisting of open-competitive examinations.

Under the direction of the Civil Service Commission, such examinations shall be prepared by the Secretary with technical assistance from Department Heads and consultant(s). Open-competitive examination plans shall be approved by the Civil Service Commission.

Examinations shall be based upon job analysis and shall relate to those matters which will test fairly the capacity and fitness of the candidates to discharge efficiently the duties of the classes for which the examinations are held. Examination plans shall include, as a minimum, two components. A component is defined in terms of the job analysis and examination plan not in terms of the instrument or medium used to assess the critical knowledge, skill, ability or task competency. A component is further defined as a test element or procedure that assesses one or more important knowledge, skill, ability or task competency not assessed by any other component of the examination plan. Competitive examinations shall be open to all candidates who meet the qualifications fixed by the Secretary with approval of the Commission with regard to age, experience, education, physical condition, residence, and such other factors as may be related to the ability of the candidate to perform successfully the duties of the position.

The Commission shall control all examinations and may designate persons, either in or not in the service of the City, to act as examiners or assistants in examinations. If the persons so designated are in the City service, it shall be part of their official duty, without extra compensation, to conduct such examinations as the Commission may direct, and make return, and report thereof to the Commission. The Commission may, at any time, substitute any person in place of another designated as examiner or assistant. The Civil Service Commissioners may themselves act as examiners.

3.5 *Physical and Medical Requirements*

All candidates for positions in the classified service are required to meet such physical and medical standards as may be required by regulations of the Commission. Physical tests and medical examinations shall be given by qualified examiners. The examiners shall report in writing those candidates who pass the minimum standards and those who fail to meet the minimum standards. Candidates who fail to meet minimum physical and medical standards shall be disqualified from further examination and shall not be eligible for appointment.

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3.6 Method of Rating (1989)

Professional measurement techniques and procedures shall be used in rating the results of examinations and determining the relative ranking of the candidates. In all examinations, the minimum score necessary to achieve eligibility shall be established by the Secretary and the Department Head, and approved by the Commission in accordance with established norms for that specific examination. The Secretary and the Department Head may employ the services of an outside consultant.

Candidates may be required to attain at least the minimum score on each part of the selection procedure in order to be eligible to take the next part. The final earned ranking of the candidates shall be determined by computing their score on each part of the selection procedure in accordance with the weights established for each part.

3.7 Rating, Training, Experience, Character, and Fitness (1989)

Where a rating of experience and training are a part of the examination, the Commission shall develop such procedures as necessary for the evaluation of these factors that will serve to assist in the selection of the best qualified candidates. These procedures shall give due regard to the quality, recency and amount of experience, and to the pertinency and amount of training. The Secretary or the Department Head shall verify statements contained in the candidate's application and secure further information concerning character and fitness.

If, after an employment list is established, information which materially affects the rating of experience, training, character, or fitness of the candidate is received, the Secretary shall make a new rating of the candidate's examination and make the necessary adjustments in the lists. The Secretary shall promptly notify the candidate of any change made in the candidate's standing and the reasons therefore.

3.8 Veteran's Preference

Preference shall be accorded veterans who are eligible for appointment to the extent required by the Constitution or Laws of the State of Colorado. No preference shall be accorded candidates unless they have successfully met the minimum requirements for appointment.

3.9 Notification of Examination Results (2012)

Candidates who take an examination shall be given written notice as to whether they passed or failed the examination, or of their failure to attain a place on the employment list.

3.10 Lateral Entry Selection (1998,2009)

Under the direction of the Civil Service Commission, the Police and/or Fire Department may establish a separate lateral entry selection process for Police Officers or Firefighters from other jurisdictions.

RULE 4

METHOD OF ESTABLISHING PROMOTIONAL EMPLOYMENT LISTS

4.1 *Announcement of Examinations (1988)*

All examinations for promotional positions within the classified service shall be announced at least thirty (30) days in advance by placing announcements on all official bulletin boards within the Department, and in such other places as deemed appropriate by the Commission. The announcement shall specify: the title and the salary range of the class for which the examination is announced, the required qualifications, a list of subject matter to be covered on the examination (the list shall be inclusive of all subject matter to be included in the exam, however, not every listed subject need be covered on the exam), the method used to establish the minimum rating necessary to take the subsequent parts of the selection procedure, and the weight attributed to each part of the selection procedure.

A. Reading List

The reading list from which the written examination was developed shall be published in advance of the exam in accordance with a schedule approved by the Commission.

4.2 *Application Forms (1989, ~~2015~~)*

Applications shall be ~~made on forms provided by the Secretary and in a manner~~ approved by the Commission. Such forms may contain information covering length of service, education, in-service training, duty assignments, and other pertinent information as requested. All applications must be signed by the person applying.

4.3 *Disqualification (2015)*

The Civil Service Commission may reject any application which indicates on its face that the candidate does not possess the established minimum qualifications required for the position. Applications may also be rejected if the candidates are: physically unfit to perform the duties of the position to which they seek appointment, make any false statement of any material fact, practice or attempt to practice any deception or fraud in their application, or fail to meet such other requirements as may be established by the Commission. Candidates may learn of the reason for their disqualification from the Department ~~of Personnel~~ during business hours.

4.4 *Competitive Examinations (1983, 1989, 1994)*

All appointments to promotional positions within the classified service shall be made in accordance with a valid selection procedure comprised of open-competitive examinations designed specifically for the classes for which the examinations are held.

Under the direction of the Civil Service Commission, such examinations shall be prepared by the Secretary with technical assistance from Department Heads and consultant(s). Open-competitive examination plans shall be approved by the Civil Service Commission.

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METHOD OF ESTABLISHING PROMOTIONAL EMPLOYMENT LISTS

Examinations shall be based upon job analysis and shall relate to those matters which will test fairly the capacity and fitness of the candidates to discharge efficiently the duties of the classes for which the examinations are held. Examination plans shall include, as a minimum, two components. A component is defined in terms of the job analysis and examination plan not in terms of the instrument or medium used to assess the critical knowledge, skill, ability or task competency. A component is further defined as a test element or procedure that assesses one or more important knowledge, skill, ability or task competency not assessed by any other component of the examination plan. In addition, promotional examinations may, at the discretion of the Commission, take into consideration the individual's job performance (measured by the individual's performance ratings), or length of service (seniority), or both.

Competitive promotional examinations shall be open to all classified employees who meet the established qualifications and who are serving in an appropriate class as determined by the Commission.

The Commission shall control all examinations and may designate persons, either in or not in the service of the City, to act as examiners or assistants in examinations. If the persons so designated are in the City service, it shall be part of their official duty, without extra compensation, to conduct such examinations as the Commission may direct, and make return, and report thereof to the Commission. The Commission may, at any time, substitute any person in place of another designated as examiner or assistant. The Civil Service Commissioners may themselves act as examiners.

4.5 Physical and Medical Requirements

All candidates for promotional positions in the classified service are required to meet such physical and medical standards as may be required by regulations of the Commission. Physical tests and medical examinations shall be given by qualified examiners. Candidates who fail to meet the minimum physical and medical standards shall be disqualified from further consideration for the positions which they are seeking.

4.6 Method of Rating (1983, 2015)

Professional measurement techniques and procedures shall be used in rating the results of examinations and determining the relative ranking of the candidates. In all examinations, the Commission shall determine the need for a cutoff score, and where applicable, shall determine the cutoff score necessary for the candidate to successfully pass any given part of the selection procedure.

A. Written Examination (1988, 2015)

Where written examinations are used, ~~the number of candidates eligible to take the next part of the selection procedure shall bear a direct relationship to the number of actual and projected vacancies in the class for which the examination is held.~~ Determination of eligibility to take the next part of the selection procedure shall be in accordance with the methodology approved by the Civil Service Commission on an examination-by-examination basis.

B. Practical Tests (1989, 2015)

Where practical tests are used as part of the selection procedure, a member of the Department of ~~Personnel~~, may act as an independent timekeeper or judge to ascertain that all candidates are rated in a fair and impartial manner.

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C. Oral Examinations (2015)

Where oral board examinations are part of the selection procedure, the Board shall be made up of such qualified individuals, ~~and may including-include~~ Commission Members, as deemed necessary by the Commission to rate the qualifications of the candidates to perform the duties of the class for which the exam is held. Before rating each candidate, the oral board member may ask for and receive each candidate's application/resume and personnel file.

The final earned ranking of the candidates shall be determined by totaling their score on each part of the selection procedure in accordance with the weights established for each part before the date of the examination and announced in the notice of the examination.

4.7 Rating, Training, Experience, Character, and Fitness (1989)

Where a rating of experience and training are a part of the examinations, the Commission shall develop such procedures as necessary for the evaluation of these factors that will serve to assist in the selection of the best qualified candidates. These procedures shall give due regard to the quality, recency and amount of experience, and to the pertinency and amount of training. The Secretary or the Department Head may verify statements contained in the candidate's application and secure further information concerning character and fitness.

4.8 Veteran's Preference

No veteran's preference shall be accorded to any person on any promotional examination.

4.9 Notification of Examination Results (1989, 2012)

Candidates who take an examination shall be notified as to whether they pass or fail the examination, or of their failure to attain a place on the promotion list. After being notified of the written test results, candidates shall be entitled to review written test materials in accordance with the respective department guidelines and any legal requirements.

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5.1 *Establishment of Promotional and Entry Level and Lateral Entry Employment Lists (1998, 2009)*

The Commission shall establish and maintain employment lists for the various classes of positions, as it deems necessary or desirable to meet the needs of the classified service. On each list, the candidates shall be ranked in order of their ratings earned in the selection procedure used for the purpose of establishing such lists. In the case of ties in the final earned ratings, names shall be placed on the list in the order of the ratings earned on the part of the selection procedure given the greatest weight.

5.2 *Availability of Candidates (2015)*

It shall be the responsibility of candidates (those persons on promotional or entry level lists) to notify the ~~Secretary-Department~~ in writing of any change of address or other change affecting their availability for employment. However, the ~~Secretary-Department~~ may circulate lists or use other methods to determine at any time the availability of candidates. Whenever candidates submit a written statement restricting the conditions under which they will be available for employment, that name may be withheld from all certifications which does not meet the conditions specified. Candidates may file a new written statement at any time within the duration of an employment list modifying any prior statement as to conditions under which they will be available for employment.

5.3 *Duration of Lists or Test Scores (2003, 2009, 2014)*

A. For examination processes other than continuous testing, the time during which a list shall remain in force shall be as follows:

1). Employment Lists for Entry Level and Lateral Entry (1988, 1998, 2009, 2014)

An entry level and a lateral entry employment list, except as otherwise provided herein, shall be in force for a minimum of six (6) months from the date of which it was originally established by the Commission and the total period during which the list is in force shall not exceed two (2) years from the date it was originally established. The Commission may approve a one-time extension of a list not to exceed an additional two years.

2). Promotional Employment Lists (1983, 1992, 2008, 2014)

Promotional employment lists for Police Commanders shall be in force for a minimum of one (1) year from the date on which they were originally established by the Commission and shall not exceed two (2) years. All other promotional lists, except as otherwise provided herein, shall be in force for two (2) years from the date they were originally established by the Commission. The promotional employment lists may not be extended beyond the date originally established by the Commission. In the event that a promotional employment list is exhausted of all candidates before its scheduled expiration date, the Commission may call for a new list to be established. Employment lists will be retained by the Secretary for one (1) year after the date of their expiration. The Commission shall have the power to terminate any employment list

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prior to its expiration date, when it is deemed necessary and proper, and to call for a new list to be established. An order terminating a list prior to its expiration date shall be in writing from the Commission and shall be posted on all official bulletin boards of the affected department.

B. Continuous Testing Examination Process for Entry Level and Lateral Entry (2009)

An employment list will be maintained for the continuous testing process but is not subject to the timelines described in subsection A, above. For the examination process involving continuous testing, the time during which a candidate's score will remain valid on the employment list shall be twelve (12) months.

C. Continuous Testing Examination Process for Promotional Firefighter Paramedic (2014)

A promotional employment list for Firefighter Paramedic may, at the discretion of the Department, be maintained for the continuous testing process but is not subject to the timelines described in subsection A above. For the examination process involving continuous testing, the time during which a candidate's score will remain valid on the employment list shall be twelve (12) months. Once a passing score is established, candidates may not retest within the twelve (12) months of their scores being valid.

5.4 Reemployment Lists (2000, 2009)

Employees separated from the service due to a layoff may at their request be placed on a layoff reemployment list by filing a written request at the time of separation with the Police/Fire Chief and Secretary to the Civil Service Commission. The relative ranking of individuals on the list shall be determined in inverse order of layoff by appropriate rank as determined in Rule 10.1. Such individuals, when reinstated from layoff, shall retain the rank held when separated.

Regular employees who resign their positions may request to be placed on a resignation reemployment list by filing a written request, at the time of separation with the Police/Fire Chief and Secretary to the Civil Service Commission. It is within the sole discretion of the Police/Fire Chief as to whether he/she will grant the employee's request. If the Police/Fire Chief grants the employee's request, his or her name will remain on a resignation reemployment list for a period of three (3) years from the effective date of such resignation. This list shall be maintained separately from the reemployment list for individuals separated due to a layoff. The Police/Fire Chief will have sole discretion to determine who will be hired from the resignation reemployment list. Such individuals, when reinstated, shall retain the rank held at the time of resignation, except that in no case shall an individual be reinstated at a rank higher than Police Officer I or Firefighter I.

The City will comply with any state and federal requirements concerning leave-of-absence and job reentry.

Any employee selected under section 5.4 must be able to perform the duties of the position upon rehire and meet minimum qualifications for that rank. If the time period from the date of layoff to the date of rehire is less than six months, the individual must successfully pass background screening in accordance with the department's procedures. If the time period from the date of layoff to the date of rehire is greater than six months, the candidate must successfully pass background testing in accordance with the department's procedures.

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RULE 6 METHOD OF FILLING VACANCIES

6.1 Employee Requisitions

When a vacancy occurs and the Department Head deems it necessary to fill the vacancy, the Department Head shall submit a requisition in the manner prescribed by the Commission providing the pertinent facts relative to the duties, responsibilities, and qualifications of the position which is to be filled. If a list of candidates is available, certification will be made in the manner prescribed.

6.2 Certification of Candidates (1983, 1998, 2009)

The name certified to the Police/Fire Chief for appointment shall be selected from the proper employment list in a manner prescribed by the Civil Service Commission. If more than one vacancy exists, the Police/Fire Chief shall certify the number of candidates equal to the number of vacancies. Where the vacancy is in an entry-level position, the layoff reemployment list will have priority in filling vacancies. After this list has been exhausted, the Police/Fire Chief may, in no particular order, use the entry level, lateral level or resignation employment list to fill remaining vacancies, unless a different order is indicated by the Police/Fire Chief and approved by the Commission.

Where the vacancy is in promoted rank, the appropriate layoff reemployment list will have priority in filling vacancies. After this list has been exhausted, the appropriate promotional employment list shall be used to fill the vacancy.

If special skills and attributes are specified by the Police/Fire Chief in the requisition, and the Commission after investigation determines that the facts and reasons specified are conclusive as to the need for the special requirements for effective performance of the duties of the position, certification may be limited to a person or persons on the appropriate list who meet such requirements.

6.3 Appointment (2009)

The Police/Fire Chief shall make the appointments of those individuals certified. The person or persons appointed shall be notified of the time and place that they are to report for duty.

6.4 Temporary Appointments (2010, 2011, 2015)

- A. When the Police/Fire Chief finds it essential to fill a vacant position and no employment list exists or there is no candidate on the appropriate list that is willing to accept the appointment, the Police/Fire Chief may fill the vacancy by means of a temporary appointment. A temporary appointment shall expire when an employment list has been prepared, or shall expire automatically six (6) months from the date of such appointment; except that the Commission may, where circumstances necessitate, approve the extension of a temporary appointment up to a maximum of twelve (12) months. Any period of employment under a temporary appointment shall not be counted as part of the probationary service period in case of a subsequent

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appointment to a permanent position. Temporary appointments shall be reported to the Secretary.

- B. When the Police/Fire Chief determines the need for a Deputy Chief (Police and Fire) ~~/Assistant Chief (Fire)~~, the Chief will have the authority to fill that position with candidates from the Rank/Title of Commander (Police)/Battalion Chief (Fire). It is within the sole discretion of the Chief as to how long the Commander/Battalion Chief will remain in the temporary position of Deputy Chief/Assistant Chief.
1. Since the Commander/Battalion Chief is only filling a temporary position, any decision of the Chief to return the employee to his regular assignment/position of Commander/Battalion Chief is not subject to appeal.
 2. Any person occupying the temporary position of Deputy Chief ~~/Assistant Chief~~ will maintain all other rights that he or she is entitled to as a Commander/Battalion Chief under the Civil Service Rules including appeal rights set forth in Rule 8 and 9.

6.5 Emergency Appointments (2009)

When an emergency makes it impossible to fill a position in the classified service, the Police/Fire Chief may appoint any qualified person to such position in order to prevent stoppage of public business, or loss, or serious inconvenience to the public. Any such person shall be employed only during such emergency and for a period not exceeding thirty (30) days in any twelve (12) month period. A vacancy of which the Police/Fire Chief has had reasonable notice or any employment condition of which the Manager had, or might with due diligence have had previous knowledge, shall not be considered an emergency under this section. Emergency appointments shall be reported immediately to the Secretary.

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RULE 7 PROBATIONARY PERIOD

7.1 *Objective*

The probationary period shall be regarded as an integral part of the selection process and shall be utilized by the Department Head for closely observing the employee's work, for securing the most effective adjustment of new or promoted employees to their position, and for rejecting any employee whose performance does not meet the required standards of performance.

7.2 *Duration (1990, 1994)*

The established probationary period in all appointments and promotions shall be one (1) year in length except as follows:

A. **Probationary Period for Recruit and Trainee Classifications**

The length of the probationary period for entry-level classifications such as Police Officer Recruit or Fire Fighter Recruit and promotional classifications such as Paramedic Trainee shall be based upon the amount of time that is necessary to complete any federal/state/local academy, training, and/or certification requirements.

Upon successful completion of such requirements, the recruit shall be appointed, or the trainee shall be promoted to the classification for which the recruit or trainee position was established. The probationary period for either the appointment or the promotion shall be one year.

B. **Extension of Probation Period- (1998, 2009, 2015)**

The ~~Secretary, at the written request of the~~ Department Head, may approve an extension of the probationary period; however, the maximum length of probationary period, including any extensions, shall not exceed 18 months in length. ~~Lateral entry officers are not eligible for an extension of probation.~~

C. **Interruption of Probationary Period**

A probationary period interrupted for more than 30 calendar days by a medical, injury, or military leave-of-absence, or a light/limited duty assignment shall be completed upon the employee's return.

7.3 ***Evaluation of Performance(removed 2015)***

~~During the probationary period, at such times and in such manner as the Commission may require, the Department Head shall report to the Secretary an observation of the employee's work, and a judgment as to the employee's willingness and ability to perform the duties satisfactorily, and as to the employee's habits and dependability.~~

7.4 *Dismissal (1999, 2015)*

At any time during the probationary period, the Police/Fire Chief, upon notice to the Secretary, may discharge an employee if, in the Police/Fire Chief's opinion, the employee is unable or unwilling to satisfactorily perform the duties of the position held, or that the habits and dependability do not merit

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continuance in the position. ~~The Police/Fire Chief shall remove any employee who is found to have been appointed through fraud or error within ten (10) days of notification to this effect by the Secretary. An employee who is dismissed during the probationary period shall have no right of appeal of the dismissal. An employee who is fined or suspended during the probationary period shall have such rights of appeal as are provided by Rules VIII and IX.~~

7.5 Probationary Period Reports

At least ten (10) days before the expiration of an employee's probationary period, the Department Head shall notify the Secretary in writing whether, based on general observations and the service rating, the services of the employee have been satisfactory and will recommend the continuance of the employee in the position.

7.6 Restoration of Dismissed Employee Appointed from Promotional List (1977)

An employee appointed from a promotional list who does not successfully complete his probationary period for the newly appointed position, shall be reinstated in a position in the class occupied by the employee immediately before the promotion. Such employee shall have no right of appeal for failure to successfully complete the probationary period, but shall have such rights of appeal for fines or suspension, during such probationary period, as are provided by Rules VIII and IX.

~~7.7 No Appeal of Dismissal (1977) (Moved to Rule 7.4 (2015))~~

~~An employee who is dismissed during the probationary period shall have no right of appeal of the dismissal. An employee who is fined or suspended during the probationary period shall have such rights of appeal as are provided by Rules VIII and IX.~~

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