



Proposed Amendments to the Civil Service Rules

Tracy Lessig, Division Chief–Employment
City Attorney’s Office
City Council Work Session: May 22, 2017

Introduction

- Purpose of presentation:
 - Revisions to the Civil Service Rules – Rules apply to sworn police and fire employees.
 - Alignment with current and past practice and Article XIV of the Charter for probationary police and fire employees.
 - Clean-up changes.
- Civil Service Commission approved proposed changes to Rules on 5/2/17.
- There was no opposition to the Rule changes.

Civil Service Rule Changes

- Relevant Charter provisions:
 - Charter § 14-20 - The Civil Service Commission Rules shall provide “for a period of probation before employment is made permanent.”
 - Charter § 14-40 - “Discharges from the classified civil service or reductions in grade or compensation, or both, may be made for any cause.”

Civil Service Rule Changes

- Police Recruits, Fire Trainees, Police Officer 4th Class, Firefighter 4th Class, and lateral hire personnel have always been treated as probationary, at-will employees.
- The Civil Service Rules have never provided an appeal process for termination of probationary employees (other than promoted ranks).

Civil Service Rule Changes

- Current Rule 2.1 contains language inconsistent with the intent of the Charter – defines the classified service as employees “eligible for participation in the Police and Fire pension funds.”
- Potentially includes probationary employees in the classified service under Charter § 14–40 – inconsistent with at–will employment of probationary employees permitted under Charter § 14–20.

Civil Service Rule Changes

➤ Civil Service Rule 1:

- Revisions to reflect current practice of appointments to the Commission – Rule 1.1.
- Correct error – Rule 1.2
- Changes to reflect current titles – Rules 1.3, 1.5.

Civil Service Rule Changes

➤ Civil Service Rule 2:

- Clarification that probationary employees are not “classified employees” requiring “cause” to terminate – Rules 2.1, 2.2, 2.3, 2.4, 2.5.

Civil Service Rule Changes

➤ Civil Service Rule 3:

- Consistency with changes to Rule 2 – Rules 3.1, 3.4, 3.5.
- “Age” reference clarification – Rule 3.2.
- Fixes error – Rule 3.2.

Civil Service Rule Changes

➤ Civil Service Rule 4:

- Consistency with changes to Rule 2 – Rules 4.1, 4.4, 4.5.

Civil Service Rule Changes

➤ Civil Service Rule 5:

- Consistency with changes to Rule 2 – Rule 5.1.
- Deletion of redundant language – Rule 5.4.

Civil Service Rule Changes

➤ Civil Service Rule 6:

- Revise gender reference – Rule 6.4(B)(1)
- Consistency with changes to Rule 2 – Rule 6.5.

Civil Service Rule Changes

➤ Civil Service Rule 7:

- Clarify probationary employees are at-will (exception for promoted probationary employees – Rule 7.6) – Rules 7.1, 7.4, 7.5.
- Consistency with changes to Rule 2 – Rules 7.2(A).
- Clarifies extension/interruption of probationary period – Rule 7.2(B) & (C).

Civil Service Rule Changes

➤ Civil Service Rule 7 con't:

- Removes appeal rights for fines and suspensions of probationary employees (exception for promoted probationary employees – Rule 7.6) – Rule 7.4.
- Revise gender reference – Rule 7.6.

Civil Service Rule Changes

➤ Civil Service Rule 8:

- Consistency with changes to Rule 2 – Rule 8.1.
- Clarify probationary employees are at-will (exception for promoted probationary employees – Rule 7.6) – Rules 8.5, 8.6.
- Change to reflect current title – Rules 8.8(F).

➤ Civil Service Rule 9: no changes.

Civil Service Rule Changes

➤ Civil Service Rule 10:

- Grammar change – Rule 10.1
- Clarify provision only applies to probationary employees in a promoted rank – Rule 10.1(A).

Civil Service Rule Changes

➤ Civil Service Rule 11:

- Change to reflect current title – Rule 11.4.
- Consistency with changes to Rule 2 – Rules 11.5, 11.6(B).
- Change to reflect current protected statuses – Rule 11.6(A).
- Clarification to political activity provision – Rule 11.6(D).

Questions?
Thank You!