

# **CIVIL SERVICE**

## **RULES AND REGULATIONS**

## **CITY OF WICKLIFFE**

<b>Effective:</b>	<b>March 12, 1952</b>
<b>Amended:</b>	<b>June 19, 1996; February 16, 2006</b>
<b>Amended, Updated and Modified:</b>	<b>January 10, 2011</b>
<b>Amended:</b>	<b>September 14, 2012; July 25, 2017</b>
<b>Revised and Amended:</b>	<b>June 19, 2023</b>

**RULES OF THE CIVIL SERVICE COMMISSION  
OF THE CITY OF WICKLIFFE, OHIO**

Effective March 12, 1952

Amended June 19, 1996; February 16, 2006

Amended, Updated and Modified January 10, 2011

Amended September 14, 2012; July 25, 2017

Revised and Amended: June 19, 2023

**PREAMBLE**

Pursuant to the power and authority granted by the Charter of the City of Wickliffe, the historical practice of the City of Wickliffe and the Civil Service Commission, the Civil Service Commission hereby adopts the following rules governing the classified service of the City of Wickliffe, effective March 12, 1952, amended June 19, 1996, amended February 16, 2006, and updated and modified January 10, 2011, and amended September 14, 2012 and July 25, 2017 and and revised and amended June 19, 2023.

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## **DEFINITIONS**

As used in these Rules, the following words, phrases, terms or expressions shall have the meanings as indicated:

<u>Agility Test</u>	A test of muscular strength, agility, endurance and coordination as relates to performing essential job-related tasks.
<u>Assessment Center</u>	A test designed to simulate the administrative decisionmaking necessary to perform the work of the position for which the center was designed.
<u>Applicant</u>	A person who has formally applied for a position with the City of Wickliffe.
<u>Appointment</u>	The act of selecting and hiring an individual to a position in the employment of the City of Wickliffe.
<u>Appointing Authority</u>	The Mayor of the City of Wickliffe is the Appointing Authority.
<u>Certification</u>	The act by which the Commission provides names of applicants eligible for a specific position.
<u>City</u>	Shall mean the City of Wickliffe.
<u>Classification</u>	A position or group of positions sufficiently comparable in respect to duties, responsibilities and qualification requirements which can be properly designated by one title and equitably compensated within the same salary schedule.
<u>Classified Service</u>	All positions in the Civil Service not included in the unclassified service as provided in Section 124.11 of the Ohio Revised Code.
<u>Commission</u>	The Civil Service Commission for the City of Wickliffe.
<u>Eligible</u>	A person who has formally applied for a position with the City of Wickliffe and has been placed on an eligible list, or who has qualified to be placed on an eligible list.

<u>Eligible List</u>	A list of names established either through registration, examination, layoff or reinstatement for the purpose of filling vacancies in the classified service.
<u>Examination</u>	A method or procedure used by the City to assess the relative capability of applicants to perform the duties and responsibilities of the position sought. An examination may be comprised of several different tests in order to fully evaluate the applicant.
<u>Layoff</u>	Removal of an employee from city employment due to lack of work, lack of funds, or to changes in administrative organization.
<u>Part-time</u>	Position of employment that may be continual, but involves an annual average workweek of less than the regular workweek established for full-time employees in the same department, division or office.
<u>Psychological</u>	A test performed by a licensed mental health professional to determine the personality characteristics of a candidate or employee and his/her fitness for duty to the position to which he/she is hired or aspires to be hired.
<u>Promotion</u>	Advancement of an employee from one class to another class of greater responsibility for which the maximum rate of pay is higher.
<u>Position</u>	An officially designated job with a generally defined group of duties and responsibilities.
<u>Suspension</u>	The temporary and involuntary separation of an employee from active duty for the City for disciplinary purposes.
<u>Working Day</u>	The days during which the employee is regularly scheduled to work or the days during which the municipal offices are open for business, generally Monday through Friday.

## **RULE I. – ORGANIZATION AND STAFF**

Section 1. Officers. At its first meeting in each calendar year the Commission shall designate one of its members as Chairman and one as Vice-Chairman. In case of resignation before the expiration of the term for which such Chairman is designated, the office shall be filled in a like manner.

Section 2. Quorum. Two members of the Commission shall constitute a quorum for the transaction of business.

Section 3. Secretary. The Commission shall appoint a secretary. The secretary may hold other municipal office or appointment, which is not subject to Civil Service examination. The secretary shall not be a member of the Commission and therefore shall not have a vote.

Section 4. Official Signatures. The Chairman of the Commission is hereby authorized to sign all papers, vouchers and other documents for and on behalf of the Commission. In his/her absence, either of the remaining two members of the Commission shall have such power.

Section 5. Official Records. The secretary shall keep a record of the official actions of the Commission with regard to:

- a. All appointments to the positions in the classified service and the titles thereof.
- b. Transfers, suspensions, removals and reinstatements to eligibility lists.
- c. Lists of all examinations with their dates, grades received and ranks on the eligibility list.
- d. Results of all requests for re-grading.
- e. Decisions on appeals of suspension, demotions or dismissals and the reason in brief for each.
- f. Classifications of positions and changes in classifications.

- g. Appointments of special examiners.
- h. Requests for annual list of certified employees from payroll department.
- i. Refusals to certify names on the payrolls and supporting reasons.
- j. Decisions in all hearings.
- k. Non-competitive tests and the reasons for said tests.
- l. Decisions on appeals/challenges to examinations.
- m. Other official business transacted by the Commission.

Section 6. Meetings. Meetings of the Commission shall be subject to call of the Chairman or any two members of the Commission. Meetings shall be held at the office of the Commission or such other location allowed by law as often as may be necessary for the prompt transaction of all business.

## **RULE II . – CLASSIFICATION**

Section 1. Positions Classified. The classified service shall consist of all regular full-time members of the Police Department, Fire Department and Building Department. The above members of the classified services shall be subject to examinations as outlined in Rule IV.

a. Police Department. Regular full-time members of the Police Department include all police officers, sergeants and lieutenants.

The Police Chief is included in the classified civil service pursuant to the Charter of the City of Wickliffe.

The classified service does not include part-time officers, part-time special officers, auxiliary officers, dispatchers, clerks or other administrative personnel.

b. Fire Department. Regular full-time members of the Fire Department include all firefighters, lieutenants and captains.

c. The Fire Chief is included in the classified civil service pursuant to the Charter of the City of Wickliffe.

The classified service does not include part-time firefighters, dispatchers, clerks or other administrative personnel.

d. Building Department. Regular full-time members of the Building Department include the Building Commissioner and full-time year-round Building Inspectors.

The classified service does not include part-time inspectors, seasonal inspectors, clerks, or other administrative personnel.

Section 2. Vacancies. Vacancies in the classified service will be addressed by the Commission upon notification of said vacancy by the Appointing Authority. The Civil Service Commission shall likewise, from time to time on its own motion, make investigation of all positions in the service, and propose changes in classification whenever the facts are considered to warrant such action. Classification or reclassification in all such cases shall take effect immediately upon approval by the Civil Service Commission.

Section 3. Classification Amendments. The Civil Service Commission may, whenever circumstances warrant, amend the specifications or characteristics for any class, and abolish, merge or divide, existing classes, or create new classes within the classified service.

### **RULE III. – APPLICATIONS AND APPLICANTS**

#### Section 1. General Requirements.

- a. Every applicant for admission to examination for a position in the classified service of the City of Wickliffe must be a citizen of the United States. A naturalized citizen must present his/her naturalization papers for inspection at the time he/she files his/her application.
- b. Applicants for appointment to the Police or Fire Departments must reside as specified in the collective bargaining agreement of the respective department. Applicants must also be within the age limits specified in the Rules of said Department relating to the age requirements for new appointments and promotions; provided, however, that the Commission may modify such minimum and maximum age requirements in specific cases. This section is subject to modification based on negotiated contracts for members of the classified service. The requirements in this subsection do not apply to the Building Department.
- c. These requirements with respect to citizenship and residence may be waived by the Commission when, in the judgment of the Commission, it is deemed advisable to do so.

#### Section 2. Application Requirements.

- a. Application for examination must be in writing upon forms prescribed by the Commission, signed by the applicant, and sworn to or affirmed before a Notary Public or other officer authorized to administer oaths.
- b. No applicant shall be examined or certified who is found to lack any of the established preliminary requirements for that examination. Preliminary requirements shall be established by the Commission on a test-by-test basis.

c. All persons applying for examination for any position shall present for inspection any certificate or documentation necessary to meet established preliminary requirements for the position they seek.

#### **RULE IV. – EXAMINATIONS**

Examinations shall be of five kinds:

- Open competitive examination.
- Promotional examination
- Internal promotional examination for Police Chief, Fire Chief or Building Commissioner.
- External examination for Police Chief, Fire Chief or Building Commissioner.
- Non-competitive examination.

#### **SECTION 1 – POLICE AND FIRE.**

##### **a. Open Competitive Examination.**

(i) Whenever it appears to the Commission that the benefit of the City of Wickliffe will be promoted by an open competitive examination, it may hold an examination. In addition, the Commission may hold an examination upon the request of the Appointing Authority.

(ii) All applicants for the position of regular full-time police officer and regular full-time firefighter shall take an open competitive examination.

(iii) Public notice of the time and place of every examination shall be given at least ten (10) days prior to the date thereof on the bulletin boards in the City Hall and/or at such places that ordinances of the City of Wickliffe are posted. Notice of open competitive examinations shall also be published in one or more newspapers of general circulation in Lake and/or Cuyahoga Counties. Such notice may also contain any other information relating to the scope of

the examination, the weights to be attached to the respective sections, or to the qualifications of the applicants, as the Commission may deem proper.

(iv) Examinations shall be conducted under the supervision of the Commission.

When deemed necessary by the Commission, outside testing agencies or other consultants may be utilized.

(v) The examination shall be based on scientific and approved testing methods. The examination may include written and/or oral sections. The examination may also include an agility test. Contents of the examination to be determined by the Commission.

(vi) An examination fee shall be charged with the amount decided by the Commission.

(vii) The examination shall be commenced by requiring each applicant to fill out and sign an identification and declaration sheet containing his/her examination number as shown on the official envelope furnished him/her; also his/her address, age, and such other information as the Commission may require, and the same shall be sealed in the official envelope. All envelopes shall be placed in a sealed package and deposited in a safe depository, and shall be opened for the identification of papers only after the scorings have been completed on all papers. All examination papers submitted by applicants shall contain their numbers only, and any paper bearing the name of an applicant or other identification mark shall be rejected and the applicant notified.

(viii) Any applicant in an examination who is found to be using unfair, unethical or fraudulent methods in the course of his/her examination, shall be immediately dismissed from such examination by the Examiner and his/her papers taken up by the Examiner and marked void

and a report of such action made to the Commission. Such applicant shall be barred from examination for the City of Wickliffe for three (3) years.

(ix) Scoring of the examination shall be on a scale of one hundred percent (100%), plus extra credit points, for the maximum possible score. Extra credit points may be given to any applicant by reason of education level, military service, and/or service to the City of Wickliffe. The weight to be given for extra credit points shall be determined by the Commission. Extra credit points in the examination are available only to an applicant receiving a score of seventy percent (70%) or more in each section of the examination and a pass score in all pass/fail sections.

All scoring shall be in accordance with the weights for the respective sections established by the Commission. A section or sections may include a pass/fail component. An applicant must receive a score of seventy percent (70%) on each section or a pass score in a pass/fail section to be eligible for a position in the classified service.

(x) There shall be no protest period for open competitive examinations.

(xi) A medical examination and background investigation may be required of the candidate prior to appointment.

(xii) Any examination may be postponed or canceled by order of the Commission for good cause and sufficient reasons, and such postponement and cancellation shall be outlined in the records of the Commission together with the reasons therefore.

b. Promotional Examination (Other than Police or Fire Chief).

(i) No position above the grade or rank of regular full-time police officer or regular full-time firefighter, other than Chief, shall be filled by the original appointment.

(ii) Vacancies in positions above the rank or grade of full-time police officer or regular full-time firefighter shall be filled by promotion from among persons holding positions in a grade or rank immediately lower than the position to be filled and appointments to such vacancies shall be limited to members of the respective departments of the Police and Fire Departments of the City of Wickliffe. Eligibility requires twelve (12) consecutive months of service, as of examination date, in the grade or rank lower than the position to be filled.

(iii) No position above the rank or grade of regular full-time police officer or regular full-time firefighter shall be filled by any person unless he/she shall have first passed a promotional examination to be held by the Commission, if there is not an eligibility list for such grade or rank.

(iv) No promotional examination shall be held unless there are at least two (2) persons eligible to compete. When the Commission determines that there are less than two (2) persons eligible and willing to compete, the Commission shall allow persons in the next lower grade or rank, with at least twelve (12) consecutive months of service at that rank and who are otherwise eligible, to compete with persons in the grade or rank immediately lower than the position to be filled.

(v) Notice of the time and place of the examination shall be posted at least thirty (30) days prior to the date thereof at the respective department. Such notice may also contain any other information relating to the scope of the examination, and the weights to be attached to the respective sections, and to the qualifications of the applicants, as the Commission may deem proper.

(vi) Examination shall be conducted under the supervision of the Commission. When deemed necessary by the Commission, outside testing agencies or other consultants may be utilized.

(vii) The examination shall be based on scientific and approved testing methods. The examination may include written and/or oral sections. Contents of the examination to be determined by the Commission.

(viii) The examination shall be commenced by requiring each applicant to fill out and sign an identification and declaration sheet containing the examination number as shown on the official envelope furnished to the applicant; along with their address, age, and such other information as the Commission may require, and the same shall be sealed in the official envelope. All envelopes shall be placed in a sealed package and deposited in a safe depository, and shall be opened for the identification of papers only after the markings have been completed on all papers. All examination papers submitted by applicants shall contain their numbers only, and a paper bearing the name of an applicant or other identification mark shall be rejected and the applicant notified.

(ix) Any applicant in an examination, who is found to be using unfair, unethical or fraudulent methods in the course of his/her examination, shall be immediately dismissed from such examination by the Examiner and his/her papers taken up by the Examiner and marked void and a report of such action made to the Commission. Such applicant shall be barred from any examination for the City of Wickliffe for three (3) years.

(x) Scoring of the examination shall be on a scale of 100 percent (100%) plus extra credit. An applicant must attain a score of seventy percent (70%) on each section or a pass score

if there is a pass/fail section to remain eligible for promotion. Extra credit points shall be given to any applicant by reasons of service to the City of Wickliffe, as outlined in subsection (xi) below. The Commission may, at its discretion, give additional credit for education completed and/or certifications received. All scoring shall be in accordance with the weights for the respective sections established by the Commission.

(xi) In promotions in the Police and Fire Departments, extra credit points for length of service to the City of Wickliffe shall be determined as follows: one percent (1%) for each of the first four (4) full-time years of classified service and one-half of one percent (.5%) for each of the next ten (10) full-time years of classified service in the department for which promotion is sought. Extra credit points for service to the City of Wickliffe are available only to an applicant receiving a score of seventy percent (70%) or more in each section of the examination and a pass score in all pass/fail sections.

(xii) After a written promotional examination has been held, each participant will have the opportunity to review the questions and answer key to the examination. An appointment for this review must be made with the Civil Service Commission within 3 business days from the examination. A review shall take no longer than 2 hours. If a challenge will be filed to any of the questions, the Civil Service Commission must receive an e-mail within 3 days from the review consisting of the question number(s) and the reason fully supporting each challenge. Upon receipt of any challenges, the Civil Service Commission will review and render a decision forthwith.

(xiii) The Civil Service Commission does not require a medical examination for a promotional test in the Police and Fire Departments of the City of Wickliffe.

(xiv) Any examination may be postponed or canceled by order of the Commission for good and sufficient reasons, and such postponement or cancellation shall be outlined in the records of the Commission together with the reasons therefore.

c. Internal Promotional Examination for Police Chief and Fire Chief.

(i) The position of Police Chief and Fire Chief shall be determined by an internal examination and if a Chief is not determined by an internal examination then by an external examination.

(ii) A vacancy in the position of Chief will be filled by promotion from among persons holding positions in a grade or rank immediately lower than Chief and appointments to such vacancies shall be limited to members of the respective departments of the Police and Fire Departments of the City of Wickliffe. Eligibility requires twelve (12) consecutive months of service, as of the examination date, in the grade or rank lower than Chief.

(iii) An internal examination will be held only when a minimum of two (2) eligible applicants participate and take all sections of the internal examination. Failure to meet this requirement will result in the position of Chief being determined by an external examination, as outlined in Rule IV, Section 1, subsection (d).

(iv) Notice of the time and place of the examination shall be posted at least thirty (30) days prior to the date thereof at the respective department. Such notice may also contain any other information relating to the scope of the examination, and the weights to be attached to the respective sections, and to the qualifications of the applicants, as the Commission may deem proper.

(v) Examinations shall be conducted under the supervision of the Commission. When deemed necessary by the Commission, outside testing agencies or other consultants may be utilized.

(vi) The examination shall be based on scientific and approved testing methods. The examination may include written and/or oral sections. Contents of the examination to be determined by the Commission.

(vii) The examination shall be commenced by requiring each applicant to fill out and sign an identification and declaration sheet containing the examination number as shown on the official envelope furnished to that applicant; along with their address, age, and such other information as the Commission may require, and the same shall be sealed in the official envelope. All envelopes shall be placed in a sealed package and deposited in a safe depository, and shall be opened for the identification of papers only after the markings have been completed on all papers. All examination papers submitted by applicants shall contain their numbers only, and a paper bearing the name of an applicant or other identification mark shall be rejected and the applicant notified.

(viii) Any applicant in an examination, who is found to be using unfair, unethical or fraudulent methods in the course of his/her examination, shall be immediately dismissed from such examination by the Examiner and his/her papers taken up by the Examiner and marked void and a report of such action made to the Commission. Such applicant shall be barred from any examination for the City of Wickliffe for three (3) years.

(ix) Scoring of the examination shall be on a scale of 100 percent (100%). An applicant must attain a score of seventy percent (70%) on each section or a pass score if there is a

pass/fail section in order to pass the internal examination and remain eligible for the position of Chief. All scoring shall be in accordance with the weights for the respective sections established by the Commission.

(x) After a written promotional examination has been held, each participant will have the opportunity to review the questions and answer key to the examination. An appointment for this review must be made with the Civil Service Commission within 3 business days from the examination. A review shall take no longer than 2 hours. If a challenge will be filed to any of the questions, the Civil Service Commission must receive an e-mail within 3 days from the review consisting of the question number(s) and the reason fully supporting each challenge. Upon receipt of any challenges, the Civil Service Commission will review and render a decision forthwith.

(xi) The Civil Service Commission does not require a medical examination for an internal promotional examination for Police Chief or Fire Chief of the City of Wickliffe.

(xii) Any examination may be postponed or canceled by order of the Commission for good and sufficient reasons; and such postponement or cancellation shall be outlined in the records of the Commission together with the reasons therefore.

d. External Examination for Police Chief and Fire Chief.

(i) An external examination is available to any person meeting the qualifications determined by the Commission. An external examination will be utilized to determine a Police Chief or Fire Chief only if a Police Chief or Fire Chief is not selected pursuant to an internal promotional examination as outlined in Rule IV, Section 1, subsection (c).

(ii) Applicants not passing the internal examination are eligible to take the external examination when the internal examination does not result in the selection of a Chief. The qualifications for the position of Chief to be determined by the Commission. If the qualifications require a college or university degree, this requirement is waived for members of the Wickliffe Police Department and Wickliffe Fire Department.

(iii) Public notice of the time and place of an examination shall be given at least ten (10) days prior to the date thereof on the bulletin boards in the City Hall and/or at such places that ordinances of the City of Wickliffe are posted. Notice of external examination shall also be published in one or more newspapers of general circulation and in other sources to be determined by the Commission. Such notice may also contain any other information relating to the scope of the examination, and the weights to be attached to the respective sections, and to the qualifications of the applicants, as the Commission may deem proper.

(iv) Examinations shall be conducted under the supervision of the Commission. When deemed necessary by the Commission, outside testing agencies or other consultants may be utilized.

(v) The examination shall be based on scientific and approved testing methods. The examination will include two components, first a written component, then an oral component. The applicants who have passed the written examination will be ranked by score. The top twelve highest ranking applicants shall become eligible for the oral component. In the event of a tie in the twelfth position, all applicants receiving that score shall be eligible to continue to the oral component. The specific sections to be utilized to be determined by the Commission on a test-by-test basis.

(vi) An examination fee shall be charged with the amount decided by the Commission.

(vii) Each examination shall be commenced by requiring the applicant to fill out and sign an identification and declaration sheet containing the examination number as shown on the official envelope furnished to the applicant; along with their address, age, and such other information as the Commission may require, and the same shall be sealed in the official envelope. All envelopes shall be placed in a sealed package and deposited in a safe depository, and shall be opened for the identification of papers only after the markings have been completed on all papers. All examination papers submitted by applicants shall contain their numbers only, and any paper bearing the name of an applicant or other identification mark shall be rejected and the applicant notified.

(viii) Any applicant in an examination, who is found to be using unfair, unethical or fraudulent methods in the course of his/her examination, shall be immediately dismissed from such examination by the Examiner and his/her papers taken up by the Examiner and marked void and a report of such action made to the Commission. Such applicant shall be barred from any examination for the City of Wickliffe for three (3) years.

(ix) Scoring of the examination shall be on a scale of 100 percent (100%). An applicant must attain a score of seventy percent (70%) on each section or a pass score if there is a pass/fail section in order to pass the external examination and remain eligible for the position of Chief. All scoring shall be in accordance with the weights for the respective sections established by the Commission.

(x) After a written promotional examination has been held, each participant will have the opportunity to review the questions and answer key to the examination. An appointment for this review must be made with the Civil Service Commission within 3 business days from the examination. A review shall take no longer than 2 hours. If a challenge will be filed to any of the questions, the Civil Service Commission must receive an e-mail within 3 days from the review consisting of the question number(s) and the reason fully supporting each challenge. Upon receipt of any challenges, the Civil Service Commission will review and render a decision forthwith.

(xi) The applicants receiving the highest three (3) scores after completion of all sections of the external examination will be certified to the Appointing Authority. The actual scores will be reported to the Appointing Authority. The Appointing Authority shall select one (1) of the three (3) certified applicants as Chief and make an appointment within thirty (30) days of said certification.

(xii) A medical examination and background investigation may be required of the candidate prior to appointment.

(xiii) Any examination may be postponed or canceled by order of the Commission for good and sufficient reasons; and such postponement or cancellation shall be outlined in the records of the Commission together with the reasons therefore.

e. Non-competitive Examination. - Non-competitive examinations may be held for such positions as, in the judgment of the Commission, require peculiar and exceptional qualifications of scientific, managerial, professional, or educational character. Non-competitive examinations shall be of such character as will determine whether or not the applicant possesses

the requisite knowledge, ability and physical qualifications to enable him/her to perform the duties of the position. He/she shall be required to attain a qualifying score to be determined by the Commission in order to become eligible for the position. Competitive examinations may be ordered for any position previously filled by non-competitive examinations.

## SECTION 2 – BUILDING DEPARTMENT.

The Building Department consists of two levels: A Building Commissioner and Building Inspectors.

a. Open Competitive Examination.

(i) Whenever it appears to the Commission that the benefit of the City of Wickliffe will be promoted by an open competitive examination, it may hold an examination. In addition, the Commission may hold an examination upon the request of the Appointing Authority.

(ii) All applicants for the position of Building Department Inspector shall take an open competitive examination.

(iii) Public notice of the time and place of every examination shall be given at least ten (10) days prior to the date thereof on the bulletin boards in the City Hall and/or at such places that ordinances of the City of Wickliffe are posted. Notice of open competitive examinations shall also be published in one or more newspapers of general circulation in Lake and/or Cuyahoga Counties. Such notice may also contain any other information relating to the scope of the examination, the weights to be attached to the respective sections, or to the qualifications of the applicants, as the Commission may deem proper.

(iv) Examinations shall be conducted under the supervision of the Commission. When deemed necessary by the Commission, outside testing agencies or other consultants may be utilized.

(v) The examination shall be based on scientific and approved testing methods. The examination may include written and/or oral sections. The examination may also include an agility test. Contents of the examination to be determined by the Commission.

(vi) An examination fee shall be charged with the amount decided by the Commission.

(vii) The examination shall be commenced by requiring each applicant to fill out and sign an identification and declaration sheet containing his/her examination number as shown on the official envelope furnished him/her; also his/her address, age, and such other information as the Commission may require, and the same shall be sealed in the official envelope. All envelopes shall be placed in a sealed package and deposited in a safe depository, and shall be opened for the identification of papers only after the scorings have been completed on all papers. All examination papers submitted by applicants shall contain their numbers only, and any paper bearing the name of an applicant or other identification mark shall be rejected and the applicant notified.

(viii) Any applicant in an examination who is found to be using unfair, unethical or fraudulent methods in the course of his/her examination, shall be immediately dismissed from such examination by the Examiner and his/her papers taken up by the Examiner and marked void and a report of such action made to the Commission. Such applicant shall be barred from examination for the City of Wickliffe for three (3) years.

(ix) Scoring of the examination shall be on a scale of one hundred percent (100%), plus extra credit points, for the maximum possible score. Extra credit points may be given to any applicant by reason of education level, military service, and/or service to the City of Wickliffe. The weight to be given for extra credit points shall be determined by the Commission. Extra credit points in the examination are available only to an applicant receiving a score of seventy percent (70%) or more in each section of the examination and a pass score in all pass/fail sections.

All scoring shall be in accordance with the weights for the respective sections established by the Commission. A section or sections may include a pass/fail component. An applicant must receive a score of seventy percent (70%) on each section or a pass score in a pass/fail section to be eligible for a position in the classified service.

(x) There shall be no protest period for open competitive examinations.

(xi) A medical examination and background investigation may be required of the candidate prior to appointment.

(xii) Any examination may be postponed or canceled by order of the Commission for good cause and sufficient reasons, and such postponement and cancellation shall be outlined in the records of the Commission together with the reasons therefore.

b. Internal Promotional Examination for Building Commissioner.

(i) The position of Building Commissioner shall be determined by an internal examination, and if a Building Commissioner is not determined by an internal examination then by an external examination.

(ii) A vacancy in the position of Building Commissioner will be filled by promotion from among persons holding the position of Building Inspector within the City of Wickliffe. Eligibility requires twelve (12) consecutive months of service, as of the examination date.

(iii) An internal examination will be held only when a minimum of two (2) eligible applicants participate and take all sections of the internal examination. Failure to meet this requirement will result in the position of Building Commissioner being determined by an external examination as outlined in Rule IV, Section 2, subsection c.

(iv) Notice of the time and place of the examination shall be posted at least thirty (30) days prior to the date thereof at the respective department. Such notice may also contain any other information relating to the scope of the examination, and the weights to be attached to the respective sections, and to the qualifications of the applicants, as the Commission may deem proper.

(v) Examinations shall be conducted under the supervision of the Commission. When deemed necessary by the Commission, outside testing agencies or other consultants may be utilized.

(vi) The examination shall be based on scientific and approved testing methods. The examination may include written and/or oral sections. Contents of the examination to be determined by the Commission.

(vii) The examination shall be commenced by requiring each applicant to fill out and sign an identification and declaration sheet containing the examination number as shown on the official envelope furnished to that applicant; along with their address, age, and such other information as the Commission may require, and the same shall be sealed in the official

envelope. All envelopes shall be placed in a sealed package and deposited in a safe depository, and shall be opened for the identification of papers only after the markings have been completed on all papers. All examination papers submitted by applicants shall contain their numbers only, and a paper bearing the name of an applicant or other identification mark shall be rejected and the applicant notified.

(viii) Any applicant in an examination, who is found to be using unfair, unethical or fraudulent methods in the course of his/her examination, shall be immediately dismissed from such examination by the Examiner and his/her papers taken up by the Examiner and marked void and a report of such action made to the Commission. Such applicant shall be barred from any examination for the City of Wickliffe for three (3) years.

(ix) Scoring of the examination shall be on a scale of 100 percent (100%). An applicant must attain a score of seventy percent (70%) on each section or a pass score if there is a pass/fail section in order to pass the internal examination and remain eligible for the position of Building Commissioner. All scoring shall be in accordance with the weights for the respective sections established by the Commission.

(x) After a written promotional examination has been held, each participant will have the opportunity to review the questions and answer key to the examination. An appointment for this review must be made with the Civil Service Commission within 3 business days from the examination. A review shall take no longer than 2 hours. If a challenge will be filed to any of the questions, the Civil Service Commission must receive an e-mail within 3 days from the review consisting of the question number(s) and the reason fully supporting each challenge.

Upon receipt of any challenges, the Civil Service Commission will review and render a decision forthwith.

(xi) The Civil Service Commission does not require a medical examination for an internal promotional test in the Building Department of the City of Wickliffe.

(xii) Any examination may be postponed or canceled by order of the Commission for good and sufficient reasons; and such postponement or cancellation shall be outlined in the records of the Commission together with the reasons therefore.

c. External Examination for Building Commissioner.

(i) An external examination is available to any person meeting the qualifications determined by the Commission. An external examination will be utilized to determine a Building Commissioner only if a Building Commissioner is not selected by an internal promotional examination outlined in Rule IV, Section 2, subsection (b) related to the use of an internal examination.

(ii) Applicants not passing the internal examination are eligible to take the external examination when the internal examination does not result in the selection of a Building Commissioner. The qualifications for the position of Building Commissioner to be determined by the Commission.

(iii) Public notice of the time and place of an examination shall be given at least ten (10) days prior to the date thereof on the bulletin boards in the City Hall and/or at such places that ordinances of the City of Wickliffe are posted. Notice of external examination shall also be published in one or more newspapers of general circulation and in other sources to be determined by the Commission. Such notice may also contain any other information relating to the scope of

the examination, and the weights to be attached to the respective sections, and to the qualifications of the applicants, as the Commission may deem proper.

(iv) Examinations shall be conducted under the supervision of the Commission. When deemed necessary by the Commission, outside testing agencies or other consultants may be utilized.

(v) The examination shall be based on scientific and approved testing methods. The examination will include two components, first a written component, then an oral component. The applicants who have passed the written examination will be ranked by score. The top twelve highest ranking applicants shall become eligible for the oral component. In the event of a tie in the twelfth position, all applicants receiving that score shall be eligible to continue to the oral component. The specific sections to be utilized to be determined by the Commission on a test-by-test basis.

(vi) An examination fee shall be charged with the amount decided by the Commission.

(vii) Each examination shall be commenced by requiring the applicant to fill out and sign an identification and declaration sheet containing the examination number as shown on the official envelope furnished to the applicant; along with their address, age, and such other information as the Commission may require, and the same shall be sealed in the official envelope. All envelopes shall be placed in a sealed package and deposited in a safe depository, and shall be opened for the identification of papers only after the markings have been completed on all papers. All examination papers submitted by applicants shall contain their numbers only,

and any paper bearing the name of an applicant or other identification mark shall be rejected and the applicant notified.

(viii) Any applicant in an examination, who is found to be using unfair, unethical or fraudulent methods in the course of his/her examination, shall be immediately dismissed from such examination by the Examiner and his/her papers taken up by the Examiner and marked void and a report of such action made to the Commission. Such applicant shall be barred from any examination for the City of Wickliffe for three (3) years.

(ix) Scoring of the examination shall be on a scale of 100 percent (100%). An applicant must attain a score of seventy percent (70%) on each section or a pass score if there is a pass/fail section in order to pass the external examination and remain eligible for the position of Commissioner. All scoring shall be in accordance with the weights for the respective sections established by the Commission.

(x) After a written promotional examination has been held, each participant will have the opportunity to review the questions and answer key to the examination. An appointment for this review must be made with the Civil Service Commission within 3 business days from the examination. A review shall take no longer than 2 hours. If a challenge will be filed to any of the questions, the Civil Service Commission must receive an e-mail within 3 days from the review consisting of the question number(s) and the reason fully supporting each challenge. Upon receipt of any challenges, the Civil Service Commission will review and render a decision forthwith.

(xi) The applicants receiving the highest three (3) scores after completion of all sections of the external examination will be certified to the Appointing Authority. The actual

scores will be reported to the Appointing Authority. The Appointing Authority shall select one (1) of the three (3) certified applicants as Building Commissioner and make an appointment within thirty (30) days of said certification.

(xii) A medical examination and background investigation may be required of the candidate prior to appointment.

(x) Any examination may be postponed or canceled by order of the Commission for good and sufficient reasons; and such postponement or cancellation shall be outlined in the records of the Commission together with the reasons therefore.

d. Non-competitive Examination. - Non-competitive examinations may be held for such positions as, in the judgment of the Commission, require peculiar and exceptional qualifications of scientific, managerial, professional, or educational character. Non-competitive examinations shall be of such character as will determine whether or not the applicant possesses the requisite knowledge, ability and physical qualifications to enable him/her to perform the duties of the position. He/she shall be required to attain a qualifying score to be determined by the Commission in order to become eligible for the position. Competitive examinations may be ordered for any position previously filled by non-competitive examinations.

#### **RULE V. – ELIGIBILITY LISTS**

##### **Section 1. General.**

a. The names of all applicants who receive a final score of seventy percent (70%) or more on an examination, and are otherwise eligible, shall be placed on the appropriate eligibility list in the order of their final score. The list shall note the dates of examinations and the date of verification and approval of the eligibility list.

b. When two or more applicants have received the same final score, the person first filing his/her application, or, if the examination were for promotion, the first original date of hire in that department, shall have priority.

c. If at any time the Commission has reason to believe that any person, upon any eligibility list, has in any manner become disqualified for the position for which he/she is listed, a notice to such person and an opportunity to be heard, in his/her own behalf, shall be given. Upon failure to satisfy the Commission that he/she is duly qualified, his/her name shall be removed from such eligibility list.

d. When the age of an eligible applicant upon any list reaches the maximum age limit if specified for the position for which he/she is eligible, his/her name shall be removed from such list and he/she shall be notified of such action.

Section 2. Open Competitive Eligibility List. An open competitive eligibility list will expire six (6) months from date of verification and approval. The Commission may, at its discretion, continue the list for an additional six (6) months. The Civil Service Commission may, at any time, deem an existing list exhausted and subsequently closed.

Section 3. Promotional Eligibility List – Police and Fire. A promotional eligibility list will expire six (6) months from date of verification and approval unless, in the judgment of the Commission it is considered advisable to continue the list for a further period of six (6) months, for a maximum total of one (1) year from the date of verification and approval.

Section 4. Chief or Building Commissioner Internal Examination Eligibility List. A Chief or Building Commissioner Internal Examination Eligibility List will expire six (6) months from date of verification and approval unless, in the judgment of the Commission, it is considered

advisable to continue the list for a further period of six (6) months, for a maximum total of one (1) year from the date of verification and approval.

Section 5. Chief or Building Commissioner External Examination Eligibility List. A Chief or Building Commissioner External Examination Eligibility List will expire six (6) months from date of verification and approval unless, in the judgment of the Commission, it is considered advisable to continue the list for a further period of six (6) months, for a maximum total of one (1) year from the date of verification and approval.

Section 6. Lateral Entry. Lateral entry includes the Police Department, Fire Department and Building Department. Lateral entry is to be used for entry level positions only. All positions filled with Lateral Entry will be included in the Classified Service.

Each department will establish their own Lateral Entry policies, including minimum requirements, and testing. These policies will be reviewed and approved by the Civil Service Commission prior to implementation.

A Lateral Entry Pool will be established by announcing an open application period, when each traditional test is announced. The pool expires after one (1) year.

Each department will receive the applications and perform a vetting process. When the applicant passes the initial vetting process, the names will be presented to the Commission for certification and placement in the Lateral Hire Pool with no ranking. The Commission at its discretion can authorize use of the lateral pool only under the following circumstances:

1. The number of traditional applicants to be certified cannot be met.
2. Selection from the certified pool can be made with a 3 to 1 hiring ratio of traditional applicants to lateral hiring applicants.

## **RULE VI. – NOTICE, CERTIFICATION AND APPOINTMENT**

Section 1. General. The person selected for appointment shall be duly notified by the Appointing Authority and if the person so selected shall fail to report to the Appointing Authority within four (4) business days from the date of such notice, he/she may be considered as declining the appointment and his/her name may be stricken from the eligibility list. Another eligible applicant may then be appointed and notified to report. The name of the declining eligible applicant may be restored to the list, upon good cause being shown, to the satisfaction of the Commission.

### Section 2. Open Competitive.

a. Upon receipt of notice from the Appointing Authority that a vacancy exists for original appointment in the classified service, the Commission shall certify to the Appointing Authority, or his/her delegate, from the eligibility list most nearly appropriate, the names, addresses of the ten (10) applicants standing highest on such appropriate eligibility lists.

If there be more than one (1) vacancy to be filled, the number of applicants to be certified shall be increased by 2 for each additional vacancy. (i.e., if there are 3 vacancies, there would be 10 plus 4 for the additional 2 vacancies for a total of 14.)

Appointment shall be made from certified list. Withdrawal of an applicant after being presented will result in adding the next highest person on the eligibility list. Written notification shall be provided to the Commission by the respective department of the withdrawal of any person from the certified list.

No person shall be certified from an eligibility list more than three (3) times to the Appointing Authority or his/her delegate for the same or similar position at the same rate of compensation, except at the request of the Appointing Authority.

b. Any person appointed under any open competitive examination shall be appointed under the following conditions. They shall be appointed for a probationary period including any required departmental training. However, if the appointee fails any portion of any departmental training program, they may be terminated at that point. If they successfully complete the departmental training program and their conduct, job performance or fitness is found to be unsatisfactory, they will be subject to immediate dismissal prior to the completion of the probationary period. Retention upon the conclusion of the probationary period from appointment shall be equivalent to their permanent appointment.

Section 3. Promotional – Police and Fire Departments.

a. The Commission shall, from the appropriate eligibility list, present to the Appointing Authority the applicant ranking first on the eligibility list. Such appointment shall be made within thirty (30) days of such presentation.

b. The Appointing Authority shall, within six (6) business days after appointment, report to the Commission the name of the person so appointed or promoted. The names of those certified and not appointed shall be restored to their positions upon the eligibility list.

c. A vacancy occurring in the rank for which an eligibility list is in existence will be filled by the next highest scoring person on the list.

Section 4. Internal Chief or Building Commissioner.

- a. All applicants on the Chief or Building Commissioner internal examination eligibility list will be certified to the Appointing Authority.
- b. Upon receipt of the list, the Appointing Authority shall select one (1) of the applicants to be appointed as Chief or Building Commissioner. If only one (1) applicant passes the internal examination, that person shall be appointed as Chief or Building Commissioner.

Section 5. External Chief or Building Commissioner. The applicants receiving the highest three (3) scores after completion of all sections of the external examination will be certified to the Appointing Authority. The Appointing Authority shall select one (1) of the three (3) certified applicants as Chief or Building Commissioner.

Section 6. Other Appointments.

The Civil Service Commission must be consulted and approval given prior to a temporary, provisional or emergency appointment. Temporary, provisional or emergency appointments for positions above police officers and firefighters shall be made with persons of equal rank or next lowest rank.

- a. Temporary Appointments. Where the services to be rendered by an appointee are for a temporary period not to exceed sixty (60) days and the need of such services is important and urgent in the opinion of the Commission, the Appointing Authority may select for such temporary service any person on the eligibility list of those eligible for permanent appointment. Successive temporary appointments to the same position shall not be made under this provision. The acceptance or refusal of a temporary appointment by an eligible applicant shall not affect his/her standing on the eligibility list for permanent employment, nor shall a period of temporary

service be counted as a part of the probationary service in case of subsequent appointment to a permanent position. If the Commission determines a temporary appointment is not feasible, a provisional appointment can be made.

b. Provisional Appointments. Whenever there are urgent reasons for filling a vacancy in the classified service and the Commission is unable to make a temporary appointment, the Appointing Authority may nominate a person for non-competitive examination for such vacancy, and if certified by the Commission as qualified after such non-competitive examination, such person may be appointed provisionally to fill such vacancy until an eligibility list can be obtained. If the Commission determines a provisional appointment is not feasible, an emergency appointment can be made.

c. Emergency Appointments. Emergency appointments may be made by the Appointing Authority without an examination, when a temporary appointment or provisional appointment is unavailable or not feasible; but, in no case to continue longer than sixty (60) days. Successive emergency appointments to the same position shall not be made under this provision.

## **RULE VII. – SUSPENSIONS, REMOVALS, REDUCTIONS AND LAYOFFS**

Section 1. General. This section, like all other Rules of the Commission, is subject to binding contracts related to employees, and other rights, responsibilities, duties and procedures therein.

Section 2. Non-Discrimination. No employee shall be reduced in pay or position, suspended or discharged due to any form of discrimination.

Section 3. Suspensions. For the purpose of discipline and subject to the right of appeal to the Commission, the Appointing Authority may suspend without pay any employee in the classified service for a reasonable period, not exceeding thirty (30) calendar days.

Section 4. Removals. Any employee in the classified service, subject to the right of appeal to the Commission, may be removed for incompetence, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of the provisions of the Civil Service Laws of Ohio or the rules of the Commission, or any other failure of good behavior, or any other acts of misfeasance, malfeasance or nonfeasance in office, or upon conviction of a felony or of a misdemeanor involving moral turpitude.

Section 5. Reductions, Layoffs and Reappointments.

a. Whenever it becomes necessary in the classified service through lack of work or funds or for causes other than those outlined in Rule VII, Section 4 to reduce the force in such department, the employee with the least seniority shall be first laid off.

b. When a position above the rank of regular police officer in the Police Department, above the rank of a regular firefighter in the Fire Department, or above the rank of inspector in the Building Department is abolished, he/she shall be assigned to the next lower rank and so on down until the employee with the least seniority has been reached, who shall be laid off.

c. Should a position in the Police Department, Fire Department, or Building Department, once abolished or made unnecessary, be recreated or a vacancy occurs within two (2) years from the date of abolishment, the employee with the most years of service of those laid

off shall be entitled to the position. No person shall be permitted to fill a position higher than their previous rank, without testing in accordance with these Rules.

Section 6. Written Notice. No suspension, removal, reduction or layoff shall be made or become effective unless and until the Appointing Authority shall furnish the employee affected with a written notice. A copy of such notice shall be filed with the Civil Service Commission.

#### **RULE VIII. – APPEALS**

Section 1. General. Any employee in the classified service, including during a probationary period, who is suspended, removed, subject to reduction or layoff, may appeal to the Civil Service Commission.

Section 2. Appeal Process. Any appeal must be within ten (10) days of the appealable action. Such appeal shall be made by filing with the Commission within said time, a written statement that he/she is appealing such action. In such event, the Commission forthwith shall notify the Appointing Authority, and shall hear such appeal within sixty (60) days from its filing with the Commission. The appellant and the Appointing Authority shall be given not less than fourteen (14) days written notice of the time and place of the hearing and of the appeal.

Section 3. Hearing on Appeal. On the hearing of an appeal, the Commission shall confine its consideration to the charges and specifications set forth in Appointing Authority's notice, as filed with the Commission, and no substantial amendment of, nor addition to, the said charges and specifications will be permitted or considered by the Commission; and the order of procedure shall be as follows:

- a. The Appointing Authority shall briefly state the grounds and facts alleged to sustain the order.

- b. The appellant shall briefly state his/her explanation or defense.
- c. The Appointing Authority shall present the evidence in support of the order.
- d. The appellant shall present any rebuttal evidence.
- e. The Appointing Authority shall present any rebuttal evidence.
- f. Arguments will be permitted only when desired by the Commission.

The admission and exclusion of evidence, and the determination and decision of the appeal, shall be governed in general by the rules of evidence and burden of proof applied by the courts in civil case. Either party may personally represent himself or herself or be represented by counsel. The Commission shall, after due consideration, render its judgment, affirming, disaffirming or modifying the order which was the subject of the appeal. In case said judgment be one of disaffirming or modification, the appellant shall be reinstated under such conditions as the Commission may direct.

Section 4. Failure to Appear. If the appellant shall fail to appear at the time and place fixed by the Commission to prosecute his/her appeal, the appeal may be dismissed by the Commission. If the Appointing Authority shall fail to appear at such time and place and offer evidence in support of his charges and specifications, the Commission may hear evidence offered by the appellant and render its decision on the merits.

Section 5. Resignation. The acceptance by the Appointing Authority of the resignation of any such appellant, before final action on the appeal by the Commission, will be considered as a withdrawal of the charges and thereupon the appeal shall be dismissed without decision, and the action of the employee thus resigning shall be entered as a resignation.

## **RULE IX – EMPLOYEE RECORDS**

Records of employees shall be kept by the individual respective departments of the City of Wickliffe and pursuant to the Records Retention Schedule of the Civil Service Commission.

## **RULE X. WAIVER OF RULES**

In specific cases where, in the judgment of the Commission, it is in the interest of the public service, any of the rules hereby adopted may be waived by a majority vote of the Commission. Such action and the reasons therefore shall be entered in the Minutes of the Commission. In the interests of justice to all concerned and to promote the welfare of the Civil Service in Wickliffe, a wide degree of liberality of construction and interpretation of these Rules and Regulations, in any and all circumstances and situations, shall be the policy to be adopted and followed by the Civil Service Commission.

## **RULE XI. – AMENDMENTS**

The Commission may, in its discretion, change, amend, revoke or modify these rules or any rule herein or any part thereof, by a majority vote of the Commission. One week's notice of such proposed change together with the text of the proposal shall be posted in the office of the Commission, at Wickliffe City Hall, and Wickliffe Public Library.

## **RULE XII. - ADMINISTRATION**

These Rules shall govern the administration of Civil Service in the City of Wickliffe. All Rules of the Civil Service Commission are subject to binding contracts related to employees, and other rights, responsibilities, duties and procedures therein.

### **RULE XIII. – SAVINGS CLAUSE**

If any Section or part of a Section of these Rules is held by any court to be invalid or unconstitutional, the same shall not invalidate or impair the validity, force and effect of any other section or part of a section of these Rules unless it clearly appears that such other section or part of a section is wholly or necessarily dependent for its operation upon the section or part of a section so held invalid or unconstitutional.

DATE: 6/19/23

  
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JAMES A. CAIN, CHAIRMAN

  
\_\_\_\_\_  
MARK IAFLICE, VICE-CHAIRMAN

  
\_\_\_\_\_  
ROBERT HEISS, MEMBER

  
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MARY BETSA, SECRETARY