



CITY OF ALAMEDA

CIVIL SERVICE RULES

Approved by the Civil Service Board
June 16, 1992

Revised:
~~November 7, 2017~~ April 4, 2018

Table of Contents

ARTICLE I. STATEMENT OF PURPOSE	1
Section 1. PURPOSE AND OBJECTIVE	1
Section 2. FAIR EMPLOYMENT PRACTICES	1
ARTICLE II. DEFINITION OF TERMS	1
Section 1. “ADVANCEMENT”	1
Section 2. “ANNIVERSARY DATE”	2 ²⁴
Section 3. “APPOINTMENT”	2
Section 4. “BOARD”	2
Section 5. “CLASSIFICATION”	2
Section 6. “DEMOTION”	2
Section 7. “ELIGIBLE LIST”	32
Section 8. “ELIGIBLE”	32
Section 9. “CIVIL SERVICE EMPLOYEE”	3
Section 10. “EMPLOYMENT LIST”	33
Section 11. “EXAMINATION”	43
Section 12. “EXECUTIVE SECRETARY”	43
Section 13. “PART-TIME EMPLOYEE”	43
Section 14. “PERMANENT EMPLOYEE”	43
Section 15. “POSITION”	4
Section 16. “PROBATIONER”	54
Section 17. “PROBATIONARY PERIOD”	54
Section 18. “PROMOTION”	54
Section 19. “PROMOTIONAL LIST”	54
Section 20. “REJECTION”	54
Section 21. “SALARY OR WAGE”	54
Section 22. “SUSPENSION”	64
Section 23. “TEMPORARY EMPLOYEE”	65
Section 24. “TERMINATION”	65
Section 25. “TRANSFER”	65
ARTICLE III. ADMINISTRATION	65
Section 1. ADOPTION	65

Section 2. AMENDMENT	75
Section 3. ADMINISTRATION	75
ARTICLE IV. POSITION CLASSIFICATION	75
Section 1. PURPOSE	75
Section 2. CLASSIFICATION SPECIFICATIONS	76
Section 3. RECLASSIFICATION	76
ARTICLE V. RECRUITMENT	86
Section 1. VACANCIES	86
Section 2. SOURCES OF CANDIDATES	86
Section 3. ANNOUNCEMENT OF EXAMINATION	86
ARTICLE VI. EXAMINATIONS	87
Section 1. APPLICATIONS	97
Section 2. DISQUALIFICATION	108
Section 3. INCOMPLETE APPLICATIONS	108
Section 4. EXAMINATION COMPONENTS	108
Section 5. EXAMINATION CATEGORIES	119
Section 6. QUALIFYING GRADE	119
Section 7. NOTIFICATION OF RESULTS	119
Section 8. APPEAL OF REJECTION	129
ARTICLE VII. ELIGIBLE LISTS	129
Section 1. ESTABLISHMENT OF LISTS	12+0
Section 2. EMPLOYEES LAID OFF GIVEN PREFERENCE	12+0
Section 3. ELIGIBILITY FOR REINSTATEMENT	13+0
Section 4. DURATION OF ELIGIBLE LISTS	13+1
Section 5. DESIGNATION OF ELIGIBLE LIST	13+1
Section 6. REMOVAL OF NAMES FROM LISTS	14+1
ARTICLE VIII. APPOINTMENT	14+2
Section 1. CERTIFICATION OF ELIGIBLES	14+2
Section 2. METHOD OF APPOINTMENT	15+3
Section 3. PROBATIONARY APPOINTMENT	16+3
Section 4. COMPLETION OF PROBATION	16+3
Section 5. PERMANENT APPOINTMENT	16+3
Section 6. TEMPORARY APPOINTMENT	16+4
Section 7. PART-TIME APPOINTMENT	17+4

Section 8. EMERGENCY APPOINTMENT	<u>17+4</u>
ARTICLE IX. ALTERATIONS IN EMPLOYMENT STATUS	<u>17+4</u>
Section 1. TRANSFER	<u>17+4</u>
Section 2. CHANGE OF DUTIES	<u>18+5</u>
Section 3. DEMOTION	<u>18+5</u>
Section 4. LEAVE FOR APPOINTMENT TO EXEMPT POSITIONS	<u>18+5</u>
Section 5. MILITARY LEAVE OF ABSENCE	<u>18+5</u>
Section 6. RETURN FROM MILITARY LEAVE	<u>19+6</u>
Section 7. PERSONAL LEAVE OF ABSENCE WITHOUT PAY	<u>19+6</u>
ARTICLE X. DISCIPLINE	<u>19+6</u>
Section 1. DISCIPLINARY ACTION	<u>19+6</u>
Section 2. PRELIMINARY INVESTIGATION	<u>20+6</u>
Section 3. PREDISCIPLINARY NOTICE	<u>20+7</u>
ARTICLE XI. PROCEDURE ON APPEALS	<u>20+7</u>
Section 1. HEARINGS INFORMAL	<u>20+7</u>
Section 2. INVESTIGATION BY EXECUTIVE SECRETARY	<u>20+7</u>
Section 3. NOTICE AND DECISION	<u>20+7</u>
ARTICLE XII. GENERAL PROVISIONS	<u>21+8</u>
Section 1. PERSONNEL REPORT	<u>21+8</u>
Section 2. PUBLIC NOTICE	<u>21+8</u>
Section 3. POLITICAL ACTIVITY	<u>21+8</u>
Section 4. DEPARTMENTAL POLICIES AND PROCEDURES	<u>21+8</u>
Section 5. SEVERABILITY	<u>22+9</u>

Pursuant to the provisions of **Ordinance No. 3011**, the following revision of the Rules of the Civil Service System of the City of Alameda have been approved and adopted by the Civil Service Board.

ARTICLE I. STATEMENT OF PURPOSE

Section 1. PURPOSE AND OBJECTIVE

The purpose of these rules is to set forth those procedures which insure a fair and equitable system of personnel management in the City government and to define the privileges, obligations, rights and restrictions which are equally imposed upon all Civil Service employees within the City of Alameda.

Section 2. FAIR EMPLOYMENT PRACTICES

The City of Alameda is an Equal Opportunity/~~Affirmative Action~~ employer. Persons in the employ of the City or those seeking employment shall be employed, promoted, demoted, or discharged without favor or discrimination because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.~~race, color, ancestry, age or marital status, national origin, religious creed, political opinions or affiliation, disability (if otherwise qualified), sexual orientation or because of gender.~~ It is further provided that no question in any test, in any application form, or by any examiner or appointing authority shall be so framed as to elicit information concerning an applicant's race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, military and veteran status or political opinions or affiliations.~~race, color, ancestry, age or marital status, national origin, religious creed, political opinions or affiliations, disability (if otherwise qualified), sexual orientation or gender.~~

ARTICLE II. DEFINITION OF TERMS

The following terms, whenever used in these rules, shall be defined and construed as follows:

Section 1. "ADVANCEMENT APPLICANT"

~~A salary increase of one or more steps within the limits of the pay range established for a classification, a person who has made formal application to the City to fill a Civil Service Position.~~

Section 2. **“APPOINTMENT”**

Formatted: Font: Bold, Underline

~~The offer to an Eligible Candidate and the acceptance of a Civil Service position in accordance with the provisions of the Civil Service Ordinance and these rules.~~

Section 3. **“BOARD”**

The Civil Service Board established in pursuance of the ordinance creating a personnel system for the City.

Formatted: Level 2

Section 4. **“CANDIDATE”**

Formatted: Underline

~~A person who has been admitted to an examination.~~

Formatted: Level 2

Section 5. **“CERTIFICATION”**

Formatted: Underline

~~The submission of names of eligible from the appropriate list by the Director of Personnel to the requisitioning department head.~~

Formatted: Font: Not Bold

Section 6. **“CLASSIFICATION”**

A group of positions sufficiently similar in respect to the duties and responsibilities that:

- (a) The same descriptive title may be used with clarity to designate each position allocated to the classification;
- (b) Common requirements as to education, experience, knowledge, ability and other qualifications may be required of all incumbents;
- (c) Common tests of fitness may be used to choose qualified employees; and
- (d) The same schedule of compensation can be made to apply with equity under the same or substantially the same employment conditions.

Section 7. **“CLASSIFICATION PLAN”**

Formatted: Underline

An orderly arrangement of classes to which positions are allocated and for which there are written specifications describing the duties, responsibilities, and qualifications of each class. Established by the Director of Human Resources and approved by the Civil Service Board.

Formatted: Font: Not Bold

Section 68. “DEMOTION”

The movement of an employee from one classification to another classification having a lower maximum rate of pay or salary range.

Section 79. “ELIGIBLE LIST”

A list of names of persons who have passed an open or promotional ~~competitive~~ examination for a ~~classification in the Civil Service~~ Civil Service Position and ranked on the list in the order of the score earned.

Section 108. “ELIGIBLE CANDIDATE”

A person who earned a rank on an eligible list.

Formatted: Indent: Left: 0", First line: 0"

Formatted: Indent: Left: 0", First line: 0"

Section 119. “EMPLOYEE”

Formatted: Underline

Formatted: No underline

A person employed by the City of Alameda in a full-time, part-time or limited-term capacity and receiving a yearly salary or hourly wage.

Formatted: Font: Not Bold

“CIVIL SERVICE EMPLOYEE”(a) Civil Service

Formatted: Indent: Left: 0", First line: 0"

~~A~~ Employee: An person-employee of the City, selected from an Eligible List, who has been legally appointed and is currently serving full-time in a Civil Service position.

(i) Probationary Civil Service Employee: A Civil Service Employee who is serving their probationary period.

(ii) Permanant Civil Service Employee: A Civil Service Employee who has successfully completed their probationary period and has been retained as provided in these Rules.

(b) Part-Time Employee: an employee of the City, currently serving in a Non-Civil Service Position or in a Civil Service Position, working no more than twenty- eight (28) hours per week.

(c) Limited-Term Employee: An employee of the City, currently serving in a Civil Service Position appointed per the terms of Article VIII Section 6 of these Rules.

Section 10. “EMPLOYMENT LIST”

~~A list of eligible which is to be used for making appointments or promotions.~~

Section 121. “EXAMINATION”

~~Any test or group of tests to determine the fitness and relative ability of persons seeking employment or promotion in the Civil Service.~~

- ~~(a) — Assembled examination: A written test or tests conducted at a specific time or place at which applicants are required to appear for competitive examination under the supervision of an examiner.~~
- ~~(b) — Unassembled examination: A review or evaluation of an applicant’s training, experience, work history or any other qualifications based on the requirements of the position.~~
- ~~(c) — Continuous examination: A test or tests conducted at irregular times and places at which applicants are required to appear for competitive examination under the supervision of an examiner.~~

Section 132. “EXECUTIVE SECRETARY”

The Human Resources Director serves as the Executive Secretary of the Board. For purposes of these Rules, the titles are used interchangeably.

Section 13. “PART-TIME EMPLOYEE”

~~An employee who is filling a position that is less than full-time and has no Civil Service status nor claim thereto. Hours worked may be regular or irregular, and wages are paid on an hourly basis with no benefit entitlement.~~

Section 14. “PERMANENT EMPLOYEE”

~~An employee who has been selected from an Eligible List and has successfully completed his/her probationary period and has been retained as provided in these Rules.~~

Formatted: Indent: Left: 0", First line: 0"

Section 145. “POSITION”

~~A specific office or post of employment within the City, whether occupied or vacant, Civil Service or non-Civil Service, limited-term, part-time or full-time, calling for the performance of certain duties and the carrying of certain~~

~~responsibilities by an employee. Any office or employment in the Civil Service, whether occupied or vacant.~~

Section 16. “PROBATIONER”

~~An employee who has not yet completed the probationary period.~~

Section 157. “PROBATIONARY PERIOD”

The working test period during which an employee is required to demonstrate ~~his/her/their~~ fitness for the duties to which ~~he/she/they are~~ appointed by actual performance of the duties of the position. The probationary period is an integral part of the examination process and its length is defined within the respective Memorandum of Understanding covering the employee.

Section 168. “PROMOTION”

The movement of an employee from a position in one classification to a position in a classification ~~another~~ having a higher maximum rate of pay or salary.

Section 17. “PROMOTIONAL EXAMINATION”

~~Promotional examination: examination open only to current Civil Service Employees with six (6) or more months of service with the City.~~

Formatted: Font: Bold

Section 189. “PROMOTIONAL LIST”

~~An Eligible List resulting from a Promotional Examination and containing the names of Civil Service Employees. City employees~~ who have passed a promotional examination for a ~~classification in the Civil Service~~ Civil Service position in a classification with a higher maximum rate of pay or salary than the classification they currently hold and ranked on the list in the order of the final score earned.

Section 19. RECRUITMENT

Section 20. “REJECTION”

The involuntary separation of ~~an employee~~ A Civil Service Employee during or at the completion of ~~his/her/their~~ probationary period.

Section 21. “SALARY OR WAGE”

The amount of money or compensation received for services rendered in the performance of the duties and responsibilities of the ~~office or~~ position assigned.

Section 22. “SUSPENSION”

~~An enforced leave of absence of an employee without pay for disciplinary purposes as provided in these Rules. The temporary separation from assigned duties of an employee, without pay, for disciplinary purposes.~~

~~**Section 23. “TEMPORARY EMPLOYEE”**~~

~~An employee who is filling a position of limited duration only and has no permanent Civil Service status.~~

Section 234. “TERMINATION”

The separation of an ~~an~~ employee from the service of the City. Termination may include death, discharge, ~~displacement~~ displacement of a ~~temporary limited-term~~ employee by a probationary appointment, lay off, resignation, retirement, ~~and work completion or conclusion of a work assignment.~~

Section 245. “TRANSFER”

~~—The~~A change of an ~~an~~ Civil Service ~~E~~employee from one position to another position in the same ~~or equivalent~~ classification having essentially the same salary limits, involving the performance of similar duties and requiring substantially the same basic qualifications. Including any of the following movements of an employee:

- a. A change from one department to another department within the same classification;
- b. A change from one class to a different class with the same salary range, either within a department or to another department.

Formatted: Indent: Left: 1"

Formatted: Font: Times New Roman, 12 pt

ARTICLE III. ADMINISTRATION

Section 1. ADOPTION

These Rules shall become effective when they are adopted by the Civil Service Board.

Section 2. AMENDMENT

Amendments to these Rules may be proposed by the City Manager, the Human Resources Director, or the Civil Service Board, and shall become effective upon adoption by the Civil Service Board.

Section 3. ADMINISTRATION

- (a) The Human Resources Director shall be responsible for administering and interpreting the provisions of these Rules.
- (b) The Civil Service Board is responsible for establishing and reviewing Civil Service Policies.

ARTICLE IV. POSITION CLASSIFICATION

Section 1. PURPOSE

The purpose of the Position Classification Plan is to provide a complete and continuous inventory of positions and to provide accurate descriptions and specifications for each classification of position. The Position Classification Plan shall be used as a management tool in preparing recruitment announcements and in differentiating one classification of position from another, and to facilitate the maintenance of the City's organizational manpower structure. The Executive Secretary of the Board shall be responsible for revising and maintaining the Classification Plan.

Section 2. CLASSIFICATION SPECIFICATIONS

The positions that are substantially similar with respect to type of work, responsibility and difficulty of work are grouped together into a classification and identified by a set of classification specifications, including classification title, job definitions, typical tasks and responsibilities and a statement of requirements as to training, experience, and other applicable qualifications.

Section 3. RECLASSIFICATION

The Human Resources Director shall perform periodic Job Analysis. Positions, the duties of which have changed materially so as to necessitate reclassification, shall be allocated to a more appropriate classification, whether new or already covered, in the same manner as originally classified

and allocated. Reclassification shall not be used for the purpose of avoiding restrictions surrounding demotions and promotions.

ARTICLE V. RECRUITMENT

Section 1. VACANCIES

Whenever a vacancy is to be filled in the Civil Service, ~~the appointing authority~~department head or ~~their~~his/her designee shall notify the Human Resources Director by submitting a hiring requisition. This notification shall include the title of the position and when appropriate, the necessary and desirable qualification of applicants. The Human Resources Director shall determine the appropriate eligible lists from which to make certification and shall determine if an examination is necessary.

Section 2. SOURCES OF CANDIDATES

It shall be the duty of the Human Resources Director to anticipate as far in advance as possible vacancies in the Civil Service, to determine the adequacy of existing eligibility lists, and to schedule examinations in a timely manner.

Section 3. ANNOUNCEMENT OF EXAMINATION RECRUITMENT

All examinations for positions in the City shall be publicly announced by posting announcements in the City government building on official bulletin boards, and in such other places as the Human Resources Director deems advisable. The announcement shall specify the title and hourly pay rate or salary range of the classification for which the examination is announced, the nature of work to be performed in general terms, minimum qualifications, the date, time and place and manner of making application, the general scope of the examination and such other pertinent information as is deemed to be appropriate or desirable.

Section 4. TYPES OF RECRUITMENT

Open and Competitive: a recruitment open to all qualified individuals.

Promotional: a recruitment open only to current Civil Service Employees with six (6) or more months of service with the City.

Continuous: a recruitment open on a continuous basis, with no posted end date.

ARTICLE VI. EXAMINATIONS

Formatted: Font: Bold, Underline

Section 1. APPLICATIONS

Applications shall be made the City's electronic application system accessible from any computer equipped with internet connectivity.
~~Applications shall be made on official application forms, which shall be furnished to all persons requesting them.~~

Such ~~applications forms~~ shall require information covering applicant's training, experience, and other pertinent information. All applications must be ~~dated and signed by applicant~~ submitted online by the date and time specified in the announcement.

The Human Resources Director may ~~reject~~ disqualify an application, ~~or~~ may refuse to examine, or after examination may disqualify or remove from an Eligibility List, or may refuse to certify any person who:

- (a) is found to lack any of the minimum ~~requirements~~ qualifications for the examination or the position for which they are applying;
- ~~(b)~~ has made a false statement of material fact or has practiced or attempted any deception, fraud or misconduct in connection with their application or any part of the examining process;
- ~~(c)~~ for reasons of public safety as provided for in State laws and regulations;
- ~~(b)~~ has a physical or mental impairment that is shown to limit a major life activity and cannot perform the essential duties of the position for which he/she has applied, with or without accommodation;
- ~~(c)~~ is addicted to the use of narcotics or the habitual use of intoxicating liquors to the extent that job performance is or will be affected by such addiction or use;
- ~~(d)~~ has used or attempted to use political pressure or bribery or personal influence to secure an advantage in the examination, ~~eligibility~~ or appointment;
- ~~(e)~~ is found to be ineligible to compete in or to be certified from a promotional list;
- ~~(f)~~ has directly or indirectly obtained information regarding the content of an examination to which an applicant is not entitled;
- ~~(g)~~ has failed to submit a complete application or has submitted the application incorrectly or not within the prescribed time limits;

~~(h) has been terminated from City service for cause or during their probationary period in the same classification during the previous twelve (12) months. (Appeal of termination shall stay this provision until a final decision is made.)~~

~~(g) has practiced or attempted to practice deception or fraud in the application, in declarations, or in securing eligibility or appointment;
or~~

~~(h) has an unsatisfactory conviction record as related to duties of the position.—~~

Section 2. DISQUALIFICATION

~~A disqualified applicant shall be promptly notified of their disqualification by the Human Resources Director or their designee. A disqualified applicant shall be notified of such action by the Human Resources Director.~~

Section 3 INCOMPLETE APPLICATIONS AMENDMENT OF APPLICATIONS

~~The Human Resources Director may allow applicants to amend their application prior to commencement of examination. Defective or incomplete applications may be returned to the applicant with notice that amendment is needed. Such amended application received after the time limit for filing of applications may be accepted at the discretion of the Human Resources Director, provided that the examination procedure has not commenced.~~

Section 4. EXAMINATION COMPONENTS

An examination shall consist of one or more of the following components:

- (a) Evaluation of the application to determine minimum qualifications as related to the position and duties;
- (b) Written test to determine knowledge and skills related to the position and duties;
- (c) Oral test to determine knowledge and skills related to the position and duties;
- (d) Demonstration test to determine skill to perform duties of position;
- (e) Evaluation of experience and education to determine basic preparation for position;

- ~~(f) — Physical Agility test to determine ability to physically perform the duties of the position;~~
- ~~(g) — A check of the applicant's police record by police personnel through fingerprints, following appointment;~~
- ~~(h) — Psychological or psychiatric tests to determine personality characteristics as related to the position, by a clinical psychologist, at City expense (optional for each test);~~
- ~~(i) — Physical examination by a licensed physician to determine state of physical condition in connection with the job related duties of position at City expense.~~

Section 5. EXAMINATION CATEGORIES/TYPES

Depending upon the requirements of the City and the availability of qualified current City personnel, an examination shall be declared either an open, a promotional, or a continuous examination. Application to Promotional examinations shall be restricted to current City employees who have held full-time Civil Service positions with the City for a minimum of six (6) months. Continuous examinations shall be utilized only for those positions for which it is difficult to obtain qualified candidates.

Section 6. QUALIFYING GRADE

In any examination, the minimum grade or standing required for eligibility shall be determined by the current requirement of the City. Failure on one part of an examination may disqualify an applicant from participation in subsequent parts of the exam, or may be considered as failing the entire examination.

Section 7. NOTIFICATION OF RESULTS

Each ~~competitor candidate~~ shall be given written notice of the results of the examination and, if successful, of his/her/their final earned ~~rating examination score~~ and of his/her/their relative position on the eligible list. Notice shall be sent within two (2) weeks of the conclusion of the examination unless volume of examined applicants requires additional time to process; (i.e. firefighter examinations). Any applicant shall have the right of inspecting his/her/their own written test papers. An error in grading or rating, if called to the attention of the Human Resources Director within seven (7) days after ~~posting written notice of results are given~~ the eligible list resulting from the examination, shall be corrected. Corrections, however, shall not invalidate certification or appointments ~~previously made~~ made prior to the correction. Where an appointment has not been made and the eligible applicant would

have been certified had the mistake not been made, their name will be certified to the department.

Section 8. APPEAL OF EXAMINATION RESULTS REJECTION

A written appeal of the examination results may be filed with the Board. Such appeal must be filed within seven (7) days after written notice of the results of the examination are given, the eligible list is posted. The Board, at its discretion, shall consider the appeal and take appropriate action.

ARTICLE VII. ELIGIBLE LISTS

Section 1. ESTABLISHMENT OF LISTS

- (a) As soon as possible after the scoring of the an examination, the names of those applicants who passed the examination shall be placed on an eligibility list.
- (b) Prior to finalizing examination final scores, qualified veterans shall be awarded an additional five (5) points in the examination process. A job applicant qualifies as a veteran if honorably discharged from active military, reservist, or National Guard duty of at least 18 consecutive months within the past five (5) years of the date of application. In cases of discharge attributable to service-connected injuries or illnesses, the 18 months active duty requirement need not be fulfilled.
- (c) Candidates shall be ranked on the eligibility lists in the order of final score received, from the highest score down to the lowest passing score. Final scores that are tied shall receive equal ranking.
- (d) For recruitments which require continuous examination, the Human Resources Director may authorize an eligible list to be established, to which additional names may be added, and certified to the hiring authority to make an appointment.
- (e) For a regular or part-time employee serving either in a civil service or non-civil service capacity, who successfully completes a City-sponsored police academy or apprenticeship program, the Human Resources Director may place the employee's name on a civil service-covered classification eligible list for which the employee is qualified.

Section 2. EMPLOYEES LAID OFF GIVEN PREFERENCE

Upon written application to the Executive Secretary to the Board, a permanent employee who is on lay-off status shall be entitled to have ~~his/her~~their name entered in the first place upon the eligible list, for the classification to which ~~his~~their position belonged. If more than one person is laid off in a single classification, the position of names on the list shall be in inverse order of lay-off, or in accordance with the employees' relative service value to the City as determined by work history, performance record, or other pertinent evidence, as interpreted by the appointing authority.

Section 3. ELIGIBILITY FOR REINSTATEMENT

Upon written request to the Executive Secretary to the Board, ~~an~~ regular employee ~~who has attained permanent status~~ within the Civil Service ~~and~~ who has resigned in good standing may, within one year after the effective date of his or her resignation, be recertified without competitive examination for consideration for rehire to a position in the same classification. In addition, the actual rehiring of such recertified employee must take place within one year after the effective date of his or her resignation.

Section 4. DURATION OF ELIGIBLE LISTS

- (a) An Eligible List, a Promotional List, or an individual name placed on a continuous examination Eligible List, will become effective upon approval by the ~~Executive Secretary of the Board~~Human Resources Director and shall remain in effect for a period of six (6) months, unless extended, or canceled because it no longer meets the needs of the City.
- (b) Eligible Lists, Promotional Lists, or names of individuals placed on a continuous examination Eligible List may be extended by the Human Resources Director for additional six-month periods, but in no event shall these lists remain in effect for more than two years.
- (c) Names appearing on Eligible Lists, Promotional Lists, or names of individuals placed on a continuous examination Eligible List ~~the Eligible List~~ by reason of lay-off shall remain effective for two years from the date of separation.

Section 5. DESIGNATION OF ELIGIBLE LIST

The Human Resources Director may designate an existing Eligible List or Promotional List as an Eligible List for a related classification in which the minimum qualifications and the examination are similar to, or of a lower level than, those required for the original eligible list. An appointment from

a designated list will not remove the applicant's name from the original eligible list.

Section 6. REMOVAL OF NAMES FROM LISTS

(a) The name of any person appearing on an eligible list shall be removed; ~~by the Human Resources Director.~~

(1) ~~if where he/she the Eligible Applicant so~~ requests in writing to be removed from the Eligible List;

Formatted: Indent: Left: 1.5", Hanging: 0.5"

(2) ~~where the Eligible Applicant declines an offer of appointment three (3) times;~~

Formatted: Indent: First line: 0"

(3) ~~where the Eligible Applicant does not respond to or show up to an invitation for a selection interview with a department;~~

Formatted: Indent: Left: 1.5", Hanging: 0.5"

(4) ~~where the Eligible Applicant has accepted an offer of appointment with the City.~~

~~(2) if he/she fails to respond to a notice of certification;~~

~~(3) if he/she cannot be located by postal authorities; or~~

~~(4) if he/she declines the offer of appointment.~~

(b) With the approval of the Human Resources Director, a person certified for a ~~regular appointment to a permanent position~~ Civil Service Position may waive ~~his/her/their~~ certification for a period not to exceed ninety (90) days, by submitting a written request for waiver.

Formatted: Indent: Left: 1.25", Hanging: 0.31"

(c) The names of persons on ~~P~~romotional ~~E~~ligible ~~L~~ists who ~~resign from separate from~~ the ~~service-City~~ shall be automatically ~~dropped-removed~~ from such lists.

(b) With the approval of the Human Resources Director, ~~a person whose name appears on an eligible list~~ an Eligible Applicant may waive in writing his/her certification for a period not to exceed the duration of the eligible list or his/her service in the Armed Forces of the United States. Proof of an ~~eligible's~~ Eligible Applicant's service in the Armed Forces of the United States and of his/her discharge shall be provided by the person requesting the special military waiver privilege.

ARTICLE VIII. APPOINTMENT

Section 1. CERTIFICATION OF ELIGIBLES

- (a) (a) The names of persons appearing on the appropriate list who are willing to accept appointment shall be certified in the order in which they appear on the list. [1] For promotional exams, the number of ranks certified shall exceed by two (2) the number of vacancies to be filled. [2] For entry-level classification exams, the number of ranks certified shall exceed by nine (9) the number of vacancies to be filled. [3] For classifications which require specific professional certifications or specific advanced degrees, the entire eligible list shall be certified. [4] In all other instances, the number of ranks certified shall exceed by four (4) the number of vacancies to be filled. The City shall use sequential ranking where the rank number is NOT advanced by the total number of tied candidates. For example, if there is a three way tie at rank 1, the next candidate would receive a rank of 2.
- (b) The Executive Secretary to the Board shall have the authority and discretion to revise and maintain lists of classifications considered entry level and those requiring professional certification or advanced degree, however when any change is made to the list, those changes shall be reported to the Board at the next regularly scheduled meeting.
- (c) When there is a need to fill a position that requires a special skill, licenses, language proficiency, or specialized training, the department may request that those certified have been identified by the Human Resource Director as having the requisite special skills, licenses, language proficiency, or specialized training. Before such names may be certified, the department must affirm that there are no employees in the class in the department available to fill the position who possess the requisite special skills, licenses, language proficiency, or specialized training. Such certification shall be in order of standing and shall follow the requirements in (a) of this section.

Section 2. METHOD OF APPOINTMENT

After interview and investigation, the ~~appointing authority~~Department Head or Hiring Manager shall make recommendation for appointment from among those certified, and shall immediately notify the Executive Secretary of the person or persons recommended for ~~appointed~~. The ~~appointing authority~~Department Head or Hiring Manager shall provide the Executive Secretary written explanation ~~on the Personnel Certification Form~~, if the hiring recommendation is not in order of the eligible list. If approved by the Executive Secretary, recommendation for approval of the appointment will be made to the appointing authority. If an eligible applicant candidate accepts an appointment and fails to present ~~him/herself~~themselves for duty as instructed, ~~he/she/they~~ shall be deemed to have declined appointment unless,

within two days, ~~he/she/they~~ gives justification for ~~his/her/their~~ action acceptable to the ~~appointing authority~~ Executive Secretary.

Section 3. PROBATIONARY APPOINTMENT

A probationary appointment occurs whenever a person is appointed from an ~~eligibility list~~ Eligible List or Promotional List. Every original and promotional appointment ~~in the~~ Civil Service Position shall be for a probationary term of at least six (6) months. ~~The specific length of probationary periods are determined by the Memorandum of Understanding applicable to the position.~~

The purpose of the probationary period is to subject the employee to trial performance and training in the position to which ~~he/she is/they are~~ appointed. During the time the employee is on probation, ~~he/she/they~~ may be released without appeal, and ~~is-are~~ not entitled to seniority rights in lay-off, or to promotional priority. Absences of over thirty (30) ~~continuous~~ calendar days during the probationary period, shall ~~not be counted in computing the length of the~~ extend the probationary period ~~for the same number of calendar days.~~

Formatted: Indent: First line: 0"

Section 4. COMPLETION OF PROBATION

The Executive Secretary shall notify the supervising official two weeks prior to the termination of any probationary period. On or before the expiration of the probationary period, the supervising official shall file with the Executive Secretary a statement in writing containing an appraisal indicative of the probationary employee's service value to the City and indicating whether or not the probationer's retention in the service is desired.

If the ~~probationer's probationary employee's~~ retention is not desired, and at the time of ~~his/her/their~~ appointment the employee held another ~~position in the Civil Service~~ Civil Service position for which they had obtained permanent status, ~~he/she/they~~ shall be reinstated without loss of former rights to that position or a position within the same classification, provided, however, that a position is available.

Section 5. PERMANENT APPOINTMENT

A permanent appointment shall be effective when an employee has satisfactorily completed the probationary period in the position to which ~~he/she is/they are~~ to be permanently appointed ~~and their property rights to such job have vested. A permanent appointment protects the employee from arbitrary termination and grants him/her appeal rights.~~

Section 6. TEMPORARY LIMITED-TERM APPOINTMENT

The appointment of personnel ~~to a Civil Service position on a temporary for a limited term basis~~ shall be limited to the following circumstances and shall be kept to a minimum compatible with operational requirements:

- (a) If there is no ~~eligible list~~Eligible List or Promotional List for a given classification, the appointing ~~authority power~~ may temporarily appoint any person meeting the minimum qualifications for the position. Such employment shall terminate upon the establishment of ~~an new eligibility list~~Eligible List or Promotional List and in general should not exceed one (1) year
- (b) Whenever there is a need for employment for a limited time, not to exceed one (1) year, a ~~temporary-limited-term~~ appointment of a person meeting minimum qualifications for the position may be made from an Eligible List or Promotional List.

In no case shall any ~~temporary-Limited-Term A~~ appointment be credited to a probationary period. The person filling a Limited-Term Appointment shall not be considered a Civil Service Employee.

Section 7. PART-TIME APPOINTMENT

When warranted by the requirements of the City the appointing authority may retain ~~personnel~~personnel filling Civil Service positions on a less-than-full-time basis. Hours worked may be on a regular or irregular basis. Such persons must meet minimum qualifications for the position. In no case shall any part-time appointment be credited to a probationary period.

Formatted: Not Highlight

Section 8. EMERGENCY APPOINTMENT

To meet the immediate requirements of an emergency, the appointing authority ~~of his/her~~their designate may employ such persons as may be needed without regard to the Civil Service restrictions pertaining to appointment. As soon as possible, such appointments shall be reported to the Executive Secretary. Emergency appointments shall not exceed fifteen (15) business days.

ARTICLE IX. ALTERATIONS IN EMPLOYMENT STATUS

Formatted: Font: 12 pt, Underline

Section 1. TRANSFER

The change of a Civil Service Employee from one position to another position in the same or equivalent classification having essentially the same salary limits, involving the performance of similar duties and requiring substantially the same basic qualifications.

After notice to the Executive ~~Secretary~~, Secretary, and by mutual agreement ~~between Civil Service Employee and a Department Head or Hiring Manager~~ the Civil Service Employee may be transferred ~~by the appointing authority~~ at any time from one position to another position in the same or comparable classification. No person shall be transferred to a position for which ~~he~~ they does not possess the minimum qualifications.

Section 2. CHANGE OF DUTIES

Material changes in the duties and responsibilities of a position within the Civil Service ordered by an appointing power or supervising official shall be reported in writing to the Human Resources Director. If such changes require reclassification of the position and an alteration in employment status of the incumbent, the Human Resources Director shall determine and establish the appropriate minimum qualifications, in accordance with the applicable rule regarding transfer, demotion and promotion. In the event that a position has been reclassified to a position having a higher rate of pay the promotion may take effect without examination if the incumbent has performed the duties and responsibilities of the position for the preceding one (1) year.

Section 3. DEMOTION

Demotion shall be allowed only if the demoted employee possesses the required minimum qualifications for the position. Demoted employees are entitled to appeal to the Board for hearing as provided by the Civil Service Ordinance and these Rules.

In the event that the demotion results from causes other than disciplinary or the maintenance of competency, the employee shall be eligible for a period of two (2) years for consideration for appointment to a position in the same classification which may thereafter become vacant.

Section 4. LEAVE FOR APPOINTMENT TO EXEMPT POSITIONS

If a permanent employee desires leave to accept an exempt position with the City, application shall be made in writing to the Appointing Authority, stating the position to be vacated, the position to which appointment is anticipated, and the duration for which leave is requested. The Appointing Authority shall decide whether leave is justified and, if so, the term of such leave.

Section 5. MILITARY LEAVE OF ABSENCE

Every employee shall be entitled to such leaves of absence and benefits as are provided by the Military and Veterans Code of the State of California.

Immediately following the act of volunteering or on receipt of competent orders to serve in the military, naval, or marine service of the United States or of the State of California, an employee must file a request for military leave of absence in writing with the Executive Secretary. A copy of the military orders must accompany the request. Military leaves of absence may be granted for ordered military service by the Appointing Authority for a period no longer than 15 months, subject to confirmation by the Human Resources Director. Extensions may be granted by the Human Resources Director upon receipt of proof of the requirement for continued service.

Section 6. RETURN FROM MILITARY LEAVE

An employee who has been granted a leave of absence shall be entitled to resume the position of employment within the classification held by the employee at the time leave was granted, or a position of like status or pay, provided that:

- (a) during such leave the position has not been abolished;
- (b) the employee returns to his employment within ninety (90) days after discharge or by the expiration of his/her leave;
- (c) he/she is found by examination to be physically and mentally able to perform the essential duties of the job; and
- (d) he/she provides satisfactory evidence of honorable discharge or completion of training or service.

Section 7. PERSONAL LEAVE OF ABSENCE WITHOUT PAY

Leave of absence without pay may be granted by the Appointing Authority when requested by an employee, when such leave is deemed to be justified. Such leave may be granted where, due to an extended illness, the accumulated sick leave and annual leave have been used or for an extension of vacation time where circumstances permit, or for other purposes.

ARTICLE X. DISCIPLINE

Section 1. DISCIPLINARY ACTION

In the event that the responsible department head finds that any employee is performing inefficiently, or not complying with these or other rules, or policies, he/she may recommend that such employee be disciplined in

accordance with Section 8 of the Civil Service Ordinance of the City of Alameda and Section 7-H of the City Charter.

Section 2. PRELIMINARY INVESTIGATION

Prior to notice of any disciplinary action the appointing power (or designee) may conduct a preliminary investigation into an employee's conduct. If, during this investigation, the employee is questioned, he/she must be informed of the following:

- (a) Responses to questions will not and cannot be used in any subsequent criminal proceedings, if the District Attorney verifies that there will be no prosecution;
- (b) Responses to questions will be recorded;
- (c) Failure to answer questions could result in dismissal.

An employee's failure to answer questions under this section constitutes independent grounds for dismissal.

Section 3. PREDISCIPLINARY NOTICE

A permanent Civil Service employee must be given advance written notice as provided by State law prior to being subject to major disciplinary action.

ARTICLE XI. PROCEDURE ON APPEALS

Section 1. HEARINGS INFORMAL

Hearings on disciplinary action taken pursuant to the provisions of Section 8 of the Civil Service Ordinance may be informally conducted, and the technical rules of evidence and pleading need not apply. Unless incapacitated, the appealing employee shall appear personally and shall not be excused from answering questions and supplying information.

Section 2. INVESTIGATION BY EXECUTIVE SECRETARY

On receipt of a notice of appeal, the Executive Secretary shall notify the members of the Civil Service Board, and shall investigate the circumstances surrounding the action for report to the Board. The hearing on such appeal shall be set before the Board at a special meeting of the Board. Such hearing may be continued or adjourned from time to time as the Board may determine.

Section 3. NOTICE AND DECISION

Written notice of the time and place of hearing on an appeal shall be given to the appellant and to the appointing power from whose action the appeal is taken at least seven (7) days before the date of hearing. Within ten (10) business days after the hearing is concluded and the matter submitted for decision, the Board shall make its written decision and the same shall thereupon be certified to the appointing power and the employee concerned.

ARTICLE XII. GENERAL PROVISIONS

Section 1. PERSONNEL REPORT

The Human Resources Director shall provide all Civil Service Board members a summary Report of Personnel Activities, including positions filled, vacant, new hires and separations for the preceding period. Further, the report shall include a brief statement of overall status and new developments.

Section 2. PUBLIC NOTICE

Whenever public notice is required by the provisions of these rules, such notice, unless otherwise specifically provided, shall be given by posting a copy thereof on official bulletin boards. Such notice shall set forth the time and place and the nature of the act or thing to be done or considered.

Section 3. POLITICAL ACTIVITY

The political activity of a City employee shall conform to pertinent provisions of State Law. An officer or employee of the City shall enjoy freedom from interference in engaging in political activity, provided, however, that an employee shall refrain from:

- (a) Partisan political activity which disrupts or affects the efficiency and integrity of operation of the City of Alameda or of a City department.
- (b) Using his/her official position or influence to coerce the political actions of others.
- (c) Engaging in political activities during working hours or while wearing a City uniform.

Section 4. DEPARTMENTAL POLICIES AND PROCEDURES

Any department may issue such policies or manuals of procedure or operations as is necessary for the efficient and orderly administration of the

department. No such policies shall conflict with or supersede these Rules. Copies shall be made accessible to each employee of the department.

Section 5. SEVERABILITY

If any clause, sentence, paragraph, or part of these Rules, or the application thereof to any person or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgement shall not affect, impair, or invalidate the remainder of these Rules and the application thereof to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof, directly involved in the controversy in which such judgement shall have been rendered and to the person or circumstances involved.

These Rules may be cited as the Civil Service Rules of the City of Alameda. Upon approval by the Civil Service Board, these Rules supersede and cancel all former Civil Service Rules, and all amendments and revisions thereto.

Approved by Civil Service Board
on June 16, 1992

Revised: 01/09/2002
04/07/2005
01/11/2006
11/28/2006
07/02/2008
10/27/2014
10/05/2016
10/18/2017
11/07/2017

**CIVIL SERVICE RULES
INDEX**

	PAGE NUMBER
I. <u>STATEMENT OF PURPOSE</u>	
1. Purpose and Objective	1
2. Fair Employment Practices	1
II. <u>DEFINITION OF TERMS</u>	
1. Advancement	1
2. Anniversary Date	1
3. Appointment	2
4. Board	2
5. Classification	2
6. Demotion	2
7. Eligible List	2
8. Eligible	2
9. Civil Service Employee	3
10. Employment List	3
11. Examination	3
12. Executive Secretary	3
13. Part-Time Employee	3
14. Permanent Employee	3
15. Position	4
16. Probationer	4
17. Probationary Period	4
18. Promotion	4
19. Promotional List	4
20. Rejection	4
21. Salary or Wage	4
22. Suspension	4
23. Temporary Employee	5
24. Termination	5
25. Transfer	5

Formatted Table

CIVIL SERVICE RULES
INDEX
(continued)

	<u>PAGE NUMBER</u>
III. <u>ADMINISTRATION</u>	
1. Adoption	5
2. Amendment	5
3. Administration	5
IV. <u>POSITION CLASSIFICATION</u>	
1. Purpose	6
2. Classification Specifications	6
3. Reclassification	6
V. <u>RECRUITMENT</u>	
1. Vacancies	6
2. Sources of Candidates	7
3. Announcement of Examination	7
VI. <u>EXAMINATIONS</u>	
1. Applications	7
2. Disqualification	8
3. Incomplete Applications	8
4. Examination Components	8
5. Examination Categories	9
6. Qualifying Grade	9
7. Notification of Results	10
8. Appeal of Rejection	10
VII. <u>ELIGIBLE LISTS</u>	
1. Establishment of Lists	10
2. Employees Laid Off Given Preference	11
3. Eligibility for Reinstatement	11
4. Duration of Eligible Lists	11
5. Designation of Eligible List	12
6. Removal of Names from Lists	12

CIVIL SERVICE RULES
INDEX
(continued)

	<u>PAGE NUMBER</u>
VIII. <u>APPOINTMENT</u>	
1. Certification of Eligibles	13
2. Method of Appointment	13
3. Probationary Appointment	13
4. Completion of Probation	14
5. Permanent Appointment	14
6. Temporary Appointment	14
7. Part-Time Appointment	15
8. Emergency Appointment	15
IX. <u>ALTERATIONS IN EMPLOYMENT STATUS</u>	
1. Transfer	15
2. Change of Duties	15
3. Demotion	16
4. Leave for Appointment to Exempt Positions	16
5. Military Leave of Absence	16
6. Return from Military Leave	16
7. Personal Leave of Absence Without Pay	17
X. <u>DISCIPLINE</u>	
1. Disciplinary Action	17
2. Preliminary Investigation	17
3. Predisciplinary Notice	18
XI. <u>PROCEDURE ON APPEALS</u>	
1. Hearings Informal	18
2. Investigation by Executive Secretary	18
3. Notice and Decision	18
XII. <u>GENERAL PROVISIONS</u>	
1. Personnel Report	19
2. Public Notice	19
3. Political Activity	19
4. Departmental Policies and Procedures	19
5. Severability	20