

CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** July 10, 2023
SUBJECT: Approve Ordinance No. 3799 Adopting Revisions to the Civil Service Rules and Regulations.
PRESENTER: Patrick Hillis, Director of Human Resources

SUMMARY:

On May 6, 2023, 15 Charter amendments related to the City's Civil Service system passed by a majority vote of NRH citizens. Immediately following the passage of the Civil Service Charter amendments, Human Resources (HR), Police and Fire staff began working on revisions to the City's Civil Service Rules to align the rules with the changes to the City's Charter. The last revisions to the Civil Service Rules occurred in February 2018.

Through a collaborative effort between City Management and the Police and Fire Associations, revisions were made to the Civil Service Rules and presented by the HR Director, Fire Chief and Interim Police Chief to the Civil Service Commission on June 21, 2023. Following the presentation, the Civil Service Commission passed a motion approving the revisions to the Civil Service Rules and recommending that the City Council formally adopt those revisions.

GENERAL DESCRIPTION:

The two attachments show the proposed revisions to the Civil Service Rules and Regulations that were unanimously approved by the Civil Service Commission. Civil Service Commissioners are: Sally Bustamante, September Daniel, Melissa Kates, Marvin Smith, and Gregory Hoffa. One attachment shows the revisions in detail with the deletions in "red" and additions in "blue" and the second attachment is a clean copy of the proposed Civil Service Rules and Regulations.

Revisions can be put into one of three categories:

1. **Formatting** – renumbering, moving sections to different rules, putting sections into a more logical order, etc.
2. **Grammatical** – changes in wording, updating language, correcting grammatical errors, etc. No change to rules/procedures/processes.
3. **Policy** – changes to policy language resulting in new rules/procedures/processes.

The following is a summary of the proposed **Policy** revisions applicable to sworn employees as defined in Article XVII City Civil Service, of the City Charter:



Rule 1. General Provisions

No Policy Changes.

Rule 2. Certification, Appointment and Probationary Period

1. Removed the 90-day requirement for creating an eligibility list.
2. Updates language allowing the City Manager to make emergency appointments.

Rule 3. Examination Administration

Language revised allowing applicants to test for an entry-level Police and Fire position on the day of application.

Rule 4. Initial Appointment Examinations

1. Revises the written test grading system from a maximum score of 30 points and a minimum passing score of 18 points to a grading system with a maximum of 100 points and minimum passing score of 70 points.
2. Language revised allowing an Oral Review Board to be scored as pass/fail or on a 100-point scale.

Rule 5. Promotional Examinations

1. Military service and promotional testing requirements removed from the Charter placed into the Civil Service Rules and Regulations.
2. New rules for employee notification requirements before and after conducting promotional examinations.
3. New rule allowing employees to appeal written test questions to the Police or Fire Chief.
4. Language regarding physical examinations removed from the City Charter and placed into the Civil Service Rules and Regulations.

Rule 6. Eligibility Lists

1. Shortens the length of time that an entry level eligibility list remains in existence from 1 year to 6 months.
2. Language regarding the bypassing of names on an eligibility list removed from the City Charter and placed into the Civil Service Rules and Regulations.
3. Requires the Police or Fire Chief to file written reasons with the Civil Service Director should he/she not appoint an individual on an eligibility list.

Rule 7. Separations and Disciplinary Action

No Policy Changes.

Rule 8. Appeals

1. Added clarifying language related to "non-disciplinary actions" and when an employee can be separated from employment for failing to maintain minimum job requirements.



2. Increases the amount of time that a department head has to file his/her Statement of Department Head with the Civil Service Commission from 5 to 10 days after an employee disciplinary action.
3. Increases the amount of time that the Civil Service Commission has to hear a disciplinary appeal from 30 days to 45 days.

RECOMMENDATION:

Approve Ordinance No. 3799.