

## ARTICLE IV

### ELIGIBLE AND PRIORITY LISTS

#### ESTABLISHMENT OF ELIGIBLE LISTS

**Sec. 25.** The Executive Director shall direct the establishment of eligible lists for classifications in the classified Civil Service. Names shall, without exception, be placed on promotional eligible lists in the rank order of total score achieved. On open-competitive examinations, name placement by either rank or band order may be utilized. Names derived from continuous open-competitive examinations and placed on eligible lists shall also be subject to rank or band order as stated above, but the rank or band order of any candidate shall be subject to revision based on the passing scores achieved by applicants in succeeding administrations of the specific continuous examination. In non-competitive examinations, qualifying applicants shall be placed on eligible lists by application file number.

#### LIFE OF ELIGIBLE LISTS

**Sec. 26.** Eligible lists derived from open-competitive examinations shall generally expire one year from their established effective dates. Promotional eligible lists shall expire after two years. After determining the eligible list's utility, if needed, through polling of candidates of interest in City employment, an eligible list derived from an open-competitive examination may, subject to Commission review, be either reduced or extended by the Executive Director. However, the total life of such list shall not exceed three years.

Eligible lists for those classifications for which the continuous testing process is used **may** expire six months from their effective dates.

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#### CERTIFICATION FROM OPEN ELIGIBLE LISTS

**Sec. 27.** When no priority list exists for an open-competitive classification and a personnel requisition for that classification is received by the Civil Service Department, the Executive Director shall certify names in rank or band order from the eligible list established for that classification. The minimum number of names certified shall be four plus the number of vacancies; however, each candidate, on the specific eligible list from which certifications are being made, whose whole number score or band

score is the same as the whole number or band score of the last candidate certified to the requisition, shall also be certified. Operating departments shall send a notice of selection interview in writing or make personal contact, and shall provide job candidates a minimum of five days notice to respond. The appointing authority shall attempt to notify and interview the candidates in rank order when they are not score banded, then they may select from any of the names certified. Score banded candidates may be selected randomly; however, when two or more score bands are certified to the same requisition, candidates in the higher score bands must be offered an interview before selecting from lower bands. After making a selection, the appointing authority shall indicate on the requisition the person or persons selected, and the disposition of all other candidates in order of certification up to the candidate selected, and shall retransmit the requisition to the Executive Director at the conclusion of the selection process. Personnel/Payroll transactions relating to new personnel acquisitions shall not be cleared by the Executive Director until the above referenced dispositions are received by the Civil Service Department. With the exception of those not selected because of failure to meet the medical, physical, psychological, or background investigation standards established for the position sought, candidates shall be entitled to at least two certifications to an identical vacancy in the same department.

Notwithstanding the provisions of this or other sections governing appointment to classified positions, the following exceptions shall apply:

- (1) If less than the minimum number of names required are on an eligible list, the appointing authority may request a new examination, request other appointment pursuant to these rules, or consider the names certified by the Executive Director from an alternate eligible list.
- (2) If there are concurrent vacancies, the Executive Director may certify as many names as he/she feels are necessary to fill the listed vacancies.
- (3) After an analysis of the test results from an open-competitive examination, the Executive Director may certify candidates to existing vacancies by score bands.

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## **SELECTIVE CERTIFICATION**

**Sec. 28.** When a vacancy occurs in a classification composed of more than one position and an appointing authority informs the Commission, in writing, that the vacant position requires, in addition to the classification's minimum qualifications, special skills, knowledge, or abilities not required of other employees in the classification, the Commission, at its discretion, shall authorize the Executive Director

to certify only the names of those on the eligible list who possess the particular skill, knowledge or ability. Authorization for certification under this section shall be granted if the Commission considers the written justification provided by the appointing authority to be satisfactory. Otherwise, certification shall be in accordance with Section 27 of these rules and regulations.

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## **CERTIFICATION FROM PROMOTIONAL ELIGIBLE LISTS**

**Sec. 29.** Names certified from eligible lists, which have been derived from promotional examinations shall be certified in the rank order of their final score. The minimum number of names certified shall be four plus the number of vacancies shown on the requisition, and the appointing authority shall attempt to interview eligibles for selection in the order of their certification.

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## **PRIORITY LISTS**

**Sec. 30.** When these rules require employees names to be placed on priority lists, the Executive Director shall place the names on the appropriate list according to seniority, and the employee highest on the list shall be entitled to be offered re-employment first. If two or more employees in the same classification have the same seniority, then the employee who attained the highest standing on the classification's eligible list shall rank first.

## **DURATION OF TIME ON PRIORITY LIST**

**Sec. 31.** A person whose name has been placed on a priority list shall, for a period of one year, be entitled to re-employment in his/her previous classification with the same Civil Service status that he/she had at the time his/her name was placed on the priority list. However, a person whose name remains on a priority list continuously for more than one year, and who is subsequently reappointed, will be required to complete a new probationary period. The maximum length of a priority list shall be a total of three years.

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## **REMOVAL OF NAMES FROM ELIGIBLE AND PRIORITY LISTS**

**Sec. 32.** The Executive Director, unless contrary to an action by the Commission, may either withhold certification of, or request the Commission to remove the name of a person from any eligible or priority list for any of the following reasons:

- (a) If a person whose name is on a priority or eligible list twice waives or declines a permanent appointment without giving satisfactory written reasons to the Commission for the inability to accept appointment;
- (b) If a person on a priority or eligibility list voluntarily requests in writing that his/her name be removed from such list;
- (c) If a person fails to pass the physical examination listed under Section 40;
- (d) If an employee on a priority list, who has been laid off from a seasonal position has waived his/her right to reappointment to that seasonal position without approval of the Commission;
- (e) If a person whose name is on an eligible or priority list is dismissed for disciplinary reasons;
- (f) If a person on an eligible or priority list fails to respond to Civil Service inquiries regarding continued interest in City employment.

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### **COMBINING ELIGIBLE LISTS**

**Sec. 33.** When two or more classifications are consolidated and priority or eligible lists exist for the classifications prior to their consolidation, the Commission may, at its discretion, order the Executive Director to combine the priority and/or eligible lists or, in the event that only one of the classifications so consolidated has an eligible list, to use that list when filling vacancies in the classification resulting from the consolidation. The names of persons on affected eligible lists shall be combined in the rank order of the total score achieved on the examination given to establish the original eligible lists. The names which are placed on a combined priority list shall be ranked according to their seniority.

### **WAIVER OF APPOINTMENT - PRIORITY LIST LIFEGUARD SERVICE**

**Sec. 34.** A person whose name is on a priority list created for the position of Lifeguard (Seasonal) shall waive his/her right to appointment and be removed from the priority list if he/she fails to: a) respond to a notice of certification within five days after written

notice to do so, or b) fails to report for duty on the day set by the appointing authority. However, the Commission, at its discretion, may permit a person to waive his/her right to appointment, for one season only, if he/she provides acceptable written reasons; i.e., sickness, accident, or summer school attendance, to the Commission.

### **CERTIFICATION FROM PRIORITY LISTS**

**Sec. 35.** When it has been determined that a priority list exists for a classification requisitioned by an appointing authority, the Executive Director shall certify names from that priority list. The order of certification and appointment shall follow the rank order of the names on the priority list.

### **CERTIFICATION FROM ALTERNATE ELIGIBLE LIST**

**Sec. 36.** Whenever a requisition is received in the Civil Service Department to fill a vacancy in a classification for which no priority or eligible list exists, the Executive Director may certify names from priority or eligible lists established for comparable or higher classifications in the same job specialty. If no lists exist for comparable or higher classifications in the same specialty, certification may be made from an eligible or priority list established for an allied classification of comparable or higher qualifications and duties. A permanent appointment under this section shall have no effect on the appointee's rank order or status on any eligible or priority list established for a comparable, higher level, or allied classification.

### **NOTIFICATION OF CHANGE OF ADDRESS**

**Sec. 37.** Every job candidate whose name has been placed on an eligible list or priority list, shall keep the Commission informed of his/her correct mailing address. Information submitted shall be signed by the candidate and shall include the name of the list or lists upon which his/her name appears. As necessary, the Commission shall send any notice required to the address furnished by the candidate. Failure by the candidate to keep the Commission informed of his/her correct address may be considered a waiver of his/her rank order of certification and his/her right to appointment from any list or lists.