

ARTICLE VI

CLASSIFICATIONS, RECLASSIFICATIONS, REASSIGNMENTS AND TRANSFERS

REQUISITIONS

Sec. 60. The appointing authority shall transmit a personnel requisition to the Civil Service Department in a format prescribed by the Commission when filling any classified vacancy. The requisition shall state the number of vacant positions to be filled, the anticipated date of employment, the position's title according to Civil Service classification, and whether the requisition is submitted to fill a temporary or permanent classified position. After certification, personnel requisitions shall become void after either 90 days have passed or after all vacancies indicated on the requisition are filled. Upon request by the appointing authority, the Commission may extend the expiration of a requisition beyond 90 days.

DUTIES OF CLASSIFICATION

Sec. 61. The duties assigned to classified classifications shall be those designated by the appropriate appointing authority. If the appointing authority has not defined the duties of the classification, the type of work commonly attributed to the classification's specific title will be considered by the Commission as the primary duties of the classification and will be measured in Civil Service examinations.

Rev. July 23, 1996

DUTIES OF EMPLOYEE

Sec. 62. When an employee is performing the duties of the classification to which he/she was certified and appointed at least 75% of the time during a 30-day period, he/she shall be considered as properly performing the duties of the classification. However, if the employee is continually assigned duties that either belong to, or are more appropriately encompassed by, another classification more than 25% of the time and/or the employee is performing duties which are not in compliance with these rules, the Commission may, at its discretion, make an independent investigation of the matter pursuant to Section 1101(b) of the City Charter.

- (1) Should the investigation determine that the employee is continuously working outside his/her proper classification, the Commission may instruct the appropriate appointing authority to assign the employee to the duties for which the employee was examined and certified.

- (2) Should the investigation determine that a new classification is necessary to encompass the subject duties, then such a classification shall be created pursuant to Section 1101(d) of the City Charter and an examination held to create an eligible list for the new classification.
- (3) Should the investigation determine that permanent assignment to another classification is warranted, it shall be accomplished under the auspices of Section 67 of these rules.

Rev. July 20, 1993

TEMPORARY REASSIGNMENTS

Sec. 63. All employees shall be assigned to and perform the duties of the classifications to which they have been certified and appointed; however, in certain instances, an employee may, upon recommendation of the concerned department head, approval of the appointing authority, approval of the Commission, and in compliance with the following, be temporarily assigned to the duties of another classification. Employees so reassigned shall not accrue Civil Service status in the temporary reassignment, but shall continue to accrue seniority in his/her current classification.

Temporary reassignments may be made in the following instances:

- (1) In cases of emergency. Such assignments normally shall not exceed 30 days. However, the Commission may authorize an extension of said assignment if it finds such further extension to be in the best interest of the City.
- (2) As specified in Section 43 of these rules.
- (3) For purposes of training and development, provided the planned course and duration of training is agreed to by the appointing authority, the Commission, and the employee. Requests for training plans needing more than one year to complete shall require annual approval of the Commission. The employee shall be entitled to employee representation before the Commission when the matter is considered.
- (4) For the purpose of recovery from a medical condition that has been certified as temporary by the City Health Officer. Notwithstanding the provisions of this section, the length of this type of temporary assignment shall be granted for the time required for the employee to regain the ability to perform in his/her proper classification as reported by the City Health Officer subject to approval by the Commission at a hearing, if requested. Unclassified employees shall be covered by this subsection.

- (5) For the purpose of rehabilitation and/or retraining, when an employee has either been declared permanently incapable of performing the duties of his/her current classification or it has been deemed advisable by the City Health Officer that he/she no longer be assigned such duties. Unclassified employees shall be covered by this subsection.

Rev August 21, 2001

TRANSFERS

Sec. 64. A department head may transfer an employee in one bureau or division of a department to a position in the same classification in another bureau or division of the same department. With the consent of the appointing authority, the department heads involved, the employee and the Commission, an employee may be transferred from a position in one department to a position in the same classification in another department. However, the Commission may reverse or refuse to approve any transfer of a classified employee if, after investigation, it finds that the transfer was not in the City's best interest.

DIVISION OF CLASSIFICATION

Sec. 65. When the duties of different positions within an existing classification become so diverse that a single examination will no longer provide eligibles who are qualified for all positions in the classification, the Commission shall divide the classification into two or more classifications, and allocate the subject positions to appropriate classifications. All incumbents shall retain seniority accrued in the affected classifications.

CONSOLIDATION OF CLASSIFICATIONS

Sec. 66. When the duties of existing positions in different classifications become so similar that a single examination will provide eligibles who are qualified for all positions in the subject classifications, the Commission may consolidate the classifications, and allocate the subject positions to proper classifications as appropriate. All incumbents shall retain seniority accrued in the affected classifications.

PERMANENT ASSIGNMENTS

Sec. 67. Permanent assignment to a position in a classification from a position in another classification shall be contingent on the approval of the appointing authority, the heads of the departments involved, and the approval of the Commission and shall be accomplished in accordance with this section. An employee may be permanently assigned to:

- (1) A former classification in which he/she held permanent status if requested by the employee, or involuntarily to a former or lower classification for disciplinary reasons pursuant to Article VII of these rules. An employee involuntarily demoted to a lower classification shall not serve a probationary period.
- (2) Another classification without further examination if his/ her position is allocated to another classification as a result of class consolidation or division.
- (3) Another classification if he/she successfully completes rehabilitation and successfully completes probation pursuant to subsection 4(b) below.
- (4) Another classification if:
 - (a) The employee is the incumbent in a position which has been reclassified and the employee meets the entry qualifications established for the classification into which the reassignment is made;
 - (b) The employee serves the required probationary period in the classification into which the assignment is made as prescribed by these rules. If, during the probationary period, the employee proves unable to perform the duties of the new classification, he or she may be returned to his/her former classification and step with no loss of seniority. Should the employee be terminated from the probationary position and his/her seniority is not sufficient to enable him/her to displace any employee in a former classification his/her name shall be placed on a priority list established for the classification in which he/she holds permanent status.
- (5) When either the reorganization or the elimination of a City operation causes the layoff of a permanent employee who possesses knowledges, skills, and/or abilities which would be in the best interest of the City to retain, the employee may be permanently assigned to another classification. Any employee so assigned shall be required to serve a probationary period in the new classification.

Rev. August 21, 2001

TRANSFER FROM CLASSIFIED TO UNCLASSIFIED

Sec. 68. Any employee in the classified service, whose position is changed pursuant to Section 1102 of the City Charter, from classified to unclassified status, shall be entitled to transfer to a position in the classified service in which he/she formerly held status.

TRANSFER FROM UNCLASSIFIED TO CLASSIFIED

Sec. 69. An unclassified employee may request a transfer from a position in the unclassified service to a position in the classified service in which he/she formerly held status subject to the consent of the appointing authority, the department heads involved, and the approval of the Commission. Time spent by an employee in the unclassified service shall not be included in seniority point calculations for classified promotional examinations. Further, when an employee who formerly held classified status returns to the classified service from the unclassified service, he/she shall not receive credit for the time served in the unclassified service when calculating an order of layoff from the classified service.

FORFEITURE OF STATUS IN OTHER CLASSIFICATION UPON ACQUIRING NEW STATUS

Sec. 70. No employee in the classified service shall acquire or hold permanent status in more than one classification in the classified service, and any employee who accepts an appointment to a position in another classification in the classified service shall, at the successful completion of the new classification's probationary period, forfeit his/her permanent status in his/her prior classification.