

## **RULE 3: CIVIL SERVICE APPOINTMENT AND PROMOTION.**

### **Section 3.1 Appointments in the Competitive Class.**

(a) Appointments to fill vacancies.

(1) Every vacancy in the classified service not filled by promotion, transfer, reinstatement, or demotion shall be filled by appointment from the eligibility list established for that position upon the requisition of the city manager. Appointments shall be made to all positions in the competitive class by selection of persons certified from an eligibility list resulting from open, competitive employment applications and examinations held by the board, except as otherwise provided in these rules and regulations.

(2) Nothing in these rules and regulations shall prevent a department director from designating a person to fill a position in a higher classification for a period of time and for that person to receive interim assignment pay, in accordance with applicable procedures. Interim assignments are not considered appointments or promotions.

(b) Submission of applications. Except as provided in these rules and regulations, no position in the classified service may be filled except after posting on the City of Dallas website and in any other format and manner approved by the civil service department and an evaluation of candidates conducted in compliance with these rules and regulations. Applications must be submitted to the civil service department not later than the date specified in the job or examination announcement and shall be complete at the time of filing. Each individual who submits an application as provided in these rules and regulations and meets the minimum qualifications for a position shall be considered a candidate for that position unless otherwise prohibited under these rules and regulations. No application for employment shall remain on file for more than one year from the date of the application.

(c) Job qualifications in postings. Postings for positions in the classified service shall specify the required minimum qualifications for the position and may specify other preferred qualifications relevant to the position.

(d) Civil service board to establish minimum qualifications. The board shall establish and announce the necessary minimum qualifications for any position subject to this section. The minimum qualifications for a position may be revised by the board and may include, but not be limited to, requirements as to education, training, and experience, and other qualifications deemed necessary for the position. Nothing in this section prohibits the specification of preferred qualifications for a position.

(e) Civil service employment examinations. The board is authorized to prescribe and prepare the nature, type, and extent of examinations deemed necessary to fairly test the relative qualifications and fitness of applicants. All examinations shall be designed to test the relative qualifications and fitness of applicants to discharge the duties of the particular position they seek to fill. Every examination shall be conducted under the direction of the board, or its designated

examiners, free from the presence, participation, or influence of any person other than the examiners or experts employed by the board.

(f) Ordering reexamination. The board has the power, whenever in its judgment the interests of the public service require it, to order a reexamination of applicants for any position, and the power to correct, amend, or revoke any schedule, register, or other paper or record where it appears that an error or injustice has been done, or where any person whose name appears upon the eligibility list has for any reason become incapacitated for appointment in the public service, to strike such name from the list. The reason for such action shall be recorded in the minutes of the board.

(g) Physical examinations. In addition to completing an application for a position, an applicant may be required to submit to a physical examination and/or test, as deemed necessary by the board, to determine the fitness of applicants for the position for which they applied.

(h) Disqualification of applicants. The board may disqualify applicants for a position, and if so, shall state the reason for disqualification and retain the reason for disqualification in the applicant's application records. Disqualification may occur for an applicant who is found to lack any of the established minimum qualifications for a position or who otherwise lacks a requirement for a position, as established by the board. Disqualification may occur for an applicant who made a false statement, or has practiced or attempted to practice any deception or fraud in their application, in their examination, or in securing their eligibility for appointment. The board may delegate this authority to the secretary.

(i) Rehire eligibility of former city employees. The board may deem ineligible applicants for a position in the classified civil service, who were previously employed by the city and in situations in which the city has designated the former city employee as ineligible for rehire, or provisional for rehire. In these situations, applicants shall be deemed ineligible for rehire for a minimum of two years from the date of separation of city employment. If, after two years has elapsed since separation of employment, the former city employee seeks to apply for a position in the classified service, the person shall submit a request for a hearing before the board. To qualify for rehire eligibility, a former employee must demonstrate to the board that he or she has the ability and desire to be a productive and successful city employee, and there are no other significant indications that rehiring the former employee would be inappropriate. Factors for the board's consideration may include, but are not limited to: whether the former employee has accepted responsibility for his or her actions that led to the separation of employment, the severity of the misconduct that brought about the separation of employment, and the former employee's work history since separation of employment. Former sworn service employees who were terminated, resigned in lieu of termination for dishonesty, theft, misconduct, or disregard of public trust, as defined in the personnel rules, adverse conduct as defined in Dallas Police Department Code of Conduct Rule 4.3, unnecessary or inappropriate use of force as defined in Dallas Police Department Code of Conduct Rule 4.10, or adverse conduct as defined in the Dallas Fire-Rescue Department Manual of Procedures Code of Conduct Rule 702.02 are permanently ineligible for rehire with the City.

### **Section 3.2 Eligibility Lists.**

(a) Eligibility list determination. An eligibility list shall be prepared by the board for each position in the classified service from candidates who have been found minimally qualified after a review of an employment application. Eligibility lists created from positions that do not require a competitive examination shall be prepared without any ranking or order of preference. If the position requires a competitive examination, the eligibility list will be prepared in order of merit and fitness as shown by the respective scores of the aggregate marking. When two or more eligible candidates have equal average scores on an examination, they shall have equal rank on the eligibility list. Eligibility lists prepared without competitive examination shall be forwarded to the departmental appointing authority, to allow the appointing authority to select candidates for interview and selection for appointment. Non-employee eligibles for sworn service appointment may be removed from the register after twelve months from the date of examination. Following selection and appointment, the appointing authority shall notify the board secretary. Once the appointment is made, the appointed person's name shall be stricken from the eligibility list.

(b) Supplementation of eligibility lists. Eligibility lists for each position may be supplemented periodically as the personnel needs of the city and the principle of open competition may warrant.

### **Section 3.3 Probationary Periods.**

(a) Extension of probationary period by board secretary. Probationary periods may be extended to allow six months of on-the-job work performance or completion of any written prerequisites to employment or promotion. When injury or other circumstances causes an extended approved absence, or other circumstances exist, that prevent the full and fair evaluation of an employee during initial probation, the employing department director may request extension of the probationary period within 10 working days of the conclusion of the absence or situation, or the scheduled end of the probationary period, whichever occurs first. The board secretary may approve the extension not to exceed a total of six months on-the-job work performance, not including the time period during which the full evaluation of work performance is not possible, or completion of any written prerequisites to employment or promotion. However, extensions shall not be granted where indications of unsatisfactory attendance as defined by the personnel rules are present. The board secretary shall report granted extensions periodically to the board for review.

(b) Extension of probationary period by civil service board. Probation may be extended by the board to include the entire period of training of a formal apprenticeship training program. When an extension is approved, employees will be informed prior to employment and will complete probation on successful completion of the training program. The secretary may extend probationary periods on behalf of the board.

(c) Probationary periods for specific positions. In addition to the provisions for extension of probation provided in Subsections 3.3(a) and (b), the following additional provisions for specific positions apply:

(1) Probationary security officer. Probation for the classification of probationary security officer shall end six months following completion of the required classroom training.

(2) Sworn employees. The probationary period for sworn employees continues until the sworn employee has completed six months of service as a probationary police officer, probationary fire-rescue officer, probationary fire prevention officer, or probationary single function paramedic officer, as applicable.

(3) Civilian 911 call takers or dispatchers. Probation for the classification of civilian 911 call taker or dispatcher ends six months after completion of required classroom training.

### **Section 3.4                    Appointments in the Non-Competitive Class.**

(a) Scientific, professional, and expert positions deemed non-competitive class. Classes requiring peculiar and exceptional qualifications of a scientific, professional, or expert nature, upon satisfactory evidence that competition as evidenced by written examination is impractical and that positions in these classes can best be filled by the selection of designated persons of recognized attainments, the board may, by a majority vote, suspend competition and declare these classes to be noncompetitive. All suspensions must be recorded in the minutes of the board and the board shall, from time to time, review all suspensions to determine if the best interest of the city is served by continuing these classes in the non-competitive class.

(b) Part-time, seasonal, and temporary positions. Time-limited positions filled on a part-time, seasonal, or temporary basis are considered to be in the non-competitive classified service and may be filled either by the reappointment of a former part-time, seasonal, or temporary employee previously qualified to perform the same or similar work, or by appointment from a non-competitive eligibility list of those eligible who have filed applications and who meet the minimum requirements for the position for which they have filed applications.