

PROPOSED ARTICLE XIII, CIVIL SERVICE COMMISSION

Section 13.03 Classified & Unclassified Service

Section 13.04 Commission Powers & Duties

Section 13.05 Vacancies in Classified Service

Section 13.06 Review Board Composition & Procedure

Present Charter	Proposed Charter	Reasoning
<p style="text-align: center;">ARTICLE XIII CIVIL SERVICE COMMISSION</p> <p>SECTION 13.03 CLASSIFIED AND UNCLASSIFIED SERVICE.</p> <p>All compensated positions in the service of the Municipality shall be in the classified service and shall be appointed pursuant to procedures and practices which shall be set forth in the Civil Service Rules and Regulations, except the following, which shall comprise the unclassified service of the Municipality:</p> <ul style="list-style-type: none"> (a) The Mayor, members of Council, and all other elected officials. (b) The Clerk of Council and other employees of Council. (c) The City Attorney, assistants to the City Attorney, and special legal counsel. (d) All department heads. (e) Professional engineers employed by the Municipality. (f) Members of boards and commissions established by Charter or by ordinance of Council. (g) Members of the Auxiliary Police Unit, the Police Cadet Corps and Volunteer Firemen. (h) The secretary of each board and commission established by Charter or by ordinances, provided that if such secretary holds other employment within the classified service of the Municipality, this section shall not exempt such person from the requirement of competitive examination to hold such other employment. (i) Persons of exceptional professional or scientific qualifications engaged as consultants. (j) Unskilled laborers as defined and authorized by the Civil Service Commission, except that the 	<p style="text-align: center;">ARTICLE XIII CIVIL SERVICE COMMISSION</p> <p>SECTION 13.03 CLASSIFIED AND UNCLASSIFIED SERVICE.</p> <p>All compensated positions in the service of the Municipality shall be in the classified service and shall be appointed pursuant to procedures and practices which shall be set forth in the Civil Service Rules and Regulations AND THE CODIFIED ORDINANCES, except the following, which shall comprise the unclassified service of the Municipality:</p> <ul style="list-style-type: none"> (a) The Mayor, members of Council, and all other elected officials. (b) The Clerk of Council and other employees of Council. (c) The City Attorney, assistants to the City Attorney, and special legal counsel. (d) All department heads. (e) Professional engineers employed by the Municipality. (f) Members of boards and commissions established by Charter or by ordinance of Council. (g) Members of the Auxiliary Police Unit, the Police Cadet Corps and Volunteer Firemen. (h) The secretary of each board and commission established by Charter or by ordinances, provided that if such secretary holds other employment within the classified service of the Municipality, this section shall not exempt such person from the requirement of competitive examination to hold such other employment. MEETING ALL STANDARD HIRING REQUIREMENTS. (i) Persons of exceptional professional or scientific qualifications engaged as consultants. (j) Unskilled laborers as defined and authorized by the Civil Service Commission, except that the 	<p style="text-align: center;">ARTICLE XIII CIVIL SERVICE COMMISSION</p> <p>Many of the current functions of the Civil Service Commission are now provided or conducted by the Department of Human Resources. The designation of the Civil Service Commission as an appellate board provides a vehicle to pursue grievances and appeals from administrative decisions relative to the classified service.</p> <p>Section 13.06 Review Board Composition and Procedure.</p> <p>This section is being deleted as it is in the Civil Service Rules and Regulations adopted by Council.</p>

Commission, in its rules, shall require an applicant in the labor class to furnish such evidence or take such tests as the Commission deems proper with respect to age, residence, physical condition, ability to labor, honesty, sobriety, industry, capacity and experience in the work for which the applicant applies. Laborers who fulfill the requirements shall be placed on the eligible list for the kind of employment sought, and preference shall be given in employment in accordance with the rating received from such evidence or in such tests.

(k) Temporary, seasonal and/or part-time employees.

(l) There shall be unclassified employees allowed for the Mayor, and for each department head; provided, however, that it shall be necessary for such positions to have been created by Council.

(Amended Nov. 3, 2009.)

SECTION 13.04 COMMISSION POWERS AND DUTIES.

(a) The Civil Service Commission shall have the power to adopt rules and regulations concerning the selection, promotion, demotion, discipline, and removal of employees within the classified service of the City, provided that such rules and regulations for the classified service shall not take effect until approved by the Council.

(b) The specification of particular powers and duties in this article is not intended as a limitation on the Civil Service Commission. Rather, in carrying out its duties, the Civil Service Commission shall have the fullest authority permitted under the Home Rule provisions of the Ohio Constitution; provided that the Commission's rules and regulations shall require Council approval before taking effect and are subject to the applicable provisions of the Ohio Revised Code, Chapter 4117, which provide for public employee collective bargaining.

(Added Nov. 5, 1996.)

SECTION 13.05 VACANCIES IN CLASSIFIED SERVICE.

(a) The Civil Service Commission may, but is not required to,

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SECTION 13.04 COMMISSION POWERS AND DUTIES AND JURISDICTION.

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~~(Added Nov. 5, 1996.) THE CIVIL SERVICE COMMISSION SHALL HAVE THE JURISDICTION, POWER, AND DUTY TO HEAR AND DECIDE APPEALS FROM ADMINISTRATIVE DETERMINATIONS PURSUANT TO THE PROVISIONS OF THE CIVIL~~

adopt rules and regulations which provide for the certification to an appointing authority of the names of individuals who have qualified under the Commission's rules and regulations for original or promotional appointment to any vacancy in any position in the classified service, including a vacancy within the Police or Fire Departments, except for a vacancy in the position of Chief of Police or Deputy Chief of Police.

(b) The Civil Service Commission, by rule and regulation subject to Council's approval, shall provide for and develop procedures for the operation of a review board to consider applicants for a vacancy in the office of Chief of Police or Deputy Chief of Police. The Civil Service Commission shall adopt rules and regulations for the certification to the review board of the names of the applicants who receive a passing score on the written examination for the position of Chief of Police or Deputy Chief of Police without regard to whether or not any individual whose name is so certified has served previously within the Gahanna Police Department. (Amended Nov. 7, 2006.)

SECTION 13.06 REVIEW BOARD COMPOSITION AND PROCEDURE.

The review board established in Section 13.05 of this Charter shall consist of the following five(5) members: (1) a City elector selected by the Mayor; (2) a City elector selected by City Council; (3) a City elector selected by the City Attorney; (4) a member of the police officer bargaining unit selected by that bargaining unit; provided that the individual selected is not an applicant for the position of Chief of Police or Deputy Chief of Police; (5) a member of the police supervisory bargaining unit selected by that bargaining unit; provided that the individual selected is not an applicant for the position of Chief of Police or Deputy Chief of Police.

The herein organized review board shall interview each applicant certified to them, and thereafter shall submit to the Director of Public Safety the names of up to six (6) applicants whom the board, by consensus or by majority vote, finds to be the best qualified for appointment to the vacancy. The review board, in its discretion, may rank the candidates in order of preference. In making its selections, the review board shall consider each applicant's job

SERVICE RULES AND REGULATIONS AS ENACTED BY COUNCIL AND THE CODIFIED ORDINANCES. THE COMMISSION SHALL HAVE SUCH OTHER POWERS, DUTIES AND FUNCTIONS AS PROVIDED BY ORDINANCE AND IN ACCORDANCE WITH APPLICABLE COLLECTIVE BARGAINING AGREEMENTS.

SECTION 13.05 VACANCIES IN CLASSIFIED SERVICE.

(a) **VACANCIES IN THE CLASSIFIED SERVICE SHALL BE FILLED IN THE MANNER PRESCRIBED IN THE CIVIL SERVICE RULES AND REGULATIONS AS ENACTED BY COUNCIL AND THE CODIFIED ORDINANCES; PROVIDED HOWEVER, THAT SUCH RULES AND REGULATIONS AND THE CODIFIED ORDINANCES SHALL PROVIDE THAT ALL SUCH VACANCIES SHALL BE FILLED IN A COMPETITIVE APPLICATION PROCESS AND ON THE BASIS OF QUALIFICATIONS AND FITNESS. WITHIN THE DISCRETION OF THE DIRECTOR OF HUMAN RESOURCES, AND WITH THE APPROVAL OF THE CIVIL SERVICE COMMISSION, VACANCIES IN THE CLASSIFIED SERVICE MAY BE POSTED ON AN INTERNAL-ONLY BASIS IF SUCH QUALIFIED CANDIDATE(S) EXISTS WITHIN THE CURRENT EMPLOYMENT OF THE CITY. SUCH APPROVAL BY THE CIVIL SERVICE COMMISSION SHALL NOT PRECLUDE THE DIRECTOR OF HUMAN RESOURCES FROM SEEKING EXTERNAL CANDIDATES FOR THE COMPETITIVE APPLICATION PROCESS, IF IN THE DISCRETION OF THE DIRECTOR OF HUMAN RESOURCES SUCH ADDITIONAL APPLICATION PROCESS WOULD BE BENEFICIAL.**
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experience, education, and work history, as well as the skills, knowledge, and abilities shown by the applicant during the review board process. In carrying out its duties the review board may consult with individuals and organizations outside the Police Department and the City.
(Amended Nov. 6, 2001.)

~~vacancy in the position of Chief of Police or Deputy Chief of Police.~~

~~(b) The Civil Service Commission, by rule and regulation subject to Council's approval, shall provide for and develop procedures for the operation of a review board to consider applicants for a vacancy in the office of Chief of Police or Deputy Chief of Police. The Civil Service Commission shall adopt rules and regulations for the certification to the review board of the names of the applicants who receive a passing score on the written examination for the position of Chief of Police or Deputy Chief of Police without regard to whether or not any individual whose name is so certified has served previously within the Gahanna Police Department. (Amended Nov. 7, 2006.)~~

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(Amended Nov. 6, 2001.)~~