

FIRST READING: 3-27-23
SECOND READING: 4-3-23
THIRD READING: 4-10-23

ORDINANCE NO. 22-23

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE APPROVING CHANGES TO THE CITY OF ROCKY RIVER CIVIL SERVICE RULES AND REGULATIONS, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

WHEREAS: Pursuant to the powers and duties contained in Rocky River Codified Ordinance Chapter 151, consistent with ORC Section 124.40, the Rocky River Civil Service Commission has made changes to the rules and regulations, as further described in the attached Exhibit "A"; and

WHEREAS: Rocky River Charter Article V, Section 2 provides that the Rocky River Civil Service Commission shall adopt rules and regulations in accordance with the powers of home rule authority granted by the Ohio Constitution, and as approved by the City Council, on all matters of examination of merit and fitness for the appointment, promotion, transfer, layoff, reinstatement, suspension and removal of officers and employees of the City. Proposed rules and regulations and revisions thereto shall be presented to the Clerk of City Council who shall place the same on Council's next agenda for action by ordinance of either approval, modification, or rejection by majority vote of Council within forty-five (45) days. Failure of Council to timely act upon said rules or regulations shall constitute an approval of the same; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. Rocky River City Council approves the changes made by the Rocky River Civil Service Commission to the Civil Service rules and regulations, as further described in the attached Exhibit "A".

SECTION 2. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of public peace, health and safety, and for the further reason that the Rocky River Charter provides for a forty-five (45) day approval period and, provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: April 10, 2023


JAMES W. MORAN
President of Council

PRESENTED
TO MAYOR: April 10, 2023

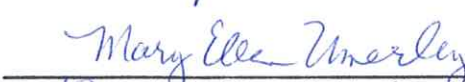
APPROVED: April 10, 2023

WITNESSETH:


~~JOHANNA WEAVER~~ Mary Ellen Umerley
Clerk of Council (Acting)


PAMELA E. BOBST
Mayor

I, the undersigned Clerk of Council of the City of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 10 day of April, 2023.


Clerk of Council of the City of Rocky River, Ohio

**CIVIL SERVICE COMMISSION
RULES & REGULATIONS
FOR THE CLASSIFIED SERVICE
CITY OF ROCKY RIVER, OHIO**

Michael P. Harvey, Chair
Anjanette Arabian-Whitman, Member
James W. Riedl, Member
Michael T. Greco, Secretary

TABLE OF CONTENTS

Preamble	
Rule I	Administration
Rule II	Definition of Terms
Rule III	Applications & Qualifications
Rule IV	Entrance Examinations
Rule V	Promotional Examinations
Rule VI	Certified Lists
Rule VII	Appointments
Rule VIII	Transfers, Reinstatements and Layoffs
Rule IX	Reductions, Suspensions and Removals
Rule X	Hearings

PREAMBLE

The following set of rules and regulations is hereby adopted in accordance with the authority conferred upon the Civil Service Commission of the City of Rocky River, Ohio, by Section 10 of Article XV of the Constitution of the State of Ohio, Chapter 124.40 of the Ohio Revised Code, and Article V, Section 2 of the Charter of the City of Rocky River.

Approved and adopted this _____ day of _____, ~~2015~~**2023**, by the Civil Service Commission of the City of Rocky River, Ohio.

~~Sue Whitman~~**Michael T. Greco**, Secretary

RULE I

ADMINISTRATION ORC 124.40

1. The Civil Service Commission of the City of Rocky River, Ohio, shall be composed of three (3) persons who shall be appointed and serve in the manner provided for in Section 124.40 of the Revised Code. It shall be the duty of each member of the Commission to attend all meetings of the Commission to the extent that is practical and to devote as much time as is necessary to the management of the business and affairs of the Commission.
2. The Commission shall administer and enforce the Civil Service Laws of the State of Ohio, and the rules and regulations herein prescribed relative to civil service in the City of Rocky River, Ohio.
3. The Commission shall elect one of its members as Chairperson and one as Vice-chairperson who shall serve until a new member is appointed and qualified at which time successors as Chairperson and Vice-chairperson shall be elected. It shall be the duty of the Chairperson to call such meetings of the Commission as are necessary to transact the business and affairs of the Commission, and to preside at all meetings of the Commission.
4. The Chairperson may on his/her own initiative, and shall upon the request of the other two members of the Commission, call a special meeting of the Commission to be held not later than fifteen (15) days from the date of notice of such meeting. In the absence of the Chairperson, the Vice-chairperson shall act as Chairperson.
5. Two members of the Commission shall constitute a quorum at any meeting of the Commission; and it shall require the affirmative vote of at least two members to adopt any motion or resolution.
6. The Commission shall employ a person to act as Secretary of the Commission.
7. The Secretary shall attend all the meetings of the Commission, and shall sign and keep the minutes thereof; shall keep a record in the form of minutes of the official actions of the Commission during the prescribed hours that such office is open; shall accurately and properly keep all the records of the Commission; shall keep all files in proper order; shall prepare and deliver or cause to be delivered notices and other communications ordered by the Commission; shall properly furnish appointing authorities with eligible lists; shall maintain an official roster; shall handle such correspondence as the Commission shall determine; shall, in conjunction with the Chairperson, sign all warrants or orders for the payment of money on behalf of the Commission; and shall perform such other duties as may be required by the Commission.
8. WAIVER BY THE CIVIL SERVICE COMMISSION OF ROCKY RIVER OF PAYROLL REPORTING REQUIREMENTS - In accordance with Ohio Administrative Code Section 123:1-35-04, the Civil Service Commission of the City of Rocky River, based upon representations of the City Finance Director that his department has developed methods for controlling input or verifying output of the

electronic data processing equipment by which payrolls are prepared and to assure compliance with Ohio Revised Code Section 9.41 and Ohio Administrative Code Section 123:1-35-01, waives the requirements of those statutory and code sections which require the Civil Service Commission to certify the payrolls of classified service employees of the City of Rocky River.

9. The Civil Service Commission reserves the right at their discretion to call upon the City Finance Director at any time for the purpose of a special audit of the payroll accounts of the City's classified service employees.

10. The order of business for meetings of the Commission shall be:

- a. Roll call
- b. Disposition of unapproved minutes
- c. Unfinished business
- d. New business
- e. Adjournment

11. These Rules and Regulations apply only to the classified service of the City of Rocky River Police and Fire Divisions.

RULE II

DEFINITION OF TERMS
ORC 124.01

The several terms herein specified whenever used in the Rules and Regulations of the Rocky River Civil Service Commission or in the administration of the Civil Service laws shall be construed as follows:

1. "Commission" refers to the Civil Service Commission of the City of Rocky River, Ohio.
2. "Civil Service" refers to and includes all officers and employees in the classified services of the City of Rocky River, Ohio, Police and Fire Divisions who obtained positions through competitive examination.
3. "Appointing authority" refers to the officer, commission, or board or body having the power of appointment or removal from positions in the classified services as provided by Article II, Section 5, of the Charter of the City of Rocky River, Ohio.
4. The term "employee" shall signify any person holding a position subject to appointment, removal, promotion or reduction by an appointing officer.
5. The pronoun "he" and its derivatives, whenever employed, includes the feminine pronoun and its derivatives.

RULE III

APPLICATIONS & QUALIFICATIONS ORC 124.22, 124.23, 124.25, 124.41, 124.42

1. All applicants must be citizens of the United States, have legally declared their intention to become a United States citizen, or be a permanent resident of the United States.
2. Police Division applicants for original appointment as a police officer must have attained the age of 21 on or prior to the date of the appointment. No person shall be eligible to receive an original appointment on or after his/her 35th 36th birthday (ORC 124.41).
3. Fire Division applicants for original appointment as a firefighter must have attained the age of 18 on or prior to the date of the appointment. **For those applicants taking the entrance exam, they must provide documentation of enrollment, current enrollment, or graduation from an accredited Fire Academy and Paramedic school.** No person shall be eligible to receive an original appointment on or after his/her 36th birthday (City Ordinance 66-07).
4. Application blanks for examinations shall be furnished by the Commission or an entity contracted by the Commission (in which case the application and payment process shall be handled through the outside entity.) Application blanks shall provide for the submission of the information as set forth in ORC 124.25. The Commission may determine and provide for the submission of any other relevant information either on the application blank or on a supplemental sheet.
5. Application blanks must be completed and signed electronically, in ink, or typed and filed with the Civil Service designee within the time limit fixed by the Commission for that particular examination. Payment (cash is not acceptable) in an amount determined at the discretion of the Civil Service Commission **for the written exam** must be submitted with the application, together with extra credit items for which applicants may receive extra credit upon obtaining a passing grade, as established by the Commission. (See Rule IV, Section 1j.). **For the electronic exam, the application fee is determined by the testing agency as well as a deadline for any documentation needed for extra credit.**
6. The Commission may change the number of candidates accepted for an examination from time to time.

RULE IV

ENTRANCE EXAMINATIONS ORC 124.23

The Civil Service Commission will coordinate and implement entrance examinations for the Police and Fire Divisions in accordance with the Ohio Revised Code. The entrance examination shall consist of one or more of the following: written/**electronic** examination, agility test, interview(s), polygraph(s), psychological evaluation, background investigation, and physical exam including drug screen.

1. Written/**Electronic** Examinations

- a. Examinations shall be held at such times and places as the Commission deems advisable and shall be administered under its direction and supervision.
- b. To obtain the broadest possible population base, notice of entrance examinations shall be given in local newspapers of general circulation, **online job posting websites**, to colleges and universities, by posting on the City Hall bulletin board, the City's website, and in the Civil Service office and any other advertising and marketing mediums deemed appropriate by the Commission. Notices shall be posted a minimum of four (4) weeks prior to the examination date.
- c. **For written exams**, the identity of all persons taking a competitive examination shall be concealed by the use of an identification number which shall be used on all examination papers. This number shall be used from the beginning of the examination until the papers have been graded and ranked. Any paper bearing the name of the applicant or any other identification mark will be rejected and the applicant so notified. **For electronic exams, the testing agency shall take the necessary registration steps to verify the identity of the individual taking the exam. The Civil Service Secretary will confirm all registrations.**
- d. **For written exams**, no applicant shall be admitted to any assembled examination more than ten (10) minutes after the advertised time for beginning such examination, or after any applicant, competing in such examination, has completed his work and left the examination room, except by special permission of the person in charge, who, in his discretion, may admit the applicant conditionally, subject to the final approval or disapproval of such admission by the Commission. **For electronic exams, the designated testing agency shall establish all testing guidelines prior to the exam with the Civil Service Secretary.**
- e. No applicant shall be given a longer time for the examination than prescribed by the Commission.
- f. No person shall:

- i. Willfully or corruptly by himself or in cooperation with one or more persons defect, deceive or obstruct any person in respect of his right of examination, appointment or employment arising under the civil service law or under any rules and regulations prescribed pursuant thereto; or
- ii. Willfully or corruptly, falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered or certified pursuant to the provisions of the civil service law, or aid in so doing; or
- iii. Willfully or corruptly make any false representations concerning the results of such examinations or concerning any person examined; or
- iv. Willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or changes of any person so examined to be appointed; or
- v. Willfully impersonate any other person, or permit or aid in any manner any other person to impersonate him, in connection with any examination, registration, or appointment or application or request to be examined, registered or appointed; or
- vi. Furnish any false information about himself, or any other person, in connection with any examination, registration, or appointment or application or request to be examined, registered, or appointed; or
- vii. Make known or assist in making known to any applicant for examination, any question to be asked on such examination; or
- viii. For any applicant taking an examination to assist any other applicant in any manner whatsoever; or
- ix. Personally solicit a favor from any member of the Commission, appointing officer, or have any person in his behalf solicit a favor.
- x. Any applicant in any examination found to be using any means of information, other than that provided in the examination itself, such as memoranda, pamphlets or books of any kind to assist him in answering the questions, shall have his examination papers taken up and filed with a zero marking when the circumstances justify such action.
- xi. Use of cell phones or other electronic devices shall be prohibited during the examination.
- g. No visitor shall be permitted in the examination room during any examination except by special permission of the person in charge.

- h. Examinations, unless postponed, must be held upon the dates fixed by the Commission. Examinations may be postponed by order of the Commission, which order shall designate the reason therefore.
- i. Requests for additional credit for military service, education, training, or prior service, as may be established from time to time by rule of the Commission, must include proper proof and be attached to the applicant's application.
- i. Proper proof of military service: the applicant must have completed service in the uniformed services, have received an honorable discharge or transferred to the reserve with evidence of satisfactory service (as evidenced by the DD214), and be a resident of the State of Ohio.
- ii. Proper proof of education: the applicant must provide copies of diplomas or official transcripts.
- iii. Proper proof of training/certification: the applicant must provide copies of certificates from OPOTA, Ohio Paramedic/EMT, or Ohio Fire Fighter I & II.
- j. Applicants who receive a passing grade of seventy (70) percent or as established by the Commission, shall be granted additional percentage credits as follows, except the total additional credit cannot exceed twenty (20) percent.

<u>ITEM</u>	<u>FIRE</u>	<u>POLICE</u>
Veteran (as defined above)	5	5
College degree – 4 years OR	45	45
College degree– 2 years	23	23
Ohio EMT OR	2	4
Ohio Paramedic	7	2
Ohio Fire Fighter I & II	4	-
Current Ohio Peace Officer Cert.	-	3

- k. No extra credit will be granted if the request for such credit is received by the Commission after the completion of the written/**electronic** test. The total grade attainable in each examination, before the extra percentages above, shall be one hundred (100) percent.
- l. The passing grade percent shall be multiplied by the additional credit percent and this amount is then added to the passing grade percent to determine the adjusted test score.
- m. After the tests have been graded and the adjusted test scores determined, all applicants shall receive a letter showing their status:
- i. Passed with the adjusted test score, and in the top 15 scorers.
- ii. Passed with the adjusted test score, but not in the top 15 scorer.
- iii. Failed.

2. Agility Test

- a. ~~Each applicant for the entrance examination must present a current valid Certificate of Completion of the Cuyahoga Community College physical agility test on or before the date of the written exam. Failure to do so will preclude the applicant from taking the written examination. Each applicant must pass a physical abilities test approved by the Civil Service Commission prior to a conditional offer of employment.~~

3. Procedure

- a. Following the written/**electronic** test and agility test phases, the Police & Fire Divisions will interview at least the top fifteen (15) scorers. Qualified candidates will then be required to submit to a polygraph examination and background investigation. Failure to appear for either the interview or the polygraph will eliminate the applicant from further consideration.
- b. The Civil Service Commission shall discuss the results of the interviews, polygraph examinations, and background investigations and prepare a certified list of up to ten (10) applicants for the appointing authority.

4. Lateral Transfer Hiring Process

- a. Applicants will submit an employment application to the Department of Human Resources. Applicants shall conform to all minimum requirements of the Civil Service Commission Rules for appointment unless otherwise stated herein and shall meet the following pre-requisites:

- Applicant must have previously been employed with an Ohio political subdivision as a full-time firefighter for a Rocky River firefighter position or as a full-time patrolman for a Rocky River patrolman position.

- b. Applicants for the position of firefighter shall meet the following additional pre-requisites at the time of application and appointment:

- Applicant's current or previous employment shall have been the result of a Civil Service examination process for firefighter.
- Applicant must possess a State of Ohio Firefighter II Certificate and State of Ohio EMT-Paramedic Certification and be current with all applicable educational requirements.

- c. Applicants for the position of patrol officer shall meet the following additional pre-requisites at the time of application and appointment:

- Applicant's current or previous employment shall have been the result of Civil Service examination process for patrol officer.
- Applicant must be OPOTA certified/certifiable.

- d. The Civil Service Secretary, along with the Police/Fire Chief, will review applications and determine which applicants meet the lateral hire criteria. Prior to appointment, lateral hire candidates shall submit to the following: background investigation, polygraph/CVSA examination, psychological examination, physical examination, oral interview(s), department ride-alongs, drug screening, fitness for duty and physical agility examinations. Positions filled through lateral hire are exempt from the written competitive examination.
- e. All department probationary periods for new hires shall apply. Seniority shall be based on date of hire with the City of Rocky River.
 - a. The Civil Service Commission shall hire at a 1:1 ratio in regards to written exams and lateral transfer hires. The Civil Service Commission may approve additional lateral transfer hires in the event of an emergency situation.

RULE V

PROMOTIONAL EXAMINATIONS

Police ORC 124.44, Firefighter ORC 124.45

(Also, see 124.05, 124.20, 124.23, 124.31)

Promotions to positions above the rank of patrol officer in the Police Division shall be under the authority of Section 124.44 of the Revised Code.

Promotions to positions above the rank of regular firefighter in the Fire Division shall be under the authority of Section 124.45 of the Revised Code.

1. Eligibility

- a. Police – Candidates must have completed the two-year **24 month** probationary period to be eligible to take the promotional exam for Sergeant. For the positions of Lieutenant or Chief, candidates must have at least 12 months in the next lower position to be eligible to take the promotional exam. If there are less than two persons eligible to compete for Lieutenant or Chief, then those who are eligible in the ranks of Patrol Officer or Sergeant, respectively, shall be allowed to compete. (ORC 124.44)

- b. Fire - ~~Candidates must have completed 48 months service as a regular firefighter, plus 24 months probation, to be eligible to take the promotional exam for Lieutenant.~~ **Candidates must have completed 24 months service as a probationary firefighter to be eligible to take the promotional exam for Lieutenant. The candidate then must complete an additional 48 months service as a regular firefighter to be promoted to the position of Lieutenant, this is a total of 6 years as firefighter with the city.** For the positions of Captain or Chief, candidates must have completed at least 12 months in the next lower position to be eligible to take the promotional exam. If there are less than two persons eligible to compete for Captain or Chief, then those who are eligible in the ranks of Firefighter or Lieutenant, respectively, shall be allowed to compete. (ORC 124.45)

2. Notice of Exam

- a. Police - Notification for competitive promotional examinations shall be given by letter to eligible police officers. Candidates will be asked to accept or decline in writing the opportunity to take the exam by the deadline established in the exam announcement. If an eligible employee fails to respond in writing by such date, he/she will be deemed to have declined the opportunity to take the exam. At least thirty (30) days prior to the date of the first phase of any examination, notification shall be made of exam dates and place, and any reference materials to be used for a written exam.
- b. Fire - At least 30 days prior to the exam, letters will be sent to those eligible, advising them of the exam date, place and reference material to be used for a

written exam (ORC 124.45). Employees will be asked to accept or decline in writing the opportunity to take the exam by the deadline established in the exam announcement. If an eligible employee fails to respond in writing by such date, he/she will be deemed to have declined the opportunity to take the exam.

3. Examination Design

- a. Promotional examinations shall be designed to relate directly to those matters which will fairly test the relative capacity of the person examined to discharge the particular duties of the position for which promotion is sought. Tests may include, as determined by the Civil Service Commission, structured interviews, assessment centers, work simulations, examinations of knowledge, skills, and abilities, and any other acceptable testing methods (ORC 124.23).
- b. A firefighter promotional exam shall include at least a written testing component (ORC 124.45).

4. Exam Conduct

- a. The identity of all persons taking competitive assembled examinations shall be concealed by the use of identification numbers which shall be used on all examinations. The identification numbers shall be used from the beginning of the examination until every phase of the examination has been scored and rated. Any examination document bearing the name of the applicant or any other identification mark shall be rejected and the candidate so notified.
 - b. No applicant shall be admitted to any assembled examination more than ten (10) minutes after the advertised time for beginning such examination, or after any applicant competing in any such examination has completed his work and left the examination room, except by special permission of the person in charge, who, in his discretion, may admit the applicant conditionally, subject to the final approval or disapproval of such admission by the Commission.
 - c. No applicant in any examination shall be given a longer time on any subject than prescribed by the Commission when examination questions are approved.
 - d. No person or officer shall:
 - i. Willfully or corruptly by himself or in cooperation with one or more persons defect, deceive, or obstruct any person in respect of his or her right of examination, appointment or employment arising under the civil service law or under any rules and regulations prescribed pursuant thereto; or
 - ii. Willfully or corruptly, falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered or certified pursuant to the provisions of the civil service law, or aid in so doing; or
 - iii. Willfully or corruptly make any false representations concerning the results of such examinations or concerning any person examined; or
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- iv. Willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, registered, or certified, or to be appointed, employed, or promoted; or
- v. Willfully impersonate any other person, or permit or aid in any manner any other person to impersonate him, in connection with any examination, registration, or appointment or application or request to be examined, registered or appointed; or
- vi. Furnish any false information about himself, or any other person, in connection with any examination, registration, or appointment or application or request to be examined, registered or appointed; or
- vii. Make known or assist in making known to any applicant for examination, any question to be asked on such examination; or
- viii. For any applicant taking an examination to assist any other applicant in any manner whatsoever; or
- ix. Personally solicit a favor from any member of the Commission, appointing officer, or have any person in his behalf solicit a favor.
- x. Any applicant in any examination found to be using any means of information, other than that provided in the examination itself, such as pamphlets or books of any kind to assist him in answering the questions, shall have his examination papers taken up and filed with a zero marking when the circumstances justify such action.
- xi. Possession or use of cell phones or other electronic devices shall be prohibited during the examination.

5. Written Exams

- a. When a written exam is included, the test administrator chosen by the Civil Service Commission shall determine the number and type of questions to be used, and the time period for completion.
- b. The process for protesting questions contained in the written exam shall be as follows:
 - i. After the exam, the candidates will have 5 days, exclusive of Saturdays, Sundays, and holidays, to review the written test (not their individual test or test score) and answer key and file any protests with the Civil Service Commission.
 - ii. Candidates may schedule an appointment with the Secretary of the CSC to review the test and answer key. Appointments will be available Monday through Friday beginning at 8:30 a.m., with the last appointment at 3:30 p.m. Appointments will be scheduled at reasonable intervals, with the last appointment ending at 4:30 p.m.

- iii. The review will be conducted in the Secretary's office. Candidates may not bring writing materials to the appointment.
- iv. Protests shall be in writing on the designated form supplied by the Secretary and shall remain anonymous. The protest must be completed and submitted at the conclusion of the appointment.
- v. Protested questions, if any, will be sent to the test administrator.
- vi. The administrator will make recommendations to the Civil Service Commission to resolve the protest.
- vii. The Commission will discuss the protest and the test administrator recommendation and accept or reject the protest, or eliminate the question entirely from consideration, within a period of not more than 5 days exclusive of Saturdays, Sundays, and holidays. This action by the Commission will be final and not subject to further appeal.
- viii. The test administrator shall be notified of the revisions to the answer key so that the exams may be graded.
- ix. Following the receipt of the graded exams, candidates shall be notified of their scores. The revised answer key and the candidate's individual answer sheet will be available for review for an additional 5 days following the guidelines above. Any candidate who believes his/her written exam has been erroneously graded shall have the right to appeal during this 5-day period and to be heard by the Commission at the next scheduled meeting.

6. Additional/Assessment Testing

When the written exam results are returned, if applicable, an appropriate number of candidates, based on guidelines established by the Civil Service Commission, may continue on to any additional/assessment testing, consisting of oral and/or written responses to situational issues presented by an assessment panel of personnel from the related field (police or fire).

7. Scoring of Exams

- a. When more than one testing method has been used, the Civil Service Commission shall establish the weight to be assigned to each testing method.
- b. Total grade attainable shall be one hundred (100) percent or a perfect score in all phases of the examination exclusive of additional credits for seniority (ORC 124.31).
- c. The passing grade, established by the Civil Service Commission, is 70%.
- d. Candidates taking promotional examinations who receive a combined passing grade on all phases of the examination shall receive credit for seniority which shall be determined as follows:

- i. Seniority shall be calculated based on service as of the date of the first phase of any exam.
- ii. Police – ~~One (1) percent of the total grade attainable in such examination for each of the first four years of service, and six-tenths percent of such total grade for each of the next ten (10) years of service.~~ **One (1) point shall be given for every full year of service completed with the City of Rocky River, Ohio. A maximum of ten (10) points can be attained.** (124.44).
- iii. Fire – One (1) point shall be added for each of the first four years of service and six-tenths of a point shall be added for each year for the next ten (10) years of service. In computing the credit for seniority, half the credit above set out shall be given for a half year of service. **A maximum of ten (10) points can be attained** (124.45).
- e. Candidates shall then be notified of their combined and adjusted exam scores.
- f. The candidates will have 5 days, exclusive of Saturdays, Sundays, and holidays, to review the calculation of the combined and adjusted score. Appointments may be made with the Secretary from 8:30 a.m. to 3:30 p.m., Monday through Friday, for this review. Any candidate who believes his/her combined and adjusted score has been erroneously graded shall have the right to appeal during this 5-day period and to be heard by the Commission at the next scheduled meeting (ORC 124.45).

8. Eligibility List

- a. Following the completion of the final review period, the Commission will prepare an eligible list, ranked by test score, of candidates eligible for promotion.
- b. The eligible list and the names appearing thereon shall be fixed by the Commission at not more than two (2) years (ORC 124.46).

9. Appointment

- a. In the event of a vacancy where an eligible list exists, the Commission shall certify to the appointing authority the name of the person on the list receiving the highest ranking. An appointment shall be made not more than 10 days from the date of such vacancy (ORC 124.46).
- b. In the event of a vacancy where an eligible list does not exist, the Commission shall conduct a promotional exam within 60 days of the vacancy. The Commission shall then certify to the appointing authority the name of the person on the list receiving the highest ranking. An appointment shall be made not more than 10 days from the certification (124.48)

RULE VI

CERTIFIED LISTS ORC 124.27

1. From each examination the Commission shall prepare and maintain a certified list of those persons eligible for appointment.
 2. In the event two or more applicants receive the same mark on an entrance examination, priority in the time of filing application with the Commission shall determine the order in which their names shall be placed on the eligible list; provided, that applicants eligible for veteran's preference under Section 124.23 of the Revised Code shall receive priority in rank on the eligible list over non-veterans on the list with a rating equal to that of the veteran. Ties among veterans shall be decided by priority in filing application.
 3. In the event two or more applicants receive the same mark on a promotional examination, seniority shall determine the order in which their names shall be placed on the certified list.
 4. The name of any person appearing on an eligible list shall not be certified for appointment if the candidate:
 - a. fails to report or arrange within six (6) days (Sundays and holidays excluded) for an interview with an appointing authority;
 - b. fails to respond to a notice from the Civil Service Commission;
 - c. declines an appointment without reasons satisfactory to the Civil Service Commission;
 - d. cannot be located by the postal authorities.
 5. If at any time after the creation of a certified list, the Commission has reason to believe that any person whose name appears on any list is disqualified for appointment because of false statements made in his application, inability to meet the physical requirements of the position, or for other comparable reasons, such person shall be notified and given an opportunity to be heard. If such person shall fail to appear for hearing, or upon being heard, fail to satisfy the Commission, his name shall be removed from such certified list.
 6. Each person on a certified list shall file with the Commission written notice of any change of address, and failure to do so may be considered sufficient reason for not certifying his name to appointing authorities for future appointments.
 7. The certified list and the names appearing thereon shall be fixed by the Commission at not less than one (1) year nor more than two (2) years. Any list that has been in effect for more than one (1) year may, at the discretion of the Commission, be terminated at any time in the public interest.
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8. Any certified list for original appointment with less than 10 candidates may be augmented from the existing candidate pool during the two-year period in order to certify up to 10 candidates. When less than 10 names are certified to an appointing authority, appointment from that list shall not be mandatory.
9. A certified list may be revoked within one (1) year and another examination ordered only when in the judgment of the Commission such action is deemed advisable by reason of errors, fraud or obviously inappropriate standards prescribed in connection with any examination. All competitors in the first examination shall be notified and shall be eligible to compete in the re-scheduled examination without filing a separate application or the payment of an additional fee. No certified list shall be altered or revoked except upon written notice to all persons whose standing may be affected and upon an entry in the minutes of the Commission of the reasons for such alteration or revocation.

RULE VII

APPOINTMENTS ORC 124.27, 124.30

1. Appointments to all positions in the classified service that are filled by competitive entrance exam, as provided by the Civil Service Laws and the Rules and Regulations of the Commission, shall be made only from those persons whose names are certified to the appointing authority in accordance with the Civil Service Laws and the Rules and Regulations of the Commission.
2. The appointing authority shall notify the Commission when a position is to be filled for original appointment. The Commission shall, except as provided in Section 124.30 and 124.31 of ORC, submit to the appointing authority the names of the candidates on the certified list for original appointment. The Chief of the Police or Fire Divisions, as appropriate, with the assistance of the Human Resources Department, shall coordinate and implement the second interview(s) for original appointments. A conditional offer of employment may then be made by the appointing authority with any subsequent offer of employment subject to the satisfactory results of the psychological exam, physical examination including drug screen and, if required, a final polygraph exam.
3. A person submitted to the appointing authority for the same position three (3) times may be omitted from future consideration.
4. Every person who has been honorably discharged from the armed services of the United States as defined in Section 124.23 of the Revised Code, and whose name appears on a certified list for a position, shall be entitled to preference in original appointments to any such position in the classified civil service of the City of Rocky River over all persons eligible for such appointments and standing on the list therefore with a rating equal to that of such former member of the armed services.
5. All original appointments in the Police and Fire Divisions shall be for a probation period of two (2) years. Promotional appointments shall be for a probation period of six (6) months.
6. No appointment is final until the appointee has satisfactorily completed the probation period.
7. Prior to an original appointment in either the Police or Fire Divisions, a copy of the report or findings of a physical examination given no more than 120 days prior to the date of such appointment by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner, or a certified nurse-midwife must be filed by the appointing authority with the Ohio Police & Fire Pension Fund. (ORC 124.41, 124.42 and Ohio House Bill 648 effective September 16, 1998.)
8. Emergency, external interim, temporary, or intermittent appointments shall be made in accordance with ORC 124.30.

RULE VIII
TRANSFERS, REINSTATEMENTS, AND LAYOFFS
ORC 124.32.1, ET SEQ.

Transfers, reinstatements, and layoffs of employees in the classified service shall be performed consistent with the collective bargaining agreement then in effect. If the collective bargaining agreement is silent, ORC 124.321 shall be given its full force and effect as if fully re-written.

RULE IX
REDUCTIONS, SUSPENSIONS AND REMOVAL
ORC 124.34, 124.37

Reductions, suspensions, and removal of employees in the classified service shall be performed consistent with the collective bargaining agreement then in effect. If the collective bargaining agreement is silent, ORC 124.34/124.37 shall be given full force and effect as if fully re-written.

RULE X
HEARINGS
ORC 124.34

Hearings for employees in the classified service shall be performed consistent with the collective bargaining agreement then in effect. If the collective bargaining agreement is silent, ORC 124.34 shall be given its full force and effect as if fully re-written.