

**Rules and Regulations of the
Municipal Civil Service Commission**

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RULE VII

EXAMINATIONS

A. Scheduling of Examinations

Examinations will be scheduled, and may be postponed or cancelled, at the direction of the Executive Secretary.

B. Competitive Examinations

There shall be two types of competitive examinations: Open Competitive and Promotional Competitive.

1. Open competitive examinations shall be open to all applicants who hold provisional status in the class being tested or meet the minimum requirements listed in the class specification for the class being tested.

2. Promotional examinations shall be limited to current City employees who: (a) meet the minimum requirements listed in the class specification for the class being tested or hold provisional status in such class and (b) have permanent status in an eligible class or, within their continuous service, had such status or are entitled to it pursuant to Rule IX(H)(5).

3. a. Competitive examinations shall relate to those matters which fairly test the relative capacity and qualifications of the applicant to discharge proficiently the duties of the class to which the individual seeks appointment. Competitive examinations may consist of written, oral, performance or physical fitness tests; medical examinations; demonstrations of manual skill; evaluation of training and experience; evaluation by any other professionally accepted method; or any combination thereof. Competitive examinations may also include investigation of training, experience and background.

b. For any competitive promotional examination where the number of qualified applicants is less than or equal to the number of candidates who will be certified to the appointing authority to fill a vacancy, the Executive Secretary may utilize the following examination procedure:

- (1) The examination will consist of a 100% training and experience evaluation;
- (2) the training and experience evaluation shall be a review of the minimum qualifications for the test; and .

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- (3) any applicant who meets the minimum qualifications will be considered to have passed the test with a grade of 80.

4. Examinations shall be administered according to professional standards endorsed by the American Psychological Association. Necessary precautions shall be taken to protect the confidentiality of test materials, to provide a favorable test environment, and to insure fairness and security in the administration and grading process. Seniority or other preference points, if applicable, shall be added to the passing grades. If the grades are transformed by psychometric means, the seniority or other preference points shall be added to the transformed grades.

5. Similar job classes may be tested simultaneously through a group examination process. Classifications will only be included in this process if they require the same, or similar, knowledge, skills and abilities. Individual eligible lists shall be established for each classification included in this process.

6. Examination or parts thereof may be modified or voided by the Commission if it is determined that the results have been jeopardized.

7. Retests

- a. Retesting for the same class. Examinees who have been admitted to a competitive examination or a qualifying noncompetitive examination for any job class shall not be permitted to retest for that job class for a period of twelve (12) months following the notice of test results, unless:

- (1) A new test is being administered and the results of the new test will be used to replace the previously administered test; or
- (2) The applicant is a current City employee who has not taken the test for the class for a period of six (6) months following the notice of test results.
- (3) The applicant failed a typing or data entry performance test for the job class.
- (4) The test is for the classification of police officer, for which candidates may retest no more than twice in a twelve-month period.

Retaking exam components. Examinees who have been admitted to a competitive examination or a qualifying noncompetitive examination for any job class shall not be permitted to retake any examination component for a period of twelve (12) months following the notice of test results, unless the Commission offers the test and:

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- (1) A new test component is being administered and the results of the new test will be used to replace the previously administered test component; or
 - (2) The applicant is a current City employee who has not taken the test component for a period of six (6) months following the notice of test results; or
 - (3) The examination component is a typing or data entry performance test that the applicant has not taken during the current calendar week.
 - b. In cases in which an applicant is qualified to take an examination, but is prohibited from retaking an examination component by Rule VII (B) (7) (a) above, the test score from the prior administration shall be used in determining the individual's score for the subsequent examination.
 - c. In cases in which Rule VII (B) (7) (a) does not apply because the time limits have expired, an examinee who takes a second examination for a class, while his name is on a competitive eligible list for that class, shall have the grade and be ranked based upon the grade obtained on the second examination. If the examinee fails the retest after having passed the original examination, the examinee's name shall be removed from the competitive eligible list. An examinee for a qualifying noncompetitive exam shall be placed or not be placed on the eligible list on the basis of the second score.
8. Reported Scores.
- a. Whenever a Fixed Band method of certification is published on the examination announcement, passing grades shall consist of not fewer than three ordered bands. Preference points shall be added to passing scores prior to the assignment of a candidate to a band.
 - b. Whenever the Rule of Three method of certification is published on the examination announcement, passing grades shall be numerical scores subject to rank ordering. Ties shall be broken by using the following methods in the order listed until the tie is broken.
 - (1) Open competitive. When final grades on an open competitive examination are tied, the tie shall be broken as follows:

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- (a) an applicant who is currently a City employee shall be ranked ahead of an applicant who is not currently a City employee; however this provision shall not apply if the employee is serving pursuant to a temporary appointment;
- (b) by random selection.
- (2) Promotional. When final grades on a promotional examination are tied, the tie shall be broken as follows:
 - (a) the examinee with the greatest amount of seniority in the class eligible for the examination shall be placed highest of the tied grades on the competitive eligible list;
 - (b) in cases in which multiple appointments were made on the same day, seniority shall be determined on the basis of the order of appointment, the first appointment shall be the most senior, etc.;
 - (c) same as 8(1)(b) above.
- 9. Notice of Results.
 - a. After the grading of a competitive examination has been completed, all test participants shall be notified in writing of their final grade and relative position on the eligible list established as a result of the examination.
 - b. When a promotional examination will result in an eligible list that will be certified using the Rule of Three, there may be an inspection period during which examinees may inspect their answer sheets for possible grading errors by comparing them with a keyed answer sheet provided by the Commission. The inspection period shall be up to ten calendar days. No such eligible list shall be effective and no certification shall be made therefrom prior to the lapse of the inspection period, if any.

C. Noncompetitive Examinations

1. Noncompetitive examinations shall include an evaluation of the applications to determine if the applicants meet the minimum requirements for the class being examined. Noncompetitive examinations may also consist of other components, such as qualifying tests, to determine if the applicants can perform the duties of the class. In the absence of qualifying tests,

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applicants who meet the minimum requirements shall have their names placed on the appropriate certification list. Otherwise, the names of applicants who successfully complete all components shall be placed on an eligible list.

2. Applicants shall be notified in writing whether they passed the qualifying examination and if their name appears on the eligible list for the class examined. [See Rule XIII(G) Applicant Appeals.]

D. Medical/Psychological Examinations

1. Applicants may be required to undergo and pass a medical and/or psychological examination. The medical examination may include a drug and alcohol-screening test.

2. Employees may be required by an appointing authority or the Commission to undergo a medical examination in order to determine whether an employee is physically fit to perform assigned work. In accordance with Rule XIII(C), such person may be subject to termination, demotion or reassignment.

3. An applicant who fails any portion of the medical or psychological evaluation, including the drug and alcohol-screening test, if given, shall be notified. Such applicant shall not be eligible for appointment to the position sought and such person's name shall be removed from the applicable eligible list, if any. [See Rule XIII(G) Applicant Appeals].

4. If an applicant or employee is deemed by the Commission to be temporarily physically unfit to perform the assigned work on the job for which application has been made, such person may request a medical leave of absence or a waiver of appointment as provided in these Rules.

5. The medical examinations provided for in this Rule shall be conducted by licensed physicians in accordance with generally accepted medical practices and any medical standards established by the Commission. A medical determination that a condition would adversely affect job performance constitutes failure of the medical and grounds for removal from the applicable eligible list, if any.

6. The psychological examinations provided for in this Rule shall be conducted by licensed psychologists in accordance with generally accepted professional practice and ethical standards adopted

by the American Psychological Association and the State of Ohio Board of Psychology. A psychological determination that a condition would adversely affect job performance constitutes failure of the examination and grounds for removal from the applicable eligible list, if any.

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E. Veteran's Preference

1. Veteran Defined. A person who: (a) served on active military duty in the armed forces of the United States (other than in the Reserves or National Guard) for a period of more than 180 days and was discharged or released under honorable conditions or (b) was a member of a reserve component (including the Army or Air National Guard) who served on active military duty during a period of war or in a campaign or expedition for which a campaign badge was authorized and was discharged or released from such duty under honorable conditions; or (c) was a member of a reserve component (including the Army or Air National Guard) who served on active military duty for a period of more than 180 consecutive days any part of which occurred after September 11, 2001 and was discharged or released from such duty under honorable conditions.

2. Disabled Veteran Defined. A person who meets the definition of veteran and who has established the present existence of a service-connected disability (incurred or aggravated in the line of active duty) rated ten percent (10%) or higher, as determined by the Department of Veterans' Affairs or by the applicable military service.

3. Proof of Eligibility. Any veteran who desires to be awarded veteran's preference points should indicate this election on the test application at the time it is filed. As proof of military service and of disability, if any, the veteran must also have on file with or submit to the Commission no later than the final day of testing, or if the veteran has not yet been discharged from the military*, then prior to the date the eligible list is established, Form DD214 or other such document(s) deemed comparable that identifies:

- a. Branch of Service;
- b. Service Dates;
- c. Character of Discharge;
- d. Present Service-Connected Disability Percentage Rating (if disability preference points are requested).

* Any veteran who is in active status during the filing period but anticipates discharge prior to the establishment of the open competitive eligible list for the classification for which he/she is applying, must submit, no later than the final day of testing, proof of active status in addition to satisfying all other requirements identified for preference eligibility.

4. Preference Points. Five points shall be added to the final passing grade of each qualified veteran on an open competitive examination who elected the preference. Ten points shall be added to the final passing grade of each qualified disabled veteran on an open competitive examination who elected the preference.

5. Limitations.

- a. All applicants seeking veteran's preference points must meet all the minimum qualifications and all other requirements of the position for which they apply.

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- b. No preference points shall be awarded for promotional examinations.
- c. No person shall be entitled to the addition of preference points to future exam results under this Rule once appointed from an eligible list in which preference points were received, unless such employment was terminated as a result of a layoff.

Amended as of: October 16, 2006
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