

CHARTER OF THE CITY OF SAN DIEGO

Section 118

1. Original Charter section approved by voters April 7, 1931

Section 118. RULES. The Civil Service Commission shall adopt and may amend rules for the government, supervision and control of the classified service. Such rules after adoption shall have the force and effect of law. No rule or amendment thereto, however, shall become effective unless it shall have been adopted after a public hearing thereon, with reasonable notice of such hearing first given, and only after such proposed rule or amendment thereto has been published once in the official newspaper of the City and posted in three public places, and has also been approved by the Council. The rules among other things shall provide:

- (a) For all standardization and classification of all positions and employments in the classified service of the City. Such classification into groups and subdivisions shall be based upon and graded according to duties and responsibilities and so arranged as to promote the filling of the higher grades, so far as practicable, through promotions.
- (b) For the rejections of any and all applicants who are not citizens of the United States. In making its selections, the Commission shall show preference (1) to citizens of the City of San Diego; (2) to citizens of the County of San Diego; (3) to citizens of California; (4) to other citizens of the United States.
- (c) For competitive tests to ascertain the relative fitness of all applicants for appointment in the competitive class.
- (d) For public notice of the time and place of all competitive tests, at least twenty days in advance thereof, by publication in the official paper of the City and by posting a notice in a conspicuous place in the City Hall.
- (e) For the creation of eligible lists upon which shall be entered the names of the successful applicants in the order of their standing in the competitive tests and without reference to the time of the test.
- (f) For the rejection of applicants or eligibles who do not satisfy reasonable requirements as to age, sex, physical condition and moral character or who have attempted deception or fraud in connection with any test or their application therefor.
- (g) For the certification to the appointing authority, from the appropriate eligible list, for filling a vacancy in the competitive class, of the three names standing highest on such list.
- (h) For temporary employment without test, in the absence of an eligible list; but no such temporary employment shall continue after the establishment of a suitable eligible list, nor for more than sixty days.
- (i) For temporary employment for transitory work without test, but such employment shall require the consent of the Personnel Director in each case, and shall not

continue for more than sixty days. No successive temporary appointments shall be allowed. Nor shall the acceptance or refusal to accept such temporary appointment on the part of a person on the eligible list be a bar to appointment to a permanent position from said eligible list.

(j) For transfer from one position to a similar position in the same class and grade, and for immediate reinstatement within one year of persons who, without fault or delinquency on their part, are separated from the service or reduced in rank.

(k) For non-competitive tests for appointments to positions designated by the City Manager or other City Officers in charge of a Department and approved by the Civil Service Commission and requiring peculiar and exceptional qualifications of a scientific, managerial, professional or educational character.

(l) For promotion based on competitive tests and upon records of efficiency, character, conduct and seniority. Lists shall be created and promotions made therefrom in the same manner as prescribed for original appointments except as otherwise provided for in this Charter.

(m) For suspension for the purpose of discipline, for not longer than ninety days.

(n) For leave of absence, with or without pay.

(o) For the appointment of unskilled laborers in the order of priority of applications, and with such test of physical and mental fitness as the Personnel Director may prescribe.

(p) For discharge or reduction in rank or compensation after the person to be discharged or reduced has, if he so request, be presented by the person responsible for his appointment with the reasons therefor specifically stated in writing and has been given an opportunity to be publicly heard in his own defense by the Civil Service Commission or as otherwise provided for in this Charter. The written reasons for such discharge or reduction and any reply in writing thereto by any such officer or employee shall be filed forthwith with the Civil Service Commission.

(q) For investigating and keeping a record of the efficiency of officers and employees in the classified service, and for requiring markings and reports relative thereto from appointment authorities.

(r) An appointment or promotion shall not be deemed complete until a period of probation not to exceed six months has elapsed, and a probationer may be discharged or reduced at any time within the said period of six months without a hearing upon the recommendation of the Head of the Department in which said probationer is employed, or by the City Manager, with the approval of the majority of the Commission.

2. Amendment voted 04-22-1941; effective 05-08-1941

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(e) For the creation of eligible lists upon which shall be entered the names of the successful applicants in the order of their standing in the competitive tests and without reference to the time of the test.

(f) For the rejection of applicants or eligibles who do not satisfy reasonable requirements as to age, sex, physical condition and moral character or who have attempted deception or fraud in connection with any test or their application therefor.

(g) For the certification to the appointing authority, from the appropriate eligible list, for filling a vacancy in the competitive class, of the three names standing highest on such list.

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(i) For temporary employment for transitory work without test, but such employment shall require the consent of the Personnel Director in each case, and shall not continue for more than sixty days. No successive temporary appointment shall be allowed. Nor shall the acceptance or refusal to accept such temporary appointment on the part of a person on the eligible list be a bar to appointment to a permanent position from said eligible list.

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(s) That the appointing authority, which appointing authority, within the meaning of this section, is hereby defined to be a person having the power in the first instance to select the employee from the eligible list provided for that purpose, shall have the power to lay off or suspend an employee or employees because of lack of funds, lack of work, or where there has been an insufficient appropriation to meet the salary requirements necessary to maintain existing personnel in any office, department, division or bureau of the City. Provided, however, that any such lay-off or suspension shall be made in conformity with the rules and regulations of the Civil Service Commission governing the order in which employees shall be laid off or suspended in cases where a reduction of personnel is required.

3. Amendment voted 11-08-1949; effective 12-20-1949

See current Charter.