

ORDINANCE NO. 11398
(New Series)

SEP 19 1974

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 3, DIVISIONS 4, 5 AND 7 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 23.0409, 23.0413, 23.0414, 23.0501(2), 23.0703(1), 23.0705 AND 23.0706 [RULE III, SECTIONS 9, 13 AND 14; RULE IV, SECTION 1(2); RULE VI, SECTIONS 3(1), 5 AND 6 OF THE RULES OF THE CIVIL SERVICE COMMISSION] RELATING TO EXAMINATIONS, ELIGIBLE LISTS, AND REQUISITION AND CERTIFICATION.

WHEREAS, under existing Civil Service Rules, the top three candidates are certified to a vacancy; and

WHEREAS, the Civil Service Commission has considered several alternative methods for providing a better and more workable system of grading examinations, promulgating eligibility lists and certifying candidates when requested by City departments; and

WHEREAS, the Commission has considered a system wherein, at its discretion, all scores would be rounded to the nearest whole number and eligibles to be certified would be equal to the number of vacancies to be filled plus all additional eligibles whose scores are within three whole points; and

WHEREAS, the Commission, after contemplating considerable evidence and alternatives, concluded that this flexibility would reflect more accurately the City's ability to identify merit; and

WHEREAS, pursuant to Section 118 of the Charter of The City of San Diego, the Civil Service Commission submits to

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the City Council such amendments for consideration and adoption; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter II, Article 3, Divisions 4, 5 and 7 of the San Diego Municipal Code be and the same are hereby amended by amending Sections 23.0409, 23.0413, 23.0414, 23.0501 (2), 23.0703 (1), 23.0705 and 23.0706 to read as follows:

DIVISION 4

EXAMINATIONS

SEC. 23.0409 SUBJECTS, WEIGHTS AND GENERAL AVERAGES
[Rule III, Section 9 of the Rules of
the Civil Service Commission]

In examinations composed of several tests which are graded independently, weights shall be assigned to each test to represent its relative value in ascertaining the fitness of the applicant. When this is done, the applicant's score in any test shall be multiplied by the weight assigned to that test; the sum of the resulting products shall be divided by the total weights of all subjects in the examination. The resulting quotient shall be the general average. Such general average shall be rounded to the nearest whole number and that number shall be the score used in determining the order in which the name of the applicant shall appear on the eligible list, except where additional credit is allowed veterans as provided in these rules; provided, however, that such applicants

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must first pass the tests and attain the eligible list before such credit is given. If the Commission determines that all certifications from a list shall be based on the rule of three, scores shall not be rounded, and ranking will be in accordance with Rule III, Section 13.

SEC. 23.0413 PREFERENCES IN CASES OF EQUAL FINAL
AVERAGES
[Rule III, Section 13 of the Rules of
the Civil Service Commission]

When two or more candidates have the same score in an examination, and the Commission authorizes certification based on the rule of three, preference shall be given as follows:

(1) If all candidates having tied scores are employed by the City, the one having the greatest seniority credit recognized for the examination shall be given preference.

(2) If one of the candidates is employed by the City and others are not, the City employee shall be given preference.

(3) If the candidates are not employed by the City, preference shall be given by the score obtained in the subject of the greatest weight; if a tie still exists, by the score obtained in the subject with the next value in weight, and so on until the tie is broken, if possible.

(4) If a tie still exists, the preference shall be given to the candidate who first filed

application for the examination as shown by the official time stamp of the Commission.

SEC. 23.0414 NOTICE OF RESULTS OF EXAMINATIONS
[Rule III, Section 14 of the Rules of
the Civil Service Commission]

When an eligible list has been established, all competitors shall be notified by mail of the results of their examination, and, if successful, of their final score. Eligibility for employment shall be subject to meeting the City's medical standards for employment and acceptance of police record, if any. In open series examinations, eligibility will be determined by the final average scores of eligibles without reference to the date they qualified in the examination.

DIVISION 5

ELIGIBLE LISTS

SEC. 23.0501 SUBDIVISION AND MERGING
[Rule IV, Section 1 of the Rules of
the Civil Service Commission]

(1) Where duties of the positions or recruitment efficiency require, eligible lists may be subdivided, or separate eligible lists may be established for the various departments or subdivisions of departments. All such separations or subdivisions shall be by order of the Personnel Director and indicated in the examination announcement.

(2) By the vote of at least 3 members of the Commission, 2 or more open or open-series eligible

lists for a class may be merged by placing the names on such lists in the order of their final scores. In the event the Commission authorizes certification based on the rule of three, if there are identical scores, the name of the eligible on the oldest list shall have priority. The Commission shall determine the expiration dates of the names on the lists so merged. Eligibles shall be notified of the merger and any change in the expiration date.

DIVISION 7

REQUISITION AND CERTIFICATION

SEC. 23.0703 CERTIFICATION
[Rule VI, Section 3 of the Rules of
the Civil Service Commission]

(1) In the absence of a re-employment list, the Personnel Director shall certify the names and addresses of the number of available eligibles equal to the number of vacancies to be filled, plus any additional names of eligibles whose scores are within three whole points of the last eligibles so certified; however, the minimum number of names certified shall never be less than the number of vacancies to be filled plus two more names, except that a fewer number may be certified when there is not the required number on the eligible list. However, the Commission, at its discretion and as an alternative method of certification, may authorize the Personnel Director to certify the names and

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addresses of the first three available eligibles on the list for the class or subdivision of the class. In such case, when more than one vacancy is to be filled, the Personnel Director shall certify the number of names equal to the number of vacancies to be filled plus two more names, and except for promotional examinations, 20% of the number of said vacancies rounded to the nearest whole number. In making reference to other Civil Service Rules sections, the former procedure shall be designated "the rule of three ranks" and the latter procedure shall be designated "the rule of three."

(2) When no eligible list for the class of position exists, or when the eligible list contains less than three names, a provisional appointment may be approved by the Personnel Director.

(3) No person shall be certified from a promotional eligible list who has been permanently separated from the service of the City.

SEC. 23.0705 NOTICE OF CERTIFICATION TO ELIGIBLE
[Rule VI, Section 5 of the Rules of
the Civil Service Commission]

Whenever the name of an eligible is certified to an appointing authority, the eligible shall be notified of certification by a notice sent to the address as it appears on the records of the Commission. Such notice shall state the title of position, the entrance rate of

pay, whether the employment is limited or permanent, and the department in which the vacancy exists.

SEC. 23.0706 WAIVER
[Rule VI, Section 6 of the Rules of
the Civil Service Commission]

Eligibles may waive certification upon filing reasons satisfactory to the Personnel Director.

(1) Waivers must be filed with the Personnel Director and, if approved, the name of such eligible shall not be certified contrary to the waiver. The waiver, however, may be withdrawn by the eligible at any time.

(2) Failure to execute satisfactory waiver, or an eligible's failure to respond to the Personnel Director as to present availability, shall be deemed sufficient cause for passing over the name of such eligible in certification, and he or she shall not be eligible for further consideration unless reasons given meet with the approval of the Personnel Director.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Jack Katz, Chief Deputy

JK:K
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SEP 19 1974

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lee Hubbard	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jim Ellis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

(Seal)

By Patricia Polon, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

SEP 5 1974

SEP 19 1974

_____, and on _____

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

(Seal)

By Patricia Polon, Deputy.

RECEIVED
CITY CLERK'S OFFICE
1974 JUL 17 AM 4:00
SAN DIEGO, CALIF.

CC-1285-A (REV. 11-73)

Office of the City Clerk, San Diego, California	
Ordinance Number	11398
Adopted	SEP 19 1974
01559 MICROFILMED MAY 8 1978	

RECEIVED
CITY CLERK'S OFFICE

1974 SEP 30 PM 3:20 *g*

SAN DIEGO, CALIF.

ATTORNEY (S)

San Diego, City of
12th Floor, City Admin. Center
202 West C Street
San Diego, Ca. 92101

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 3, DIVISIONS
4, 5, and 7

SEP 30 1974 *g*

I, Patricia M. Applestill hereby certify that San Diego Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; that the

ORDINANCE NO. 11398

is a true and correct copy of which this certificate is annexed and was published in said newspaper on

SEPTEMBER 27, 1974

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

SEPTEMBER 27, 1974

Patricia M. Applestill
(Signature)

01570 29½" @ 4.42 \$130.39 *g*

ORDINANCE NO. 1120
(City Code)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 3, DIVISIONS 4, 5 AND 7 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 23.0409, 23.0412, 23.0414, 23.0501(2), 23.0703(1), 23.0705 AND 23.0706 (RULE III SECTIONS 9, 13 AND 14; RULE IV, SECTION 1(1); RULE VI SECTIONS 3(1), 5 AND 6 OF THE RULES OF THE CIVIL SERVICE COMMISSION) RELATING TO EXAMINATIONS, ELIGIBLE LISTS AND REQUISITION AND CERTIFICATION.

WHEREAS, under existing Civil Service Rules, the top three candidates are certified to a vacancy; and

WHEREAS, the Civil Service Commission has considered several alternative methods for providing a better and more workable system of grading examinations, promulgating eligibility lists and certifying candidates when requested by City departments; and

WHEREAS, the Commission has considered a system wherein, at its discretion, all scores would be rounded to the nearest whole number and eligibles to be certified would be equal to the number of vacancies to be filled plus all additional eligibles whose scores are within three whole points; and

WHEREAS, the Commission, after contemplating considerable evidence and alternatives, concluded that this flexibility would reflect more accurately the City's ability to identify merit;

WHEREAS, pursuant to Section 18 of the Charter of The City of San Diego, the Civil Service Commission submits to the City Council such amendments for consideration and adoption; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter II, Article 3, Divisions 4, 5 and 7 of the San Diego Municipal Code be and the same are hereby amended by amending Sections 23.0409, 23.0412, 23.0414, 23.0501(2), 23.0703(1), 23.0705 and 23.0706 to read as follows:

**DIVISION 4
EXAMINATIONS**

SEC. 23.0409 SUBJECTS, WEIGHTS AND GENERAL AVERAGES
[Rule III, Section 9 of the Rules of the Civil Service Commission]

In examinations composed of several tests which are graded independently, weights shall be assigned to each test to represent its relative value in ascertaining the fitness of the applicant. When this is done, the applicant's score in any test shall be multiplied by the weight assigned to that test; the sum of the resulting products shall be divided by the total weights of all subjects in the examination. The resulting quotient shall be the general average. Such general average shall be rounded to the nearest whole number and that number shall be the score used in determining the order in which the name of the applicant shall appear on the eligible list, except where additional credit is allowed veterans as provided in these rules; provided, however, that such applicants must first pass the tests and attain the eligible list before such credit is given. If the Commission determines that all certifications from a list shall be based on the rule of three, scores shall not be rounded, and ranking will be in accordance with Rule III, Section 13.

SEC. 23.0413 PREFERENCES IN CASES OF EQUAL FINAL AVERAGES

[Rule III, Section 13 of the Rules of the Civil Service Commission]

When two or more candidates have the same score in an examination, and the Commission authorizes certification based on the rule of three, preference shall be given as follows:

- (1) If all candidates having tied scores are employed by the City, the one having the greatest seniority credit recognized for the examination shall be given preference.
- (2) If one of the candidates is employed by the City and others are not, the City employee shall be given preference.
- (3) If the candidates are not employed by the City, preference shall be given by the score obtained in the subject of the greatest weight; if a tie still exists, by the score obtained in the subject with the next value in weight, and so on until the tie is broken, if possible.
- (4) If a tie still exists, the preference shall be given to the candidate who first filed application for the examination as shown by the official time stamp of the Commission.

SEC. 23.0414 NOTICE OF RESULTS OF EXAMINATIONS

[Rule III, Section 14 of the Rules of the Civil Service Commission]

When an eligible list has been established, all competitors shall be notified by mail of the results of their examination, and, if successful, of their final score. Eligibility for employment shall be subject to meeting the City's medical standards for employment and acceptance of police record, if any. In open series examinations, eligibility will be determined by the final average scores of eligibles without reference to the date they qualified in the examination.

**DIVISION 5
ELIGIBLE LISTS**

SEC. 23.0401 SUBDIVISION AND MERGING
[Rule IV, Section 1 of the Rules of the Civil Service Commission]

- (1) Where duties of the positions or recruitment efficiency require, eligible lists may be subdivided, or separate eligible lists may be established for the various departments or subdivisions of departments. All such separations or subdivisions shall be by order of the Personnel Director and indicated in the examination announcement.
- (2) By the vote of at least 3 members of the Commission, 2 or more open or open-series eligible lists for a class may be merged by placing the names on such lists in the order of their final scores. In the event the Commission authorizes certification based on the rule of three, if there are identical scores, the name of the eligible on

DEPARTMENT OF PERSONNEL AND CERTIFICATION

SECTION 3 OF THE RULES OF THE CIVIL SERVICE COMMISSION

[Rule VI, Section 3 of the Rules of the Civil Service Commission]

(1) In the absence of a re-employment list, the Personnel Director shall certify the names and addresses of the number of available eligibles equal to the number of vacancies to be filled, plus any additional names of eligibles whose scores are within three whole points of the last eligibles so certified; however, the minimum number of names certified shall never be less than the number of vacancies to be filled plus two more names, except that a fewer number may be certified when there is not the required number on the eligible list. However, the Commission, at its discretion and as an alternative method of certification, may authorize the Personnel Director to certify the names and addresses of the first three available eligibles on the list for the class or subdivision of the class. In such case, when more than one vacancy is to be filled, the Personnel Director shall certify the number of names equal to the number of vacancies to be filled plus two more names, and except for promotional examinations, 25% of the number of such vacancies rounded to the nearest whole number. In making reference to other Civil Service Rules sections, the former procedure shall be designated "the rule of three rule" and the latter procedure shall be designated "the rule of three."

(2) When no eligible list for the class of position exists, or when the eligible list contains less than three names, a provisional eligible list may be approved by the Personnel Director.

No person shall be certified from a promotional eligible list who has been permanently separated from the service of the City.

NOTICE OF CERTIFICATION TO ELIGIBLE

[Rule VI, Section 5 of the Rules of the Civil Service Commission]

Whenever the name of an eligible is certified to an appointing authority, the eligible shall be notified of certification by a notice sent to the address as it appears on the records of the Commission. Such notice shall state the title of position, the entrance rate of pay, whether the employment is limited or permanent, and the department in which the vacancy exists.

WAIVER

[Rule VI, Section 6 of the Rules of the Civil Service Commission]

Eligibles may waive certification upon filing reasons satisfactory to the Personnel Director.

(1) Waivers must be filed with the Personnel Director and, if approved, the name of such eligible shall not be certified contrary to the waiver. The waiver, however, may be withdrawn by the eligible at any time.

(2) Failure to execute a satisfactory waiver, or an eligible's failure to respond to the Personnel Director as to present availability, shall be deemed sufficient cause for passing over the name of such eligible in certification, and he or she shall not be eligible for further consideration unless reasons given meet with the approval of the Personnel Director.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.
Introduced on September 5, 1974.
Passed and adopted by the Council of The City of San Diego on September 18, 1974.

AUTHENTICATED BY:

PETE WILSON,
Mayor of The City of San Diego, California.
EDWARD NIELSEN,
City Clerk of The City of San Diego, California.
By PATRICIA POLSON, Deputy.