

ORDINANCE NO. 12373
(New Series)

JUN 19 1978

AN ORDINANCE AMENDING CHAPTER II, ARTICLES 2 AND 3, OF THE SAN DIEGO MUNICIPAL CODE, BY REPEALING SECTION 22.0403 [RULE III, SECTION 17]; SECTIONS 23.0401 THROUGH 23.0416 [RULE III, SECTIONS 1 THROUGH 16]; SECTIONS 23.0501 THROUGH 23.0507 [RULE IV SECTIONS 1 THROUGH 7]; SECTIONS 23.0701, 23.0703, 23.0703.1, 23.0705, 23.0706, 23.0707 AND 23.0708 [RULE VI, SECTIONS 1 3 THROUGH 8]; SECTION 23.1401 [RULE XIII, SECTION 1]; AMENDING SECTION 23.0806 [RULE VII, SECTION 5]; AND ADDING SECTIONS 23.0401 THROUGH 23.0408 [RULE III, SECTIONS 1 THROUGH 8]; SECTIONS 23.0501 THROUGH 23.0505 [RULE IV, SECTIONS 1 THROUGH 5]; SECTIONS 23.0701, 23.0703 THROUGH 23.0707 [RULE VI, SECTIONS 1 AND 3 THROUGH 7], AND SECTION 23.1401 [RULE XIII, SECTION 1], RELATING TO EXAMINING AND CERTIFICATION.

WHEREAS, the Personnel Staff undertook a comprehensive review of the Civil Service testing and certification procedures; and

WHEREAS, such review resulted in a number of recommendations which will enhance the job-relatedness and efficiency in the hiring and promotion of employees; and

WHEREAS, the Civil Service Commission adopted such recommendations which will require revisions to existing Civil Service Rules at their regular business meeting on February 2, 1978; and

WHEREAS, pursuant to Section 118 of the City Charter, 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:

REVISED 8/31/78

MICROFILMED

Section 1. That Chapter II, Articles 2 and 3, Divisions 4, 5, 7 and 14 of the San Diego Municipal Code be and the same are hereby amended by repealing Section 22.0403, Sections 23.0401 through 23.0416; Sections 23.0501 through 23.0507; Sections 23.0701, 23.0703, 23.0703.1, 23.0705, 23.0706, 23.0707 and 23.0708; and Section 23.1401 as follows:

- SEC. 22.0403 EXAMINING BOARDS
- SEC. 23.0401 EXAMINATION ANNOUNCEMENTS
- SEC. 23.0402 KINDS OF EXAMINATIONS
- SEC. 23.0403 SUSPENDED COMPETITION
- SEC. 23.0404 CHARACTER OF EXAMINATIONS
- SEC. 23.0405 CONTENT OF EXAMINATIONS
- SEC. 23.0406 MEDICAL EXAMINATIONS
- SEC. 23.0407 POSTPONEMENT AND CANCELLATION OF EXAMINATIONS
- SEC. 23.0408 CONDUCT OF EXAMINATIONS
- SEC. 23.0409 SUBJECTS, WEIGHTS AND GENERAL AVERAGES
- SEC. 23.0410 REVIEW AND APPEAL
- SEC. 23.0411 EXAMINATION GRADES
- SEC. 23.0412 COMBINED OPEN-AND-PROMOTIONAL EXAMINATIONS
- SEC. 23.0413 PREFERENCES IN CASES OF EQUAL FINAL AVERAGES
- SEC. 23.0414 NOTICE OF RESULTS OF EXAMINATIONS
- SEC. 23.0415 INSPECTION OF EXAMINATION PAPERS
- SEC. 23.0416 PRESERVATION OF EXAMINATION PAPERS
- SEC. 23.0501 SUBDIVISION AND MERGING
- SEC. 23.0502 PROMULGATION
- SEC. 23.0503 DURATION OF ELIGIBLE LISTS
- SEC. 23.0504 EXTENSION OF ELIGIBLE LISTS

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- SEC. 23.0505 CHANGE IN ADDRESS OR FAILURE TO REPLY
- SEC. 23.0506 REMOVAL OF ELIGIBLES FROM LIST
- SEC. 23.0507 REINSTATEMENT REQUESTS
- SEC. 23.0701 REQUEST FOR CERTIFICATION
- SEC. 23.0703 CERTIFICATION
- SEC. 23.0703.1 SELECTIVE CERTIFICATION
- SEC. 23.0705 NOTICE OF CERTIFICATION TO ELIGIBLE
- SEC. 23.0706 WAIVER
- SEC. 23.0707 ACCEPTANCE OF POSITIONS IN LOWER GRADE
- SEC. 23.0708 OBJECTION AND SUBSTITUTION
- SEC. 23.1401 UNSKILLED LABORER APPLICATIONS AND LISTS

Section 2. That Chapter II, Article 3, Division 8, of the San Diego Municipal Code be and the same is hereby amended by amending Section 23.0806 to read as follows:

- SEC. 23.0806 PROVISIONAL APPOINTMENT
[Rule VII, Section 5 of the Rules of
the Civil Service Commission]

When it is urgent that an immediate appointment be made to fill a vacant position and less than the appropriate number of names are available for selection from the eligible list, any person approved by the Personnel Director may be appointed provisionally to fill the vacancy until an appropriate eligible list has been established. In no case shall a provisional appointment continue longer than 60 days, nor shall there be successive provisional appointments of the same person.

REVISED 8/31/78

Section 3. That Chapter II, Article 3, Divisions 4, 5, 7 and 14, of the San Diego Municipal Code be and the same is hereby amended by adding Sections 23.0401 through 23.0408; Sections 23.0501 through 23.0505; Sections 23.0701, 23.0703 through 23.0707 and Section 23.1401, to read as follows:

DIVISION 4

EXAMINATIONS

SEC. 23.0401 EXAMINATION ANNOUNCEMENTS
[Rule III, Section 1 of the Rules of
the Civil Service Commission]

Subject to the approval of the Commission, the Personnel Director shall announce examinations to fill vacancies in the Classified Service. Public notice of all examinations shall be given in advance of the last date for filing applications. Examination announcements posted on the official bulletin board of the Commission shall constitute public notice.

SEC. 23.0402 KINDS OF EXAMINATIONS
[Rule III, Section 2 of Rules of the
Civil Service Commission]

Examinations shall be announced and administered as one or more of the following kinds:

- (1) Open examinations, in which all qualified applicants may compete;
- (2) Promotional examinations, in which only qualified City employees may compete;
- (3) Assembled examinations, which shall require applicants to report to a designated place to participate in prescribed tests;

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(4) Unassembled examinations, which shall be conducted as prescribed by the Personnel Director;

(5) Competitive examinations, which may be conducted when one or more persons are qualified;

(6) Noncompetitive examinations, which may be conducted when, due to the general nature of required job skills, competition is determined by the Personnel Director to be impracticable;

(7) Series examinations, which may be administered from time to time, as applicants are available or as appointments are necessary.

SEC. 23.0403 CHARACTER AND CONDUCT OF EXAMINATIONS
[Rule III, Section 3 of the Rules of the
Civil Service Commission]

Examinations shall be conducted under the direction of the Personnel Director. Examination content shall be based on job-related criteria and the methods used to assess requisite job skills shall be determined by the Personnel Director.

(1) The Personnel Director may appoint qualified persons to examining boards to prepare and/or conduct any or all portions of an examination. The appointment of City employees to such examining boards shall be subject to the approval of the Civil Service Commission. No member of the Council nor their immediate family, nor any partner of a Council member shall be appointed to serve on an examining board.

(2) The Personnel Director may establish minimum time intervals for reexamination or reapplication of an applicant for a class or examination.

(3) The Personnel Director may establish and enforce standards for applicant conduct during examinations.

(4) The Personnel Director may establish minimum performance-levels for each part of an examination.

(5) The Personnel Director may determine by physical testing, medical examinations, or other evaluations, whether employees or applicants for any position possess the required physical and medical fitness for present or prospective duties. Anyone disqualified in the medical examination may, within five (5) calendar days of notice of such disqualification, appeal in writing to the Commission. The Commission shall afford such appellants an opportunity to be heard on their own behalf. The decision of the Commission shall be final.

SEC. 23.0404 POSTPONEMENT AND CANCELLATION OF EXAMINATIONS
[Rule III, Section 4 of the Rules of the
Civil Service Commission]

The Commission may postpone or cancel examinations at any time for any reasons considered good and sufficient, and such postponement or cancellation shall be recorded, with the reasons therefor, in the minutes of the Commission. All qualified applicants shall be notified of the Commission's action.

SEC. 23.0405 EXAMINATION REVIEW
[Rule III, Section 5 of the Rules of the
Civil Service Commission]

When deemed appropriate by the Personnel Director, candidates may review the answer key of examinations.

Objections to questions may be submitted to the Personnel Director, who may make such alterations as deemed justified.

SEC. 23.0406 NOTICE OF RESULTS OF EXAMINATIONS
[Rule III, Section 6 of the Rules of the Civil Service Commission]

All competitors shall be notified of the results of their examination and of their final standing.

SEC. 23.0407 EXAMINATION RANKING SYSTEM
[Rule III, Section 7 of the Rules of the Civil Service Commission]

Candidates shall be placed on eligible lists according to scores attained from successful completion of all parts of an examination.

(1) Scores shall be grouped into categories, with each category encompassing a range of scores. The number of categories and the range of scores included in each shall be determined by the Personnel Director on an examination-by-examination basis and shall be published in the examination announcement.

(2) For series examinations, separate supplementary lists shall be created for each test of the series in which there are successful candidates. The names on supplementary lists shall be ranked on the master eligible list for the examination according to examination scores attained.

SEC. 23.0408 INSPECTION AND PRESERVATION OF EXAMINATION PAPERS
[Rule III, Section 8 of the Rules of the Civil Service Commission]

All applications and examination papers are the property of the Commission and shall be treated as

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confidential records.

(1) Subject to time limits specified by the Personnel Director, candidates may review their examination papers after receiving notice of the result of the examination.

(2) The scoring by the examiners shall be deemed prima facie correct. No examination paper or any part thereof, or any statement rated as part of the examination, shall be subject to alteration, addition, or emendation by the applicant, or to re-marking, except that the Commission may correct any manifest error in scoring.

(3) All examination materials shall be preserved as necessary for examination processing and in accordance with State and Federal record retention requirements.

DIVISION 5

ELIGIBLE LISTS

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

(1) When deemed appropriate by the Personnel Director, the eligible list for a classification may be subdivided, or separate eligible lists may be established. All such separations or subdivisions shall be indicated in the examination announcement.

(2) By the vote of at least three members of the Commission, eligible lists for a class may be merged. The Commission shall determine the expiration dates of lists so merged. Eligibles shall be notified of the merger and any change in their eligibility expiration date.

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SEC. 23.0502 DURATION OF ELIGIBLE LISTS
[Rule IV, Section 2 of the Rules of the
Civil Service Commission]

(1) An eligible list shall be in effect from the date on which it is promulgated. The date of promulgation shall be established by the Personnel Director.

(2) Eligible lists shall be in effect for a period not to exceed 2 years from the date of promulgation.

SEC. 23.0503 EXTENSION OF ELIGIBLE LISTS
[Rule IV, Section 3 of the Rules of the
Civil Service Commission]

The Personnel Director, City Manager or a non-managerial department head may initiate a request for extension of an eligible list which shall be submitted to the Commission for approval. Eligibles shall be notified of the extension and any change in their eligibility expiration date.

SEC. 23.0504 REMOVAL OF ELIGIBLES FROM LIST
[Rule IV, Section 4 of the Rules of the
Civil Service Commission]

(1) The name of an eligible may be removed from an eligible list for any of the causes enumerated in Rule II, Section 7, or for other causes deemed good and sufficient by the Personnel Director. Anyone whose eligibility is cancelled by order of the Personnel Director may, within five (5) calendar days after notice of such order, appeal in writing to the Commission. The Commission shall afford such appellants an opportunity to be heard on their own behalf. The decision of the Commission shall be final. The names of the eligibles who appeal to the Commission shall be recorded in the minutes of the Commission with the decision.

(2) Eligibles who accept appointments to permanent positions shall have their names removed from the eligible list from which appointment was made. Eligibles appointed to permanent positions may be reinstated to the list at the discretion of the Personnel Director, within sixty (60) days after the appointment.

(3) Failure of eligibles to reply to availability questionnaires or certifications or to notify the Personnel Director of any change in address while on an eligible list, shall result in removal of their names from the eligible list. Such eligibles will not be given further consideration unless reasons presented for failure to comply with the requirements of this rule are deemed good and sufficient by the Personnel Director.

(4) Failure of eligibles to execute satisfactory waiver or the use of waivers exceeding allowable limits shall be deemed sufficient cause for removal from the eligible list.

SEC. 23.0505 REINSTATEMENT REQUESTS
[Rule IV, Section 5 of the Rules of the
Civil Service Commission]

Reinstatement to an eligible list may be done under the following conditions:

(1) Any employee who has served satisfactorily and presently fulfills the minimum requirements for the classification, and who, without fault or delinquency on his/her part, resigns or demotes from his/her position, or due to lack of funds or work is demoted or is terminated, may request reinstatement to the eligible list

for any class in which such service was rendered, and/or to the eligible list for a comparable or lower class in the same occupational group. He/she may request reinstatement immediately upon demotion, resignation or termination but within two (2) years from the date of such action.

(2) The Commission shall, in its discretion, grant or deny such request. If the request is granted, the person's name shall be placed on such eligible list, and shall be certified according to Civil Service Rule VI. The length of eligibility shall be determined by the Commission, but shall not exceed two (2) years.

(3) If no appropriate eligible list exists, anyone granted reinstatement under this rule shall have the same eligibility as though there were such a list. After the expiration of the eligible list on which there is a reinstated name, such name shall continue to have eligibility until the completion of the prescribed period, provided that within such period it shall be placed on succeeding eligible lists for the same class or position.

DIVISION 7

REQUISITION AND CERTIFICATION

SEC. 23.0701 REQUEST FOR CERTIFICATION
[Rule VI, Section 1 of the Rules of the
Civil Service Commission]

Whenever a vacancy in the Classified Service is to be filled, the appointing authority shall make requisition upon the Personnel Director for eligibles to fill

the vacancy. Such requisition shall be made in the manner prescribed by the Commission.

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

Upon receipt of a requisition for certification of an eligible to fill a vacancy, the Personnel Director shall certify from the reemployment list the name of the highest ranking eligible who at any previous time worked with permanent status in the same class or subdivision thereof.

(1) In the absence of a reemployment list, the Personnel Director shall certify the available eligibles in the highest category of the eligible list. The number of eligibles to which an appointing authority is entitled is three times the number of vacancies to be filled. If requested by the appointing authority, the next and successively lower categories of eligibles may be certified until the three to one certification ratio is reached. Fewer eligibles may be certified when there is not the required number on the eligible list.

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(2) For causes deemed good and sufficient by the vote of at least three members of the Commission, additional categories of eligibles may be certified.

(3) In addition to the names certified according to (1) and (2) above, or in the absence of any such names, any names on the eligible list as the result of a leave of absence or reinstatement request, or as the result of a layoff of a probationary employee, shall be certified.

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

SEC. 23.0704 SELECTIVE CERTIFICATION
[Rule VI, Section 4 of the Rules of the
Civil Service Commission]

Eligibles shall be certified in strict order of standing on the eligible list except in the following cases:

(1) Whenever eligibles indicate that they would not accept an appointment under the conditions applying to the position to be filled, their names may be passed over in the certification process.

(2) Certification may be limited to a specified sex upon recommendation of the appointing authority and the approval of the Personnel Director.

(3) Upon recommendation of the appointing authority and the approval of the City Manager and the Civil Service Commission, certification may be limited to

persons who have passed a qualifying test to determine their ability to speak or read and write Spanish or other designated language.

(4) It is the policy of The City of San Diego to achieve racial and ethnic balance within all departments of City government. Pursuant to that policy, should the Commission determine that any department has not achieved the objective, the Civil Service Commission may, at its discretion, exercise selective certification in order to implement this policy.

(5) Certification may be limited to those eligibles meeting qualifications or guidelines which are a stipulation for City participation in special programs funded by an outside agency.

SEC. 23.0705 WAIVER
[Rule VI, Section 5 of the Rules of the
Civil Service Commission]

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

(1) Eligibles shall be certified in accordance with stipulations indicated on approved waivers. Waivers may be withdrawn by the eligible at any time.

(2) The Commission may establish limits for the number of waivers permitted each eligible on a list.

SEC. 23.0706 ACCEPTANCE OF POSITIONS IN LOWER GRADE
[Rule VI, Section 6 of the Rules of the
Civil Service Commission]

A person on an eligible list may, with the approval of the Personnel Director, accept certification to a lower classification, provided no list exists for the

lower classification and the duties and responsibilities are similar. Acceptance of such lower position shall not forfeit an eligible's rights to be certified to higher positions for which eligible.

SEC. 23.0707 OBJECTION TO CERTIFIED ELIGIBLES
[Rule VI, Section 7 of the Rules of the
Civil Service Commission]

An appointing authority may object to the certification of an eligible and request the withdrawal of certification of that eligible. The reasons for objection must be stated specifically in writing to the Personnel Director and the eligible. The person against whom objection is made and the appointing authority may be heard by the Personnel Director. The decision of the Personnel Director may, within five (5) calendar days of notice of the decision, be appealed in writing to the Commission. The Commission shall afford such appellants an opportunity to be heard on their own behalf. The decision of the Commission shall be final.

DIVISION 14

SUSPENDED COMPETITION

SEC. 23.1401 SUSPENDED COMPETITION
[Rule XIII, of the Rules of the Civil
Service Commission]

The Personnel Director, City Manager or nonmanagerial department head may initiate a request for suspended competition. The Commission may suspend competition for appointment to (a) a position which requires exceptional

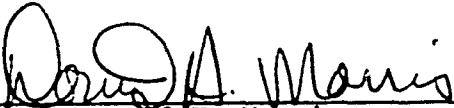
job-related qualifications or (b) a position which has changed so significantly as to require reclassification to a class with a higher rate of pay, and when a specific person in the Classified Service can be determined to have been fulfilling those duties for a designated period of time prior to the action.

(1) Upon presentation of satisfactory evidence that competition is impracticable, and that the position can best be filled by the selection of some designated person of recognized attainments, the Commission may suspend competition after a public hearing and by the vote of at least three members of the Commission.

(2) No suspension of competition shall be general in its application to such positions, and all cases of such suspension shall be reported, together with the reasons therefor, in the official minutes of the Commission.

Section 4. 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 
David H. Morris
Deputy City Attorney

DHM:rc:301
3/27/78
Or. Dept.: Personnel

Passed and adopted by the Council of The City of San Diego on JUN 19 1978,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY: PETE WILSON
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Betty Goedking, 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

JUN 6 1978, and on JUN 19 1978

~~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.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Betty Goedking, Deputy.

Office of the City Clerk, San Diego, California		
Ordinance Number	<u>12373</u>	Adopted <u>JUN 19 1978</u>

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ATTORNEYS

San Diego, City of
12th Floor, City Admin. Bldg.
202 F St.
San Diego, Ca 92101
Attn: Betty Goldberg

CERTIFICATE OF PUBLICATION

No 12373

REPEALING

EXAMINING AND CERTIFICATION

ORDINANCE NO. 12373

(New Series)

AN ORDINANCE AMENDING CHAPTER II, ARTICLES 2 AND 3, OF THE SAN DIEGO MUNICIPAL CODE, BY REPEALING SECTION 22.0403 (RULE III, SECTION 17); SECTIONS 23.0401 THROUGH 23.0416 (RULE III, SECTIONS 1 THROUGH 16); SECTIONS 23.0501 THROUGH 23.0507 (RULE IV SECTIONS 1 THROUGH 7); SECTIONS 23.0701, 23.0702, 23.0703, 23.0704, 23.0705, 23.0706, 23.0707 AND 23.0708 (RULE VI, SECTIONS 1 THROUGH 8); SECTION 23.1401 (RULE XIII, SECTION 1); AMENDING SECTION 23.0606 (RULE VII, SECTION 5); AND ADDING SECTIONS 23.0401 THROUGH 23.0408 (RULE III, SECTIONS 1 THROUGH 8); SECTIONS 23.0501 THROUGH 23.0506 (RULE IV, SECTIONS 1 THROUGH 5); SECTIONS 23.0701 THROUGH 23.0707 (RULE VI, SECTIONS 1 THROUGH 7); AND SECTION 23.1401 (RULE XIII, SECTION 1), RELATING TO EXAMINING AND CERTIFICATION.

WHEREAS, the Personnel Staff undertook a comprehensive review of the Civil Service testing and certification procedures; and

WHEREAS, such review resulted in a number of recommendations which will enhance the job-relatedness and efficiency in the hiring and promotion of employees; and

WHEREAS, the Civil Service Commission adopted such recommendations which will require revisions to existing Civil Service Rules at their regular business meeting on February 2, 1978; and

WHEREAS, pursuant to Section 118 of the City Charter, 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, Articles 2 and 3, Divisions 4, 5, 7 and 14 of the San Diego Municipal Code be and the same are hereby amended by repealing Section 22.0403, Sections 23.0401 through 23.0416; Sections 23.0501 through 23.0507; Sections 23.0701, 23.0702, 23.0703, 23.0704, 23.0705, 23.0706, 23.0707 and 23.0708; and Section 23.1401 as follows:

- SEC. 22.0403 EXAMINING BOARDS
- SEC. 23.0401 EXAMINATION ANNOUNCEMENTS
- SEC. 23.0402 KINDS OF EXAMINATIONS
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- SEC. 23.0507 REINSTATEMENT REQUESTS
- SEC. 23.0701 REQUEST FOR CERTIFICATION
- SEC. 23.0702 PRIORITY OF ELIGIBLE LISTS
- SEC. 23.0703 CERTIFICATION
- SEC. 23.0703.1 SELECTIVE CERTIFICATION
- SEC. 23.0708 NOTICE OF CERTIFICATION TO ELIGIBLE
- SEC. 23.0708 WAIVER
- SEC. 23.0707 ACCEPTANCE OF POSITIONS IN LOWER GRADE
- SEC. 23.0708 OBJECTION AND SUBSTITUTION
- SEC. 23.1401 UNSKILLED LABORER APPLICATIONS AND LISTS

I, PATRICIA M. SPAULDING, am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1969, Decree No. 14894; and the

ORDINANCE NO. 12373

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to-wit:

July 3, 1978

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California, this 3rd day of July, 1978

Patricia M. Spaulding
Signature

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Chapter 5, Title 5, Part 211, Article 2, Division 2, of the Civil Service Commission, and the rules and regulations promulgated thereunder, shall be subject to the following provisions:

SEC. 21.005 PROVISIONAL APPOINTMENTS
(Rule VII, Section 5 of the Rules of the Civil Service Commission)

When it is urgent that an immediate appointment be made to fill a vacant position and less than the appropriate number of names are available for selection from the eligible list, any person approved by the Personnel Director may be appointed, provisionally, to fill the vacancy until an appropriate eligible list has been established. In no case shall a provisional appointment continue longer than 90 days, and there be successive provisional appointments of the same person. Section 2, Title 5, Chapter 5, Article 2, Divisions 4, 5, 7 and 14, of the Civil Service Commission Code and the same in hereby amended by adding Sections 21.001 through 21.005, Section 21.001 through 21.003, Sections 21.004 through 21.007 and Section 21.1451, to read as follows:

DIVISION 4
EXAMINATIONS

SEC. 21.001 EXAMINATION ANNOUNCEMENTS
(Rule III, Section 1 of the Rules of the Civil Service Commission)

Subject to the approval of the Commission, the Personnel Director shall announce examinations to fill vacancies in the Classified Service. Public notice of all examinations shall be given in advance of the test date for filing applications. Examination announcements printed on the official bulletin board of the Commission shall constitute publication.

SEC. 21.002 TYPES OF EXAMINATIONS
(Rule III, Section 2 of the Rules of the Civil Service Commission)

Examinations shall be announced and administered as one or more of the following kinds:

- (1) Open examinations, in which all qualified applicants may compete;
- (2) Provisional examinations, in which only qualified Civil Service employees may compete;
- (3) Announced examinations, which shall require applicants to report to a designated place to participate in a prescribed study;
- (4) Unannounced examinations, which shall be conducted as provided by the Personnel Director;
- (5) Competitive examinations, which may be conducted with one or more persons not qualified, in which they be conducted when, due to the unusual nature of a position, job duties, or responsibilities, as stated by the Personnel Director, to be job duties, which are unusual;
- (6) Special examinations, which may be administered from time to time, as applicants are available or as appointments are announced.

SEC. 21.003 CHARACTER AND CONDUCT OF EXAMINATIONS
(Rule III, Section 3 of the Rules of the Civil Service Commission)

Examinations shall be conducted under the direction of the Personnel Director. Examination content shall be based on job duties, objectives and the methods used to assess requisite job skills shall be determined by the Personnel Director.

- (1) The Personnel Director may appoint qualified persons to examine, based on the program and content, any or all portions of all examinations. The number of Civil Service employees on each examining board shall be subject to the approval of the Civil Service Commission. No member of the Council may be or was Civil Service employee or a Council member shall be appointed to serve on an examining board.
- (2) The Personnel Director may establish minimum standards for recommendation or recommendation of an applicant for a class of examination.
- (3) The Personnel Director may establish and enforce standards for applicant conduct during examinations.
- (4) The Personnel Director may establish minimum performance levels for each part of an examination.
- (5) The Personnel Director may determine by physical testing, written examinations, or other evaluations, whether applicants are eligible for any position possess the required physical and mental fitness for promotion or progression. Answers developed in the manual examination, may be written to the Commission. The Commission shall afford such applicants an opportunity to be heard on their own behalf. The decision of the Commission shall be final.

SEC. 21.004 POSTPONEMENT AND CANCELLATION OF EXAMINATIONS
(Rule III, Section 4 of the Rules of the Civil Service Commission)

The Commission may postpone or cancel examinations at any time for any reasons considered good and sufficient, and such postponement or cancellation shall be recorded, with the reasons therefor, in the records of the Commission. All qualified applicants shall be notified of the Commission's action.

SEC. 21.005 EXAMINATION REVIEW
(Rule III, Section 5 of the Rules of the Civil Service Commission)

When deemed appropriate by the Personnel Director, candidates may review the answer key of examinations. Questions to questions may be referred to the Personnel Director, who may make such alterations as deemed justified.

SEC. 21.006 NOTICE OF RESULTS OF EXAMINATIONS
(Rule III, Section 6 of the Rules of the Civil Service Commission)

All competitors shall be notified of the results of their examination and of their final standing.

SEC. 21.007 EXAMINATION RANKING SYSTEM
(Rule III, Section 7 of the Rules of the Civil Service Commission)

Candidates shall be placed on a list of names according to scores obtained in examination, and the list shall be subject to review of an examination.

(1) For each examination, separate supplementary lists shall be prepared for each part of the series in which there are several positions. The names on supplementary lists shall be printed in the order of preference for the examination, according to the classification requirements.

(2) For each examination, separate supplementary lists shall be prepared for each part of the series in which there are several positions. The names on supplementary lists shall be printed in the order of preference for the examination, according to the classification requirements.

SEC. 28.008 INSPECTION AND PRESERVATION OF EXAMINATION PAPERS
Title III, Section 8 of the Rules of the Civil Service Commission

(1) All questions and examination papers are the property of the Commission and shall be treated as confidential papers.

(2) Subject to these Rules specified by the Personnel Director, candidates may review their examination papers after receiving notice of the result of the examination.

(3) The marking by the examiners shall be deemed prima facie correct. No examination paper or any part thereof, or any information contained as part of the examination, shall be subject to discussion, comment, or speculation by the applicant, or to disclosure, except that the Commission may correct any mistake made in marking.

(4) All questions and answers shall be preserved for one year after the examination and, in addition, shall be preserved for one year after the date of publication.

DIVISION 5
EXAMINATIONS
SEC. 28.009 SCHEDULES AND REGISTRATION
Title IV, Section 1 of the Rules of the Civil Service Commission

(1) When deemed appropriate by the Personnel Director, a list for a classification may be distributed, or approved, for use in the examination. All such applications or distributions shall be included in the examination announcement.

(2) By the vote of at least three members of the Commission, the date for a class may be changed. The Commission shall determine the application date of such an amended schedule and shall be notified by the Personnel Director.

SEC. 28.010 OTHER RULES OF EXAMINATIONS
Title IV, Section 2 of the Rules of the Civil Service Commission

(1) An eligible list shall be in effect from the date of which it is promulgated. The date of promulgation shall be established by the Personnel Director.

(2) Eligible lists shall be in effect for a period not to exceed 90 days from the date of promulgation.

SEC. 28.011 EXEMPTION OF APPLICANTS
Title IV, Section 3 of the Rules of the Civil Service Commission

The Personnel Director, City Manager, or any other person designated in writing may advise a request for exemption of an applicant from the examination. The Commission may approve or disapprove such a request and shall be notified by the Personnel Director.

SEC. 28.012 REVIEW OF EXAMINATION PAPERS
Title IV, Section 4 of the Rules of the Civil Service Commission

(1) The names of all eligible lists in rotation shall be printed in the order of preference in Title IV, Section 1, of the Rules of the Civil Service Commission and published by the Personnel Director. Any person eligible to examine by order of the Personnel Director, or within the calendar year after the date of the examination, may write to the Commission. The Commission shall grant such a person an opportunity to be heard on their own behalf. The date of the Commission shall be fixed. The names of the eligible lists offered to the Commission shall be recorded in the minutes of the Commission.

(2) Eligible lists shall be in effect from the date of which they are promulgated. The date of promulgation shall be established by the Personnel Director.

(3) Eligible lists shall be in effect for a period not to exceed 90 days from the date of promulgation.

(4) The names of all eligible lists in rotation shall be printed in the order of preference in Title IV, Section 1, of the Rules of the Civil Service Commission and published by the Personnel Director. Any person eligible to examine by order of the Personnel Director, or within the calendar year after the date of the examination, may write to the Commission. The Commission shall grant such a person an opportunity to be heard on their own behalf. The date of the Commission shall be fixed. The names of the eligible lists offered to the Commission shall be recorded in the minutes of the Commission.

(5) Eligible lists shall be in effect from the date of which they are promulgated. The date of promulgation shall be established by the Personnel Director.

(6) Eligible lists shall be in effect for a period not to exceed 90 days from the date of promulgation.

REINSTATEMENT TO AN ELIGIBLE LIST
 (1) Any employee who has served satisfactorily and properly within the minimum requirements for the classification, and who, without fault or delinquency on his/her part, resigns or is removed from his/her position, or due to lack of funds or work is demoted or is terminated, may request reinstatement to the eligible list for any class in which such service was rendered, and/or to the eligible list for a comparable or lower class in the same occupational group. He/she may request reinstatement immediately upon demotion, resignation, or termination but within two (2) years from the date of such action. (2) The Commission shall, in its discretion, grant or deny such request. If the request is granted, the person's name shall be placed on such eligible list, and shall be certified according to Civil Service Rule VI. The length of eligibility shall be determined by the Commission, but shall not exceed two (2) years. (3) If no appropriate eligible list exists, persons granted reinstatement under this rule shall have the same eligibility as though there were such a list. After the expiration of the eligible list on which there is a reinstated name, such name shall continue to have eligibility until the completion of the prescribed period, provided that within that period it shall be placed on a succeeding eligible list for the same class or position.

REEMPLOYMENT AND PROMOTION
SEC. 21.0701 REEMPLOYMENT FOR CERTAIN VACANCIES
 (Sub VI, Section 1 of the Rules of the Civil Service Commission)

Whenever a vacancy in the Classified Service is to be filled, the appointing authority shall make notification upon the Personnel Director for eligible to fill the vacancy. Such notification shall be made in the manner prescribed by the Commission.

SEC. 21.0702 PRIORITY OF ELIGIBLE LIST
 (Sub VI, Section 2 of the Rules of the Civil Service Commission)

Certification shall be made from existing eligible lists in the following order of preference:

- (1) Reemployment lists;
- (2) Promotional eligible lists;
- (3) Open eligible lists.

SEC. 21.0703 CERTIFICATION
 (Sub VI, Section 3 of the Rules of the Civil Service Commission)

Upon receipt of a requisition for certification of an eligible to fill a vacancy, the Personnel Director shall certify from the reemployment list the name of the highest ranking eligible who at any previous time worked with permanent status in the same class or subdivision thereof.

(1) In the absence of a reemployment list, the Personnel Director shall certify the available eligible in the highest category of the eligible list. The number of eligibles to which an appointing authority is entitled in three times the number of vacancies to be filled. If requested by the appointing authority, the name and consecutive service number of eligibles may be certified until the name of one eligible is selected in order of priority. The name of the selected eligible shall be the highest number on the eligible list.

(2) For classes deemed good and sufficient by the rules of at least three members of the Commission, additional certification of eligibles may be certified.

(3) In addition to the names certified according to (1) and (2) above, or in the absence of any such names, any names on the eligible list as the result of a leave of absence or reinstatement request, or as the result of a layoff of a probationary employee, shall be certified.

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

SEC. 21.0704 SELECTIVE CERTIFICATION
 (Sub VI, Section 4 of the Rules of the Civil Service Commission)

Eligibles shall be certified in strict order of ranking on the eligible list except in the following cases:

(1) Whenever eligibles certify that they will accept the position under the conditions stipulated by the job offer, and their names may be passed over in the next classification process.

(2) Certification may be limited to a specified area upon recommendation of the appointing authority and the approval of the Personnel Director.

(3) Upon recommendation of the appointing authority and the approval of the City Manager and the Civil Service Commission, selection may be limited to persons who have passed a qualifying test to determine their ability to speak or read and write Spanish or other designated language.

(4) It is the policy of The City of San Diego to adhere to the same hiring criteria in Departments of City government. Personnel in the public departments shall be certified from any Department in the same order and the objective, the Civil Service Commission policy in the same order as the public departments.

(5) Certification may be limited to persons who have passed a qualifying test to determine their ability to speak or read and write Spanish or other designated language.

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