

Article 3: Civil Service

Division 3: Applicants and Applications

§23.0301 General Requirements

(Rule II, Section I of the Rules of the Civil Service Commission)

Unless waived, all applicants must:

- (a) be citizens of the United States or persons lawfully admitted to the United States for permanent residence pursuant to Section 1101(a) (20) of the Immigration and Nationality Act of 1952, as amended; provided, however, that all applicants for peace officer classifications shall be citizens of the United States, or permanent resident aliens who are eligible for and have applied for citizenship at least one year prior to applying for such employment, as required by state law;
- (b) be actual residents of the County of San Diego immediately following appointment and throughout their employment;
- (c) meet the minimum requirements stated in the examination announcement;
- (d) be able to speak, read, and write English.
(Amended 11-7-1983 by O-16076 N.S.)

§23.0302 Age Requirements

(Rule II, Section 2 of the Rules of the Civil Service Commission)

The Commission may fix minimum and maximum age limits for any examination or particular work by giving notice of such limits in the appropriate examination announcement.

(“Age Requirements” renumbered from Sec. 23.0303 and amended 11-7-1983 by O-16076 N.S.)

§23.0303 Nondiscrimination

(Rule II, Section 3 of the Rules of the Civil Service Commission)

- (a) Unless the examination announcement provides otherwise, qualified applicants of either sex may be admitted to any examination.
- (b) No question on the application shall be related to race, color, national origin, sex or political or religious opinions, affiliations, or service; nor shall any City officer or employee solicit or keep a record of such information, except as may legally be required by a state or federal agency.

(“Nondiscrimination” renumbered from Sec. 23.0304 and amended 11-7-1983 by O-16076 N.S.)

§23.0304 Acceptance and Rejection of Applications

(Rule II, Section 4 of the Rules of the Civil Service Commission)

- (a) All applications shall be filed in the manner prescribed on forms approved by the Commission. The statements made therein, and any attached or supplementary documents, shall be subscribed to under oath or affirmation.
- (b) Applications shall not be accepted unless an examination announcement has been issued by the Commission, except in case of emergency appointments as hereinafter provided.
- (c) Applications shall be stamped with the date and time of filing in the office of the Commission and must be filed within the prescribed time limits, unless waived for good cause.
- (d) Applicants must state under oath or affirmation whether or not they have been convicted, or in the case of any peace officer applicants if they have been arrested or convicted, of any crime or infraction of regulatory ordinances or statutes. In addition, applicants may be required to furnish information about any arrest for which the applicant is out on bail or on his or her own recognizance pending trial. The Commission, after investigation, may accept or reject such applicants within its discretion.
- (e) For a position requiring a license, certificate, or registration, the Commission may require the submission thereof at the time of application, or may designate some other time for submission.

(Amended 11-28-1994 by O-18113 N.S.)

23.0305 Veterans' Provisions

(Rule II, Section 5 of the Rules of the Civil Service Commission)

- (a) A veteran is defined as any person who has served in any branch of the United States Armed Forces during any war, major military action, or peacekeeping mission and who has been honorably discharged from active service.
- (b) A veteran claiming preference credit shall file, at the time of application, proof of service in the United States Armed Forces and honorable separation therefrom.
- (c) To claim veterans' preference credit in an examination, the spouse of any veteran who, while in such service, was physically or mentally incapacitated so as to prevent employment in any remunerative occupation, and also the surviving spouse of any veteran killed or who died while in such service, shall receive a credit of 5 percent upon the first employment after such veteran's discharge or death. An additional 5 percent credit, or a total of 10 percent credit, shall be awarded to any veteran or the spouse of any veteran who meets the above criteria and has a service related disability of at least 15 percent which has been duly established by federal law.
- (d) This veterans' preference credit is granted to each applicant only upon the first employment after discharge from service, and is not granted to applicants retired from the service on full pensions. This credit shall not be granted in any promotional examination.

*("Veterans' Provisions" renumbered from Sec. 23.0306 and amended 11-7-1983 by O-16076 N.S.)
(Amended 1-28-2011 by O-20018 N.S.; effective 2-27-2011.)*

§23.0306 Causes for Disqualification

(Rule II, Section 6, of the Rules of the Civil Service Commission)

- (a) Although rejection may be based upon causes other than those enumerated, the following are declared to be causes for rejection of application or disqualification of applicant for the class or subdivision thereof for which the applicant seeks employment, if the Personnel Director shall find that the applicant:
 - (1) lacks any of the minimum qualifications as stated in the examination announcements;

- (2) Is physically or mentally so disabled as to render the applicant unfit for performance of the duties of the class or subdivision thereof;
 - (3) Habitually or excessively uses habit-forming drugs or intoxicating beverages which would adversely affect job performance or public safety;
 - (4) has been previously dismissed from any military or public service for inefficiency, delinquency, or misconduct, which would adversely affect job performance or public safety; or has been terminated or had his/her name removed from any eligible list for cause, or has resigned from City service under charges; and where job performance or public safety would be adversely affected by employment of the applicant;
 - (5) has been guilty of any crime which would adversely affect job performance or public safety;
 - (6) has knowingly made a false statement of any material fact, or has practiced or attempted to practice any deception or fraud in an application or examination;
 - (7) has failed to notify the Commission of a change of address after filing application for examination.
- (b) Any person who, by order of the Personnel Director, is denied permission to compete in any examination, or whose application is rejected, may, within five (5) working days after notice or rejection or disqualification, appeal in writing to the Commission for a review of such ruling. The Commission shall afford such appellant an opportunity to be heard. This decision on review shall be final.

(“Causes for Disqualification” renumbered from Sec. 23.0307 and amended 11-7-1983 by O-16076 N.S.)