

REQUESTED BY CIV. SERV. COMM.
APPROVED BY COW
INTRODUCED BY RASOR

ORDINANCE NO. 2016-73

AN ORDINANCE AMENDING ORDINANCE NO. 2001-159, AS SUBSEQUENTLY AMENDED BY ORDINANCE NO. 2010-60 WHICH WERE ENACTED PURSUANT TO SECTION 12.01, CHARTER, APPROVING THE AMENDMENTS TO THE RULES ADOPTED BY THE STOW CIVIL SERVICE COMMISSION ON FEBRUARY 24, 2016, AND DECLARING AN EMERGENCY.

WHEREAS, the Stow Civil Service Commission has submitted amendments to the Rules pertaining to the government of the Stow Civil Service Commission to this Council for its approval, pursuant to Section 12.01, Charter; and

WHEREAS, this Council has examined the same and finds them to be just and reasonable;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STOW, COUNTY OF SUMMIT AND STATE OF OHIO:


SECTION 1. That the amendments to the Rules prepared and adopted by the Stow Civil Service Commission and enacted by Ordinances No. 2001-159 and 2010-60, which amendments were prepared and adopted by the Stow Civil Service Commission and are attached hereto as Exhibit A and made a part of this enactment as if fully reappearing herein, be, and the same are, hereby adopted.

SECTION 2. That all other terms and provisions of Ordinances No. 2001-159 and 2010-60 not amended herein be, and the same are, hereby reaffirmed as if fully reappearing herein.

SECTION 2. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees or subcommittees that resulted in those formal actions were in meetings open to the public in compliance with the law.

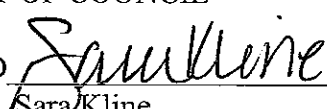
SECTION 3. That this Ordinance was adopted pursuant to Section 4.11 Charter, and is hereby declared to be an emergency measure necessary for the immediate preservation of the public health and safety for the reason that it is imperative to approve the Official Rules governing the Stow Civil Service Commission in order to maintain efficient management of the civil service system for the City, and, pursuant to Section 4.13 Charter, shall take effect upon its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

ADOPTED BY COUNCIL 6/9/16

ATTEST 
Bonnie J. Emahiser
CLERK OF COUNCIL


Mike Rasor
PRESIDENT OF COUNCIL

FILED WITH MAYOR 6/13/16

APPROVED 
Sara Kline
MAYOR

FILED WITH CLERK 6/13/16

APPROVED AS TO FORM

EFFECTIVE DATE 6/13/16


Amber Zibritsky
LAW DIRECTOR

Civil Service Rule Changes to Effectuate “Banding” for Original Appointments

Rule II Addition of 10.

10. “Original Appointment” shall refer to all appointments in the classified civil service that are not filled by promotion, transfer, or reduction, as provided in these rules.

Rule VI 1 (c) – Additional Bolded Language

c. Posting of Lists

The Commission shall prepare and keep open to public inspection, from the returns of each examination, an eligibility list of the persons who are eligible for appointment. Such persons shall take rank upon the eligibility list in the order of their relative grades **or band if for an Original Appointment**. Whenever it becomes necessary to hold a subsequent examination in order to obtain additional eligibles, the Commission may consolidate existing lists for the same class by rearranging the names of those eligible therein according to their grade **or band if for an Original Appointment**. All those persons whose names appear on an existing list which is to be merged with a new list shall have an opportunity to compete in the second examination.

Rule VI(1)(e) – Deletion of First Paragraph Regarding Original Appointments

e. Applicants Receiving the Same Mark

~~In the event two (2) or more applicants receive the same mark in open competitive examination, priority in the time of filing application with the Commission shall determine the order in which their names shall be placed on the eligibility list provided that applicants receiving veteran’s preference shall receive priority in rank on the eligibility list over non-veterans on the list with a rating equal to that of the veteran. Ties among veterans shall be decided by priority of filing application.~~

In the event of two (2) or more applicants receiving the same mark on a promotional examination, seniority shall determine the order in which their names shall be placed on the eligibility list. In the event of two (2) or more applicants receiving the same mark on a promotional examination and having the same seniority date, ties shall be broken by their position on the eligibility list of their prior rank. That individual ranking highest on the eligibility list of their previous rank will be deemed to have seniority for purposes of promotional civil service examinations only.

Rule VI 2 (b) – Deleted Entirely

~~Request for a Certified Eligible List~~

~~A department head, with the written consent of the appointing authority, or an appointing authority may request a certified eligible list.~~

Rule VI 2 (b) - Added New Bolded Language

Certification and Appointment for Original Appointments.

(1) The Appointing Authority, or department head with the written consent of the appointing authority, shall notify the Commission that it intends to make an original appointment in the civil service, and the Commission shall, except as otherwise provided in these Rules, provide a certified eligibility list or conduct a competitive examination pursuant to these rules. The Commission shall thereafter certify to Appointing Authority the names of the candidates standing in the highest band on the candidate list resulting from that examination.

(2) The Commission shall certify all names in the highest band from the appropriate list so that in making appointments to a position in the class, the appointing authority has a choice of at least ten candidates. In the event the highest band may be exhausted or fewer than ten candidates remain, prior to the completion of the appointment process, the commission may certify subsequent band(s) as necessary to insure that the appointing authority may select from among at least ten candidates.

(3) Score banding or grade banding is a method of grouping scores within a band. It shall apply to all exams for Original Appointment except as otherwise provided in these rules and is described below.

Band Breakdown:

A score of 90 or greater = A band

A score of 85 through 89 = B band

A score of 80 through 84 = C band

A score of 75 through 79 = D band

A score of 70 through 74 = E band

The final calculated score for banding classification will be the result of the raw test score plus all available bonus points added to it (if any).

After the grading of an examination has been completed, all candidates tested will be notified in writing of their exam results. Those candidates passing the exam will be notified of which score band he or she is in on the candidate list. The banded candidate list shall be used to provide hiring departments with names of certified candidates available for hire.

(4) The appointing authority shall appoint to the vacant position one of the individuals whose name is certified.

(5) The Commission may certify less than ten names to the Appointing Authority if ten names are not available. When less than ten names are certified to an Appointing Authority, appointment from that list shall not be mandatory, and the Appointing Authority may request that the Commission administer a new examination.

(6) For each two appointments or conditional offers made from a candidate list, an appointing authority may request that the Commission omit from future certifications to such appointing authority up to two individuals who have been considered two or more times, but not appointed.

c. **Number of Names to be Certified from Promotional Exam**

The Commission shall, except as provided for in Sections ~~124.30 and 124.32~~ of the Ohio Revised Code, certify to the appointing authority thereof the names of the ten (10) candidates standing highest on the eligibility list for the class or grade to which said position is classified. In the case of a position in the classified service which is to be filled by a promotion or in the case of the selection of a Police or Fire Chief, the Commission shall, except as provided for in Sections 124.30 and 124.32 of the Ohio Revised Code, certify to the appointing authority the names of the three (3) candidates standing highest on the eligibility list for the class or grade to which said position is classified.