

City of Coeur d'Alene Civil Service Rules



Coeur d'Alene Fire Department

Last Amended: April 5, 2016

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CIVIL SERVICE RULES

Rule 1 GENERAL

Section 1. PURPOSE: The general purpose of these rules is to provide information and standards for the establishment, maintenance, and duration of applicant pools maintained by Civil Service and assuring all persons in the classified service receive fair and impartial treatment.

Section 2. MEETINGS: Meetings of the Commission shall be held whenever called by the civil service commission chairman, or by two (2) commissioners.

Section 3. AMENDMENTS: No amendments to these rules, or suspension thereof, shall be made except under the approval of the City Council.

Section 4. ORDER OF BUSINESS: Robert's "Rules of Order," except as otherwise herein provided, shall guide the commission in its proceedings.

Section 5. CIVIL SERVICE ADVISORY BOARD: A Civil Service Advisory Board shall be established to serve as a review panel which will seek for resolution of grievances and/or appeals prior to coming before the Civil Service Commission. The Advisory Board will consist of the Human Resources Director or his/her appointee, the Fire Chief, the City Administrator or his/her appointee, and the Local 710 President or his/her appointee.

Section 6. FIRE CHIEF: The term "Fire Chief," as used herein, shall include the Fire Chief, and his/her designees.

Rule 2 CLASSIFICATION

Section 1. CLASSIFICATION: For the purposes of conducting examinations, certifying eligibles for appointments and promotions and in making removals, the Fire Department of the City of Coeur d'Alene shall be divided into and restricted to such ranks as the City Council may adopt. No alteration to any such rank or individual within said rank shall be made except under and according to the rules hereinafter mentioned.

Section 2. TITLES: Titles for each position in the classified service shall be descriptive of the general duties and indicative of the rank.

Section 3. NEW POSITIONS: Whenever a new rank is created, report of such action shall be made to the Commission by the department head, setting forth a statement of the general duties of such position.

Section 4. No portion of these rules shall in any manner whatsoever apply to the positions of Fire Chief or Deputy Chiefs except as specifically provided herein.

Rule 3 QUALIFICATIONS

Section 1. An applicant not currently covered by these Civil Service Rules must meet the following criteria:

- (a) Must be a citizen of the United States of America and must be able to read and write the English language.
- (b) Must be a minimum of nineteen (19) years of age at the time of written examination.
- (c) Must successfully pass a background check and a physician's medical/physical examination.

Section 2. DISQUALIFICATIONS: The City may refuse to examine an applicant, or after examination, to certify an eligible and may remove his/her name from the eligible list for any of the following reasons:

- (a) Dismissal from the Armed Forces for delinquency or misconduct.
- (b) Mental or physical unfitness for the position applied for.
- (c) Dishonest, criminal, immoral or notoriously disgraceful conduct.
- (d) Intentional false statement in any material fact, deception or fraud in securing examination, certification or appointment.

Section 3. BURDEN OF PROOF: The burden of proof of good character in all cases shall be upon the applicant and the filing of any certification to that effect shall not debar the City from demanding or obtaining further proof of good character to its full satisfaction.

Rule 4
RECRUITMENT APPLICATIONS

Section 1. APPLICATIONS: No person shall be included in the examination process for a position in the classified service until an application is submitted to the Human Resources Department which shall show that the requirements set forth in Rule 2 are met.

Section 2. FILING APPLICATIONS: The Human Resources Department shall provide not less than two (2) weeks for submission of an application for any examination. A notice of the examination will be published as deemed necessary by the Human Resources Director

Section 3. APPLICATIONS NOT TO BE RETURNED: Applications and accompanying certificates unless returned for correction will remain on file in the office of Human Resources and under no circumstances be returned to the applicants. Applications returned for correction must be back in the office of Human Resources before the application deadline.

Rule 5
RECRUITMENT TESTING

Section 1. TIME, PLACE AND NOTICE: Recruitment testing used to establish an eligibility list for appointment or promotion in the service, shall be held at such times and places as shall be designated by the Fire Chief and Human Resources Director. After the deadline for submitting applications has closed, a written notice of the recruitment testing shall be provided to each person having an application on file. Such notice shall allow the applicant to participate in the testing process.

Section 2. COMPETITIVE: All examinations held under the provisions of these rules shall be competitive.

Section 3. LIMITATIONS: No limitations shall be made as to the number of applicants to be received for examination. The Fire Chief and Human Resources Director may limit the number of applicants to be examined at any one time, according to the needs of the City or for convenience in conducting the examination.

Section 4. SUBJECTS, WEIGHTS AND GENERAL AVERAGES: The testing process shall embrace certain subjects, to which weights shall be assigned, the weight given to each subject to represent its relative value in ascertaining the fitness of the applicant. Each subject tested shall be rated independently by the examiners. The examiners ratings on the scale of 100 on each subject separately shall be multiplied by the weight assigned to the subject. The

resulting products shall be added and the total product divided by the total weights of all subjects in the examinations. The resulting quotient is the general average which shall be used in determining the order in which the name of the candidate shall appear on the eligible list. The physical agility examination shall be pass/fail only and not scored.

Section 5. QUESTIONS SHALL BE PRACTICAL: Examinations shall be practical and relevant to those matters which will fairly test the general fitness of the persons examined to discharge the duties of the position to which they seek to be appointed. No question pertaining to race, gender, age, national origin, religion, disability, marital status, or political opinions or affiliations will be allowed at any examination or proceeding.

Section 6. WRITTEN OR ORAL: Whenever practical, testing shall be in writing, and, when appropriate, include physical and practical tests. The Fire Chief may act as a committee or appoint a committee to conduct examinations and interviews on certain subjects when the chief determines it is the best means of determining a candidate's qualifications for the position applied for. For entry-level firefighter interviews, the committee shall consist of a minimum of three (3) and a maximum of five (5) board members. Three (3) board members will consist of IAFF Local 710 employees in good standing.

In oral examinations, any willful false statement regarding past record or experience shall be grounds for withholding the name of a candidate from an eligible list, and shall be grounds for discharge and disqualifies a candidate from taking any future examinations.

- (a) Conversation and Communication: All conversation or communication between or among applicants during the written examination is strictly prohibited.
- (b) Cannot Leave the Room: During testing, no applicant will be allowed or permitted to leave the room unless approved by the proctor.
- (c) Penalty for Withdrawal: An applicant who withdraws from the written examination after filling out their identification sheet and receiving a copy of the questions shall be considered as having failed.
- (d) Concealing Identity: All examinations shall be conducted and managed so that no written examination paper will disclose the name or identity of any applicant until all the examination papers have been marked.
- (e) Identification Marks: Any applicant in an examination who places any identification mark on their written examination papers shall be deprived of all benefits under such examination, and no papers will be graded having such marks. The following will be "identification marks":

- a. The real name or address of the applicant.
- b. Any assumed or fictitious name or address.
- c. Names of individuals or firms used on any of the answer sheets.
- d. Any initials, lines, sign marks or characters that may indicate the identity of the applicant.

Section 7. MEDICAL EXAMINATION: The Fire Chief will require a medical examination by any physician chosen by the Fire Chief to determine whether applicants for any position are fit for the position applied for. The result of such medical examination shall be considered only in determining the fitness of the applicant to be examined further and shall not be a factor in determining general average in the testing process.

Section 8. VETERANS PREFERENCE: Any employment preference granted to veterans under the laws of the State of Idaho shall be applicable under these rules.

Section 9. INSTRUCTION: All necessary instructions will be given to participating applicants and all applicants are required to follow the directions of the proctor. Testing proctors are forbidden from explaining the meaning of any questions or to make remarks or suggestions that may assist in answers to the test questions.

Section 10. NO HELP ALLOWED: No help of any kind will be allowed during any examination. Any written or printed matter that might be of aid in any testing process, must be handed in before the testing begins. Any attempt to cheat or copy from a competitor as an entry-level applicant, will render the applicant ineligible for public service at any time. Any attempt to cheat or copy as a promotional applicant, may result in discipline up to and including termination.

Section 11. TEST SCORING: No unnecessary delay will occur in the scoring of any test.

Section 12. NOTICE OF RESULT: As soon as scoring is completed the applicants will be notified of their result and whether they passed or failed, and their position on the eligible list.

Section 13. PAPERS NOT RETURNED: After the testing is completed, and the eligible list established, all recruitment documentation becomes the property of the City and will be kept on file in the Human Resources Department.

Section 14. PROMOTIONAL EXAMINATION: Promotional examinations will be conducted under the same rules that apply to original entrance examinations.

Section 15. EXAMINING BOARD: Any examining board or proctor may include any such person as may be appointed by the Fire Chief.

Section 16. POSTPONEMENT OF CONTINUANCE OF EXAMINATION: Whenever it may appear to the Fire Chief, by reason of the small number of applicants for any examination, either original or promotional, that such examination has not been given sufficient publicity, or for other good and sufficient cause, the process may be postponed to a later date. All persons having applications on file shall be immediately notified of the postponement or continuance and shall be further notified of the time at which they are to appear for such examination.

Rule 6 FIREFIGHTER ENTRY-LEVEL LIST

Section 1. MINIMUM STANDING: Entry-level applicants whose general average upon examination is less than seventy (70) percent shall be excluded from the eligible list of candidates, and they shall be considered as having failed.

Section 2. ENROLLMENT: Successful entry-level candidates shall be enrolled upon the "Eligible List" in the order of their general average standing. When two or more eligibles have received the same average rating, the first filing their applications shall have priority.

Section 3. EXPIRATION OF LISTS: All persons who have been on the Eligible List for two (2) years without appointment shall be removed therefrom and can only be returned thereto upon regular examination.

Section 4. APPLICANT ON TWO LISTS: Applicants may be enrolled on two (2) eligible lists at the same time.

Section 5. APPOINTEE AND APPLICANT: Any appointee to a position from the eligible list shall be permitted to hold rank on only one other eligible list.

Section 6. REMOVALS FROM THE ELIGIBLE LISTS: The Human Resources Department shall remove the name of an eligible from the list if the eligible has:

- (a) Failed to receive appointment after three (3) certifications.
- (b) Failed to respond to a notice of appointment within four days; however, if the candidate presents satisfactory reasons for such failure to respond within thirty (30) days, the Commission may reinstate his/her name upon the eligible list.
- (c) Been dishonorably discharged from the Armed Forces.

- (d) Or for cause as in Rule 3, Section 4.
- (e) Nothing in these rules shall prohibit the City Council from reducing the force employed, but such reduction shall be effected in inverse order of seniority of employment, and any employee who is removed on this account shall be placed at the head of the eligible list.

Rule 7 CERTIFICATION

Section 1. REQUISITION AND CERTIFICATION: Whenever a position in the Classified Civil Service is to be filled, the Fire Chief shall request in writing to the Human Resources Director for the certification and list of eligibles, and the Human Resources Director shall, as soon as possible, certify to the Fire Chief the names of five (5) times the number of persons necessary to fill an entry-level firefighter position and three (3) times the number of persons necessary to fill any promotional position. The Human Resources Director shall always certify the persons having the highest standing on the eligible list for the position to be filled;; and further that a less number may be certified when there is not the required number on the eligible list. All persons not appointed shall remain on the eligible list in the relative position.

Section 2. APPOINTMENT: The Fire Chief shall notify the Human Resource Director in writing, the names selected for appointment.

Rule 8 APPOINTMENTS

Section 1. APPOINTMENTS HOW MADE: No appointing official shall select or appoint any person for a position, employment or promotion within the classified service, except in accordance with the Civil Service Rules.

Section 2. VACANCIES HOW FILLED: Vacancies in the classified service if not filled by transfer, shall be filled by requisition and certification as provided in Rule 7 Upon receipt of a certification, the appointing official shall within thirty (30) days, appoint one of the persons certified to fill the vacant position. Filling vacancies for promotional appointments for employees on an approved leave of absence or on account of military leave will be as follows:

- (a) A person certified from a promotional list who is on an approved leave of absence or on account of military service may be appointed.
- (b) A person so appointed shall be re-employed in the appointed promotional

position upon meeting position qualifications.

- (c) When, upon such appointment, the position remains vacant by reason of the absence of the appointee, a temporary appointment may be made pursuant to Rule 9, Section 2.

Section 3. RE-APPOINTMENT: When the name certified is one which has been removed due to reduction of force, the appointing official shall have no choice. The person so certified must be appointed within ten (10) days.

Section 4. PROMOTIONAL APPOINTMENTS: When a vacancy is filled by promotion, certification and appointment shall be made in the same manner as provided in Rule 7 and in Section 2 of this rule.

Section 5. DECLINATION OF APPOINTMENT: Whenever an eligible has been appointed and declines to accept the appointment, he/she shall not be reinstated upon the eligible list unless the reason for declining such appointment shall be considered satisfactory by the City.

Section 6. PROBATIONARY PERIOD: Firefighters certified from an original entrance eligible list shall be on probation for a period of one (1) year of actual service. Probation period shall not include time served as a provisional employee but shall date from the time of regular appointment from an eligible list. Within ten (10) days of the termination of such probationary period, the appointing official shall notify Human Resources that said employee has met the requirements of the Department. The probationary period may be extended by the Department Head and the Human Resources Director for a time not to exceed six (6) additional months.

Section 7. INCOMPETENT PROBATIONERS: If the appointee shall be found incompetent or inefficient in the performance of the duties of the position he is filling, the appointing official shall notify Human Resources and such probationer shall be dropped from the service.

Section 8. CHANGE OF POSITIONS: An employee who leaves a position to accept employment by certification from another eligible list shall be permanently separated from the position formerly held, except as in this rule otherwise provided and may be reinstated in any vacancy in the same rank from which employee was separated; and provided further, that where an officer or employee accepts certification to a higher position, the duties of which are merely temporary, employee shall be reinstated in their former position without loss of seniority when such higher duty is completed.

Rule 9
PROVISIONAL, TEMPORARY AND EMERGENCY APPOINTMENTS

Section 1. PROVISIONAL APPOINTMENT: Upon receipt of a requisition for persons to fill a vacancy for which no eligible list exists, the Human Resources Director may grant authority to the appointing official to make a provisional appointment pending examination. As soon as an eligible list is secured for a position filled by provisional appointment, the Human Resources Director shall certify in the usual manner the names of the eligibles standing highest on such eligible list and the appointing official shall make regular appointment within thirty (30) days of such certification. If no such appointment be made the provisional appointment shall terminate at the expiration of the aforesaid thirty (30) days, unless otherwise approved by appointing official and the Human Resources Director.

Section 2. TEMPORARY APPOINTMENT: When services to be rendered are of a temporary character for a limited period, or during a leave of absence, which has been approved by the City, of an employee who will return to the service of the City, the appointing official shall inform the Human Resources Director, stating the duration of such period, the rate of compensation, the authority for employing such temporary service, and other conditions of employment, and may select for such employment one of the first five persons on the eligible list, who, after due notice of conditions, is willing to accept appointment. Provisional and temporary appointment shall not confer upon the appointee any privilege of appointment, promotion, transfer or reinstatement to any other position in service.

Section 3. EMERGENCY APPOINTMENTS: In cases of emergency, and for the purpose of preventing the stoppage of public business, the appointing official may make an emergency appointment for a period not to exceed thirty (30) days. Successive emergency appointments of the same person shall not be permitted. Immediate report in writing of emergency appointments must be made to the office of the Human Resources Director.

Rule 10
PROMOTIONS

Section 1. METHOD OF PROMOTION: Whenever a vacancy in the classified service exists, unless such vacancy is to be filled by transfer, it shall be filled by promotion from the current eligibility list. Promotion shall be accomplished by means of a competitive examination. Should all candidates fail to pass, re-examination for promotion will be ordered. Should no eligible candidates register, an open competitive recruitment process may be held.

Section 2. NOTICE OF PROMOTIONAL EXAMINATION: Notice of promotional examination shall be in the Human Resources Department and in the Fire Department, and

posted not less than thirty (30) days prior to the examination. Such notice shall give the date and process of the examination, and shall include eligibility requirements.

Section 3. EXAMINATIONS: The rules governing promotional examinations shall, except as herein provided, be the same as for original entrance examinations.

Section 4. EXAMINATION CHALLENGES: An applicant may challenge the scope and content of examination questions except questions asked in the oral interview. All challenges must be filed in writing with the Human Resources Department before 5p.m. on the business day following the date when the applicant took the examination.

Section 5. AVERAGES AND ELIGIBLES LISTS: Applicants' examinations shall be scored on the scale of 100%, and no applicant shall be entered on the eligibility list, who fails to attain at least 70% on each step of the promotional examination process, with the exception of the oral interview. The oral interview score will be averaged with the other exam steps regardless of score. Overall testing average must be a minimum of seventy (70) percent to be placed on the eligibility list. When two or more applicants have the same average rating, preference on the eligible list shall be determined by the order in which they were hired with the Coeur d'Alene Fire Department. If applicants were both hired on the same day, preference shall be determined by the ranking from the original eligible list from which they were hired as an entry-level firefighter.

Section 6. REQUISITION AND CERTIFICATION: Requisition and certification shall be governed by Rule 6.

Section 7. EXAMINATION AND PROMOTIONAL ELIGIBILITY:

- (a) Fire Engineer: To be eligible to enter an examination and for promotion to Fire Engineer, a person must have worked at least thirty-six (36) current consecutive months for the City of Coeur d'Alene Fire Department.
- (b) Fire Captain: To be eligible to enter an examination and for promotion to Fire Captain, a person must have worked at least seventy-two (72) current consecutive months for the City of Coeur d'Alene Fire Department and hold current Fire Engineer certification or above.
- (c) Battalion Chief: To be eligible to enter an examination and for promotion to Battalion Chief, a person must have worked at eighty-four (84) current consecutive months for the City of Coeur d'Alene Fire Department and have held the rank of Fire Captain for a minimum of twelve (12) consecutive months.

- (d) Fire Inspector: To be eligible to enter an examination and for promotion to Fire Inspector, a person must have worked at least twelve (12) current consecutive months for the City of Coeur d'Alene Fire Department in the rank of firefighter.
- (e) An employee shall not be permitted to participate in a promotional examination while on disciplinary probation.

Section 8. WORKING OUT OF CLASS

- (a) Eligibility to work out of class as Fire Engineer: Must have at least twenty-four (24) current consecutive months with the Coeur d'Alene Fire Department and must pass the Coeur d'Alene Fire Department Fire Engineer Certification Program or be on the current Fire Engineer promotional list. Battalion Chief approval.

Fire Engineer Certification: Consists of completion of department required prerequisites. The Fire Engineer Certification shall be good for a maximum of two (2) years.

- (b) Eligibility to work out of class as Fire Captain: Must have at least sixty (60) current consecutive months with the Coeur d'Alene Fire Department. Must have a current Fire Engineer Certification and current Fire Officer Certification. Battalion Chief approval required.

Fire Officer Certification: Consists of completion of department required prerequisites. The Fire Officer Certification shall be good for a maximum of two (2) years.

- (c) Eligibility to work out of class as Battalion Chief: Must have at least seventy-two (72) current consecutive months with the Coeur d'Alene Fire Department, twelve consecutive months of which in the position of Fire Captain. Deputy Chief approval required.

Section 9. APPLICATIONS: Applications shall be made upon a form prescribed and furnished by the Human Resources Department, and shall be filed in the Human Resources Department on or before the deadline stated on the promotional announcement.

Section 10. SENIORITY IN PROMOTION: Credit shall be given for length of current consecutive service in the City of Coeur d'Alene Fire Department, and shall be given by adding to an overall promotional test score of 70% or above as follows:

	Possible
For years of service less than three (3)	0 .0
For three (3) full years of service.....	1.0 1.0
For each full year of the next six (6) years of service (4 th year through the 9 th year).....	0.5 3.0
For each additional year of service (maximum 14 years total service) (10 th year through the 14 th	0.2 1.0
TOTAL.....	5.0

**Rule 11
REMOVALS AND SUSPENSIONS**

All persons in the classified civil service shall be subject to removal, suspension, demotion or discharge from employment by the head of the department pursuant to the department's progressive discipline standard operating procedures.

If the grievance procedure per the local 710 collective bargaining contract does not apply or if the grievance committee does not find the grievance meritorious, the aggrieved party shall have the right, within ten (10) days, from the time of removal, suspension, demotion or discharge, or after the decision of the grievance committee, whichever is later file with the commission a written demand for an investigation, whereupon the commission shall conduct such investigation. The investigation shall be confined to the determination of the question as to whether such removal, suspension, demotion or discharge was made for political or religious reasons, or was made in good faith or for cause. All investigations made by the commission pursuant to the provisions of this section shall be by public hearing after reasonable notice to the accused of the time and place of such hearing, at which hearing the accused shall be afforded an opportunity of appearing in person or by counsel and presenting his/her defense.

**Rule 12
APPEALS AND HEARINGS**

A party aggrieved by the determination of the commission regarding the removal, suspension, demotion or discharge of an employee may appeal therefrom to the District Court of the state of Idaho, in and for the county of Kootenai . The District Court shall thereupon proceed to hear and

determine such appeal in a summary manner; provided, however, that such hearing shall be confined to the determination as to whether the judgment or order of removal, discharge, demotion or suspension made by the commission, was made for political or religious reasons or was made in good faith for cause, and no appeal to such court shall be taken except upon such ground or grounds.

Rule 13
GROUND FOR REMOVAL, DISCHARGE OR SUSPENSION

Section 1. Each incumbent shall hold office, place, position or employment under the provision of these rules and any such person shall be disciplined pursuant to the progressive discipline standard operating procedures of the department and for violations of the city's personnel rules.

Section 2. The classified Civil Service shall consist of all places of employment now existing or hereafter created in under the Fire Department of Coeur d'Alene. No appointment to any of the places of employment in said department shall be made except under and according to law and the rules and regulations of the Civil Service Commission. The Fire Chief and Deputy Fire Chiefs may be appointed from within the classified Civil Service, if replaced for any reason which would not warrant dismissal from the department, shall have the opportunity to be returned to the rank held with the City of Coeur d'Alene Fire Department prior to the time of appointment if there is an open position at the time of replacement or within twelve (12) months and must meet the qualifications of the position.

Rule 14
LAY OFF

Section 1. LAY OFF: Whenever it becomes necessary in any department, through lack of work or funds, or for other good causes, to reduce the force in any department or employment, the persons working in such department who was last certified for appointment for such employment shall be the first laid off. Seniority in appointment shall control in lay-off cases. When reductions in work force create a need for demotions, the last person promoted shall be the first person demoted. Demotions shall be to the previously held rank only.

Section 2. REINSTATEMENT: The names of persons laid-off in accordance with Section 1 of this rule shall be placed at the head of the eligible list and shall have precedence for reappointment as in Rule 7, Section 3.

**Rule 15
REPORTS**

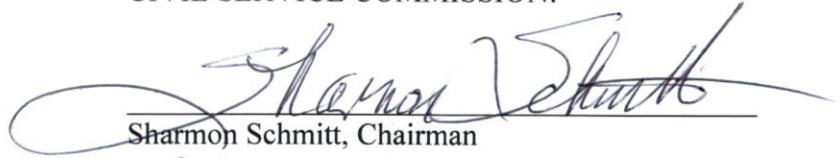
Section 1. REPORTS FROM ELIGIBLES AND EMPLOYEES: Each eligible and employee shall report to the Human Resources Department:

- (a) Any change of address and telephone.
- (b) Any failure to accept appointment or promotion with the reasons therefor.
- (c) Any desire that his/her name be withheld from certification or that it be dropped from the list.

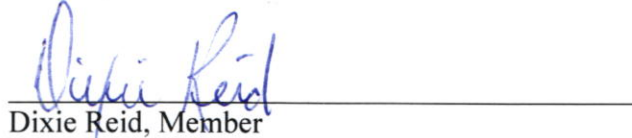
Section 2. REPORTS FROM HEADS OF DEPARTMENTS: Department head shall notify Human Resources of all appointments and resignations and consult with the Human Resources Director on related employee matters. :

BE IT RESOLVED by the Civil Service Commission that the foregoing rules be, and the same are hereby, adopted by the Civil Service Commission of the City of Coeur d'Alene, and that the Secretary of the Commission certify a copy thereof to the City Council of the City of Coeur d'Alene for its approval, the effective date of these rules to be the date of such approval by the City Council.

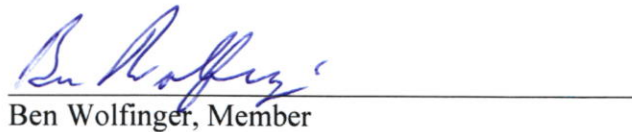
CIVIL SERVICE COMMISSION:



Sharmon Schmitt, Chairman



Dixie Reid, Member



Ben Wolfinger, Member

Attest:



Tom Greif, Secretary