

CITY OF STOCKTON CIVIL SERVICE RULES AND REGULATIONS FOR POLICE AND FIRE EMPLOYEES

Rule I DEFINITION OF TERMS

SEC. 5. **PERSONNEL OFFICER**: The City Manager of the City of Stockton, or designee.

Rule III CIVIL SERVICE COMMISSION

SEC. 3. PUBLIC HEARINGS:

Hearings and investigations that the Commission is authorized to conduct shall be public and shall be conducted as a body, but special investigations and detailed work may be delegated to a single member or to the **Personnel Officer**. The procedure of any hearing or investigation shall be informal and shall not be restricted so as to deny the introduction of any evidence that the Commission may deem pertinent. Unless incapacitated, a person pressing a claim or defending a privilege before the Commission shall appear personally and shall not be excused from answering questions and supplying information except upon claim of constitutional privilege in respect to self-incrimination. All decisions, opinions, and recommendations arising from a hearing or investigation by the Commission shall be written and subscribed to by the members concurring, and shall be countersigned and filed as a permanent record by the **Personnel Officer**. Any member may submit a minority or supplemental report which shall be filed as a matter of record.

Rule IV CLASSIFICATION

SEC. 1. PREPARATION OF PLAN:

The Personnel Officer, or any agency selected for that purpose, shall ascertain and record the duties and responsibilities of all positions in the classified service and, after consultation with appointing authorities and heads of departments affected, shall recommend a classification plan for such positions. The classification plan shall consist of classes of positions in the classified service defined by class specifications, including title, a description of typical duties and responsibilities of positions in each class, and a statement of minimum qualifications to be required of applicants for positions in each class. The classification plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, authority, and character of work are included within the same class, and that the same schedule of compensation may be made to apply with equity under like working conditions to all positions in the same class. (Amended by Resolution CS2016-06-16-1201)

SEC. 3. RIGHT OF APPEAL:

After the classification plan has been adopted by the Commission, the **personnel officer** or an agency selected for that purpose shall allocate every position in the competitive service to one (1) of the classes established by the plan. Any employee shall have the right to appeal to the Commission concerning the allocation of his position in accordance with Section 3 of the civil service ordinance. (Amended by Resolution CS2016-06-16-1201)

SEC. 4. MAINTENANCE OF PLAN:

Whenever a change in organization, functions, or duties of an individual position makes necessary a revision of a class specification, the **Personnel Officer**, or any agency selected for that purpose, shall recommend to the Commission the new or revised class specification for the rank affected. The Commission shall hold a public hearing on the proposed new class specification or revision and shall incorporate the class specification into the position classification plan.

Reclassification shall not be used for the purpose of avoiding restrictions surrounding demotions and promotions. (Amended by Resolution CS2016-06-16-1201)

Rule VI PROMOTIONAL EXAMINATIONS

SEC. 11. TIMING OF NEW EXAMINATION FOLLOWING EXHAUSTION, EXPIRATION OR ABOLISHMENT OF PRIOR ELIGIBLE LIST:

(a) Time of New Examination. In all cases where no reemployment list exists, and a police or fire promotional eligible list containing eligibles is due to expire, or the eligible list has been exhausted, or the Commission desires to abolish the eligible list, the timing of the new examination shall be determined by resolution of the Civil Service Commission upon request of the **Personnel Officer**.

Rule VII CERTIFICATION AND APPOINTMENT

SEC. 7. REINSTATEMENT, TRANSFER, AND VOLUNTARY DEMOTION OF PROBATIONARY EMPLOYEES:

(c) Filling Vacancies. Probationary employees requesting transfer, reinstatement, or voluntary demotion, upon approval of the **Personnel Officer**, shall first fill vacancies in the originating department. If there are no vacant positions in the originating department, employees may fill positions in other departments as set forth in subsection (b), above.

SEC. 8. APPOINTMENT:

The appointing authority shall make the appointment from those persons certified, and shall immediately notify the Commission. The **Personnel Officer** shall notify the person appointed. If an appointee does not report for duty within the time prescribed by the appointing authority, he shall be deemed to have refused appointment.

Rule VIII PROBATIONARY PERIOD

SEC 1. GUIDELINES FOR IMPLEMENTATION:

(e) Rejection of Probationer. During the probationary period an employee may be rejected at any time by the appointing authority for any cause without the right of review of any kind; except that a probationary Miscellaneous employee appointed to any entry-level sworn position in the Police or Fire Department in accordance with these Rules, who has successfully completed at least six (6) months of probation in a Miscellaneous class, in lieu of being released from probation, may be reinstated to the Miscellaneous class previously held upon recommendation of the affected department heads and a written request to and approval by the Commission.

Employees reinstated pursuant to this provision shall be subject to a new probationary period designated for that class beginning on the first day of reinstatement.

This provision shall not be effective unless there is a vacancy in the Miscellaneous class and the **Personnel Officer** approves the filling of such vacancy. (Amended by Resolutions CS10-021, 08/19/10; CS07-126, 09/20/07; CS07-071, 05/17/07; CS06-091, 08/03/06; CS06-030, 02/09/06; CS05-155, 11/17/05; CS05-065, 05/19/05; CS04-092, 09/02/04; CS04-078, 07/15/04; CS01-077 7/19/01; 5795, 3/19/81; CS87-26, 3/19/87)

Rule IX ATTENDANCE AND LEAVES

SEC. 2. SICK LEAVE:

(d) In order to receive compensation while absent on sick leave, the officer or member shall notify his immediate superior or the Chief of the department prior to the time set for beginning his daily duties or as may be specified by the Chief of his department. When absence from duties on account of sickness or disability is for more than five (5) days, said officer or member shall file with the Chief of his department and transmit to the **personnel officer** a certificate from a regularly certified physician, clearly specifying the character and nature of such sickness or disability, and probable duration of such sickness or disability. When absence from duties on account of sickness or disability is for more than four (4) hours the Chief may require the filing of said medical certificate for each day of sickness or disability. These medical certificates must be filed as often as required by the Chief of his department during the continuance of such sickness or disability, but in any event must be filed once each five (5) days. Upon approval of the Chief of their respective departments, a personal affidavit may be accepted in lieu of a physician's certificate.

A refusal to submit a physician's certificate as herein required shall constitute good and sufficient cause for suspension, demotion or dismissal of said employee from the classified service of the City of Stockton

SEC. 7. ATTENDANCE:

Every employee in the classified service of the City of Stockton shall be in regular attendance at his work of assigned duties for the City at the time prescribed by or for the department in which he is employed during his normal or regular days of employment each week, in accordance with the rules regarding hours of work, holidays, and sick leave.

The Chiefs of both departments shall cause to be kept attendance records of the employees in the classified service which shall be reported to the **Personnel Officer** in the form and on the dates he shall specify.

Rule XI TRAINING OF EMPLOYEES

SEC. 1. RESPONSIBILITY FOR TRAINING:

Responsibility for developing training programs for employees shall be assumed jointly by the Commission, the **personnel officer** and the Chiefs of each department. Such training programs may include lectures, courses, demonstrations, assignment of reading matter, or such other devices as may be available for the purpose of improving the efficiency and broadening the knowledge of municipal officers and employees in the performance of their respective duties.

SEC. 2. CREDIT FOR TRAINING:

Employees who enroll in and successfully complete extension, correspondence, or other special training courses may report to the **personnel officer** their actions and progress, and the **personnel officer** may offer such advice and assistance as may be within his or her power. The successful completion of specialized training courses may be noted in the employee's human resources and/or departmental personnel file(s). (Amended by Resolution CS2014-04-17-1101)

Rule XIIA APPEALS FOR FIRE EMPLOYEES

SEC. 2. DISCIPLINARY ACTIONS:

A permanent employee, if discharged, demoted, or reduced in pay, may submit a written appeal to the Commission following receipt of the written notice of discharge, demotion, or reduction in pay. Such appeal must be filed within ten (10) days of receipt of such notice. It shall be the duty of the **Personnel Officer** to inform each Commission member and the appointing authority of such appeal.

Rule XIII RESIGNATION

SEC. 1.

(a) Good Standing. An employee wishing to leave the classified service of the City in good standing shall file with the Chief of his department and the **personnel officer**, at least two (2) weeks before leaving, a written resignation stating the date it shall become effective and the reason for leaving. Failure to comply with this rule shall be entered on the service record of the employee and may be a ground for considering him as having resigned not in good standing.

(b) Voluntary Resignation. Every employee in the classified service of the City of Stockton who shall absent himself from his daily work or assigned duties for the City without a leave of absence from the **personnel officer** for a period of five (5) consecutive work days, shall be deemed by such action to have voluntarily and permanently resigned from his position in the classified service of the City of Stockton, and shall be deemed to have voluntarily and permanently severed and separated himself from his position in the classified service of the City, and from the benefits of the Civil Service of the City of Stockton.

Every such employee by his unauthorized absence as herein specified shall be deemed to have voluntarily and permanently withdrawn from the Civil Service System of the City of Stockton, and to have forfeited his position and classification therein, and the position he occupied shall be deemed vacant.

(c) Every employee in the classified service of the City of Stockton who shall absent himself from his daily work or assigned duties for the City without a leave of absence from the **personnel officer** or the Chief of his department, unless physical incapacity or other circumstances render it impossible or not reasonably practicable to notify the personnel officer or his department, shall be deemed guilty of misconduct, insubordination and disobedience in the discharge of his duties for the City.

Rule XV REPORT AND RECORDS

SEC. 1. ROSTER CARDS:

The **personnel officer** shall maintain a service or roster card for each employee in the service of the City showing the name, title of position held, the department to which assigned, changes in employment status, and such other information as may be considered pertinent.

SEC. 2. CHANGE OF STATUS REPORT:

Every appointment, transfer, promotion, demotion, change of salary rate, and any other temporary or permanent change in status of employees shall be reported to the **personnel officer** in such manner as he may prescribe and receive his prior approval, before final action is taken.

SEC. 3. DESTRUCTION OF RECORDS:

Roster cards shall be kept permanently. All examination papers concerning which there are no legal proceedings commenced or pending, may be destroyed by the Chief Examiner or **personnel officer** of the City of

Attachment B

Stockton, one (1) year or more after such examination is held, provided that the **personnel officer** shall retain on file one (1) sample examination paper from such examination for a period of five (5) years, and upon the expiration of said period of five (5) years, each of said sample examination papers may be destroyed. All other records relating to personnel, including correspondence, applications and reports may be destroyed after five (5) years pursuant to the [Government Code](#) of the State of California.

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