



Civil Service Rules and Regulations
For the
City of Trenton

Adopted September 28, 2020

Trenton Personnel Board

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Rule 1. Administration

Section 1. Appointment of Members

The City of Trenton (“City”) Personnel Board consists of three (3) members appointed by Council. Each Personnel Board member serves a term of three years and may be appointed to consecutive terms by Council. Members of the Personnel Board shall not be compensated for service, any new members appointed to the Personnel Board after the adoption of these Rules and Regulations.

Section 2. Officers and Method of Conducting Meetings

The Personnel Board shall elect officers and conduct its meetings in the manner called for in its rules. Minutes shall be kept of all Personnel Board meetings and actions.

Section 3. Amendments to the Rules

The Personnel Board may amend these rules as may become necessary. Amendments to the rules shall be approved by at least two (2) Personnel Board members. Amendments to the rules shall be noted in the Personnel Board minutes.

Section 4. Removal of Members

Council may remove any Personnel Board member for misfeasance, malfeasance or nonfeasance, by a two-thirds vote of Council. Personnel Board members are expected to be present at all meetings. If a member is unexcused for two consecutive Personnel Board meetings, Council may remove the member from the Personnel Board by a two-thirds vote of Council.

Rule 2. Powers and Duties of the Board

The Personnel Board shall exercise, in extension and not in limitation of state law, the following powers and perform the following duties and functions:

- To adopt and promulgate rules and regulations relating to the procedures of the Personnel Board in administering the laws which it has authority or duty to administer.
- To adopt rules for the determination of merit and fitness as the basis for appointment and promotion of employees in the classified service of the City.
- To provide, conduct and grade all examinations for positions in the classified service.
- To prepare eligible lists containing the names of persons qualified for appointments to positions in the classified service.
- To define “unskilled labor” as the term is used in the City Charter.
- To make such reports as may seem necessary.
- To hear appeals from employees in the classified service, relative to demotion, layoff, suspension, or dismissal. The Personnel Board may affirm, disaffirm or modify the action of the appointing authority and its decision is final.

Rule 3. Classification

Section 1. Classified and Unclassified Service

All offices and positions in the Service of the City, except those specifically exempted by the City Charter, shall be in the Classified Service and subject to the Rules of the Commission (“Classified Service”). The Unclassified Service shall include all positions not included in the Classified Service (“Unclassified Service”). The City Manager shall maintain a list of all City Classified positions and Unclassified positions.

Employment in a position in the Classified Service shall be subject to the rules of the Personnel Board.

Positions in the Unclassified Service are exempt from all examinations. Persons holding positions in the Unclassified Service do not have the right of appeal to the Personnel Board.

Section 2. Adding New Classifications

New Classifications are created by the City Department Director (“Appointing Authority”) with approval by Council through Ordinance. The Appointing Authority shall inform the Personnel Board and provide the Personnel Board a written position description of the duties and responsibilities of every new Classification.

Rule 4. Applications for Examinations

Section 1. Application Forms

Applications to take an examination shall be made on a form approved by the Personnel Board.

Section 2. Supporting Documentation

The Appointing Authority may require any applicant to submit adequate proof to verify any statement made on the application.

Section 3. Application Submission Deadline

Any applicant wishing to submit an application for employment must submit his or her application no later than the closing date.

Section 4. Rejection of Applicants

The Appointing Authority may reject any application for cause, among which the following shall be sufficient:

- A. That the applicant lacks any of the minimum qualifications set forth in the official classification description.
- B. That the applicant does not meet the applicable age requirements.
- C. That the applicant does not meet the physical requirements of the position.
- D. That the applicant has intentionally made a false statement in the application.
- E. That the applicant was previously employed in the classified service and was removed for cause or resigned while not in good standing.
- F. The applicant fails to comply with the requirements set forth in the job posting or violates written or verbal instructions given by the examination proctor(s).

Any applicant who is rejected shall receive written notification of rejection.

Rule 5. Examinations

Section 1. Public Notice of Competitive Examinations (Competitive Job Postings)

The Appointing Authority shall provide public notice of the time and place of every competitive examination at least ten (10) days in advance.

Section 2. Competitive Examinations (Competitive Recruitment)

- A. Competitive examinations may consist of: written, oral, performance or physical or fitness tests; medical or psychological examinations; demonstrations of manual skill;

evaluation of training and experience; evaluation by any other professionally accepted method; or any combination of the above.

- B. Written exam scores of seventy percent (70%) or greater—unless the scale is unique and then the passing score will be determined by the Appointing Authority with approval of the Personnel Board—will be considered passing.
- C. The Appointing Authority shall determine the appropriate value and weight for each segment or phase of an examination, the means of evaluating examination results and determining the passing level with approval from the Personnel Board.
- D. Examinations may be scored according to point values or evaluated on a pass/fail basis.
- E. Minimum passing points may be established for the entire examination process or for some or all of the segments or phases of the examination process by the Appointing Authority with approval from the Personnel Board. The Appointing Authority may, but is not required to, eliminate a candidate who fails to maintain a minimum qualifying score in one part of the examination from participation in subsequent phases of the testing process.
- F. The Appointing Authority may adjust the minimum passing or qualifying score when an assessment of the examination results indicates such action is appropriate and in the best interest of the City of Trenton with the approval of the Personnel Board.

Section 3. Scope of Competitive Examinations; Fitness Tests

All fitness tests shall be practical in character, shall relate directly to those matters which will fairly test the relative capacity of the person examined to discharge the particular duties of the class of positions to which the appointment is sought, and shall, when appropriate, include tests of physical qualifications, health and manual skill.

Section 4. Non-Competitive Examinations (Non-Competitive Recruitment)

Non-competitive examinations shall be regarded as exceptional and may be held only for positions requiring peculiar and exceptional qualifications of a scientific, managerial, professional or educational nature. The City Manager or the Personnel Board may designate a position for testing by non-competitive examination. Non-competitive examinations shall be open to all qualified applicants and be of such nature as to determine whether or not the applicant possesses the minimum qualifications specified in the class description. Applicants who meet established minimum qualifications shall have their name placed on the eligibility list.

Section 5. Unauthorized Aids in Competitive Examination

When an applicant in any competitive examination is found to be using, without permission, any extraneous means of information, to assist him or her in answering the questions the applicant will receive a score of zero (0) on the examination.

Section 6. Disqualified from Re-Examination

Any City employee who is dismissed from City service for misconduct or delinquency or who resigns while not in good standing shall be disqualified from taking any competitive or non-competitive examination for at least two (2) years thereafter, unless, in the judgment of the Personnel Board, the cause of his or her dismissal or resignation under charges will not affect the possibility of his usefulness in some other types of employment.

Rule 6. Eligibility Lists

Section 1. Generation of Eligibility Lists

The City Manager or designee shall prepare an eligibility list containing the names of candidates who may be considered for the specific position. An eligibility list must be signed and dated by the Chairperson of the Personnel Board in order to become active. The term of the list shall not be less than six (6) months nor more than two (2) years.

For a competitive examination, candidates' names shall be placed on the eligibility list in rank order, by final rating; the candidate receiving the highest rating (inclusive of any applicable credits, Rule 6, Section 2) at the top of the list and subsequent candidates with passing ratings listed in descending order.

For a non-competitive examination, qualified candidate names shall be placed on the eligibility list in alphabetical order based on last name.

Section 2. Extra Credit Points

- A. Veterans Credit. Any person who has completed service in the uniformed services, who has been honorably discharged from the uniformed services or transferred to the reserve with evidence of satisfactory service, and who is a resident of this state and any member of a reserve component of the armed forces of the United States, including the Ohio National Guard, who has completed more than one hundred eighty days of active duty service pursuant to an executive order of the President of the United States or an act of the Congress of the United States may file with the director a certificate of service or honorable discharge, and, upon this filing, the person shall receive additional credit of twenty percent (20%) of the person's total grade given in the examination in which the person receives a passing grade. A person who receives an additional credit under this subsection (A) shall not receive an additional credit under subsection (B) of this section. (ORC 124.23(C)(2))
- B. Reserve Member Credit. A member in good standing of a reserve component of the armed forces of the United States, including the Ohio National Guard, who successfully completes the member's initial entry-level training shall receive a credit of fifteen percent (15%) of the person's total grade given in the examination in which the person receives a passing grade. A person who receives an additional credit under this subsection (B) shall not receive an additional credit under subsection (A) of this section. (ORC 124.23(C)(1))
- C. No credit shall be added to an applicant's examination grade unless the applicant achieves at least the minimum passing grade on the examination without counting that extra credit. (ORC 124.23(F))

Section 3. Certification of Candidates

For a position to be filled from an eligibility list which is established through the administration of a competitive examination, the Personnel Board shall certify the top ten (10) names or the top twenty-five percent (25%) of the eligible list, whichever is greater. In the event that ten (10) or fewer names are on the eligible list, the Appointing Authority may select any of the listed candidates. (ORC 124.27).

For a non-competitive examination, the entire eligibility list shall be certified to the Appointing Authority.

Section 4. Resolving Ties on Eligibility Lists

Whenever two (2) or more persons competing for the same position earn the same total ranking score the Appointing Authority is provided the discretion to choose the order in which the names are placed on the list. If an applicant is eligible for the Veteran or Reserve Member credit, they shall receive priority in rank on the eligible list compared to nonveterans and nonmembers.

Section 5. Removal from Eligibility Lists

The name of any person appearing on an eligibility list may be removed by the Appointing Authority after approval from the Board under the following conditions:

- A. The eligible person requests in writing that his or her name be removed.
- B. The eligible person cannot be located by postal authorities or other means of ordinary communication within a reasonable time as determined by the Appointing Authority.
- C. The eligible person has been certified three (3) times and has declined to be interviewed or has not been selected for appointment.
- D. For any cause, either specified or not specified in these rules, for which the Appointing Authority determines that a candidate does not possess qualifications or other characteristics which the Appointing Authority determines important for the position being filled. This includes, but is not limited to, honesty, character, ethical behavior and reputation.
- E. The eligible person fails to pass a qualifying test prior to appointment.
- F. The eligible person fails to report or arrange for an interview with the appropriate Appointing Authority within a reasonable time.
- G. The eligible person declines to accept an appointment.
- H. The eligible person is deceased.

Section 6. Abolishment of Eligibility List

An eligibility list may be abolished if:

- A. All the names on an eligibility list have been certified, removed, or employed.
- B. At the discretion of the City Manager he or she determines that such an action is in the best interest of the City with approval from the Board.
- C. At the discretion of the Appointing Authority on account of errors, fraud, or obvious inappropriate standards prescribed in connection with any examination with approval from the Board.

Section 7. Corrections to the Eligibility List

The City Manager or designee may make changes to an eligibility list when such changes are required and in the best interest of the City. Normal conditions which would mandate a change to an existing active eligibility list are:

- A. A clerical error or miscalculation during the scoring process, which results in a candidate appearing on the list who is ineligible, or which results in an inappropriate ranking of candidates.
- B. The omission of a candidate who was eligible to appear on the list.

When the error has been discovered, the eligibility list will be corrected to reflect the accurate information. Such a correction may be unilaterally enacted by the City Manager or designee. If such a correction occurs, there shall be no need to re-establish or re-create a new eligibility list, and the active date shall not change.

Any appointment made prior to the discovery and subsequent correction of any error on an eligibility list shall not be invalidated. Any certification in process shall be continued to its conclusion, unless otherwise determined by the City Manager.

Should significant errors or inaccuracies exist in an active eligibility list, the City Manager may, at his or her discretion, determine that such list be vacated.

Rule 7. Appointment

Section 1. Appointments

When the Personnel Board has certified names to the Appointing Authority consistent with provisions of Rule 6, Section 2 – Certification of Candidates, the Appointing Authority shall select a name from that list to appoint.

Section 2. Probationary Period

All original and promotional appointments of a permanent nature will have a probationary period set by the Appointing Authority of not less than six (6) months nor more than twelve (12) months starting from the first day of employment. No appointment or promotion is final until the appointee has satisfactorily served his or her probationary period.

The length of the probationary period is noted in the description for each classification.

Within thirty (30) days of the expiration of the period of probation, the Appointing Authority shall report to the Personnel Board any reasons for which they desire to remove the employee and the Appointing Authority's decision shall be final.

Rule 8. Promotion

Section 1. Promotional Process

Classified positions above the entry level may be filled by competitive examination, non-competitive examination, or without examination. Unless the City Manager recommends that a promotional examination be open to qualified candidates from outside the City service, promotional opportunities are open only to City employees who have successfully completed their designated probationary period for their current position (unless approved by the Appointing Authority) and who meet the additional requirements specified by these Rules and by the Appointing Authority.

Section 2. Competitive and Non-Competitive Examination Promotional Eligibility

No City employee shall be eligible for a Classified position above the entry level if he or she:

- Has received an overall rating of “Needs Improvement” or “Unacceptable” in his or her last two (2) performance evaluations. (Exception: Where the person has not been in the service for a sufficient length of time to have received two (2) evaluations, he or she must have received an overall rating of at least “meets expectations” in one (1) evaluation).
- Is not currently in a class eligible for promotion to the promoted position, as determined by the Appointing Authority.
- Has been demoted as a result of disciplinary action within one (1) year preceding the promotional examination.

Section 3. Promotion without Exam

The City Manager may authorize a promotion without examination if a vacancy exists and the Appointing Authority establishes in writing to the satisfaction of the City Manager that the

duties performed by the City employee nominated are a natural preparation for the higher position.

Rule 9. Appeals to the Board

Section 1. Employment Actions Subject to Appeal

Any Classified employee who has completed the probationary period (designated or extended) may appeal any demotion, suspension, or dismissal (“Employment Action”) to the Personnel Board for reconsideration.

Section 2. Filing of Employment Action Appeals

Any Classified employee who wishes to appeal (“Appellant”) an Employment Action must submit his or her appeal in writing to the City Manager within ten (10) days of receipt of notice of the contested Employment Action. The Personnel Board shall hear said appeal within thirty (30) days after receipt of the request for hearing.

Section 3. Conduct of Employment Action Appeal Hearings

The Personnel Board is under no obligation to follow legal rules of evidence or procedure, and has the discretion to determine the manner and conduct of each hearing. After hearing and consideration of the evidence, the Personnel Board shall render a decision affirming, disaffirming, or modifying the contested Employment Action. The Personnel Board may further order backpay when restoring the employee to his or her position if deemed appropriate. Any backpay award shall be offset by interim earnings. The Personnel Board may take any alternative action that may be appropriate to the specific circumstances of the case before its consideration, but in no case may it recommend or authorize the payment of monetary damages or award beyond backpay as calculated in this Rule.

The Personnel Board Secretary shall provide the decision of the appeal in writing to the Appointing Authority, the Appellant, and the City Manager.

Section 4. Dismissal of Employment Action Appeal Hearings

The following reasons are grounds for dismissal of the appeal with no further action by the Personnel Board:

- A. Appellant or Appellant’s representative fails to appear before the Personnel Board at the scheduled hearing time.
- B. The acceptance by the Appointing Authority of the Appellant’s resignation before the appeal hearing.