

**CIVIL SERVICE COMMISSION  
RULES**

**CITY OF OTTAWA  
STATE OF ILLINOIS**

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Preamble

Reference to Gender:

Although fully aware of female employees, to avoid awkward sentence structure, masculine pronouns are used throughout this publication. Such use is intended to be non-sexist and non-discriminatory and is intended to refer to both females and males.

DEFINITIONS

As used in these rules: Commission means the Civil Service Commission of the City of Ottawa, Illinois.

Temporary assignment shall mean the temporary change in duties of a member of classified service.

Candidate shall mean a person on a register, as qualified by examination, seniority, or service.

Class means a position, or a group of positions with similar duties and responsibilities, designated by a short title indicating the kind of work to be done.

Classification means assignment of a position to a class.

Classified Service shall mean all offices and positions under the jurisdiction of the Commission which are required to be classified under the provisions of the Statute and City ordinances.

Department shall mean a major operating unit in the government of the City of Ottawa, Illinois.

Eligible Register is a list of one or more candidates by rank who have qualified for appointment to a position of a certain class.

Employee shall mean an incumbent legally employed to perform the work of a position.

Lay-off shall mean a separation of any employee from the City services, which has been made necessary by lack of work or funds, or for other reasons not related to fault, delinquency, or misconduct on the part of the employee.

Original Entrance Examination shall mean open and competitive tests held to determine the fitness of applicants for appointment to position of a certain class.

Position describes a group of duties and responsibilities, assigned or delegated by competent authority, requiring the full-time service of one person, or the part-time service of one or more persons, but not including seasonal, part-time or intern positions.

Promotion means a change of employment from a position of one class to a position of another class, which has a higher rate of pay.

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Promotional Examination shall mean a competitive test, or a combination of tests, to determine the fitness of applicants for appointment to positions of a certain position in the Classified Service and open only to classified employees as active duty in the grade from which promotion is sought.

Resignation is an act by which an employee voluntarily separates himself from his employment.

Rules shall mean the Rules of the Civil Service Commission of the City of Ottawa.

Seniority shall mean a status, which accrues after completion of the probationary period, a term used to describe time worked in a class computed in accordance with the provisions of the Statute and these Rules.

Statute shall mean the Act of the General Assembly of Illinois entitled An Act Relating to the Civil Service of Cities approved March 20, 1995, and subsequent amendments.

Suspension shall mean the temporary debarring of a member of the Classified Service or probationary employee from his/her position and the performance of functions and privileges due to that position.

Termination shall mean the action by the Appointing Authority to discontinue service of an employee; in the interest of the City, or upon the failure of an employee to meet certification requirements; and/or upon the death, retirement, or inability of an employee to return from a leave of absence.

Vacancy shall mean a position duly created, which is not occupied, and for which a valid requisition has been received by the Commission.

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**RULE I**  
**GENERAL PROVISIONS**

- 1.1 Meeting of Commission - Meetings of the Commission shall be held at the office of the Commission at the call of the president or any two members, and written notice of the date, time, place and object of the meeting shall be mailed to each member by the secretary, at least four days prior to the meeting.
- 1.1 Amendment of the Rules - No amendment of these rules shall be adopted at the same meeting, which it is proposed, and no final action shall be taken on any amendment less than seven days after it is proposed. Notice of such amendment shall be published once in a daily newspaper or by pamphlet and shall not become effective until at least ten days after publication.

**RULE II**  
**CLASSIFICATION PLAN**

2.1 Classified Service- The Civil Service Commissioners of the City of Ottawa do hereby classify all offices and places of employment in said City, pursuant to law.

2.2 Classification Plan- The Commission shall maintain a plan to be known as the Classification Plan of the Civil Service of the City of Ottawa by which positions in the classified service shall be assigned to such classes as may be deemed desirable by the Commission.

The Commission reserves the power to amend this classification plan in order to establish new classes, abolish existing classes or to combine two or more existing classes. The Commission shall have no power to create or abolish positions.

2.3 Class Specifications - The Civil Service Commission shall establish and maintain in the personnel office of the City of Ottawa a copy of the specifications currently in force for each class of positions. This copy of the specifications for various classes shall be open to inspection by the public during office hours. These specifications shall include:

- a. The official title of each class.
- b. A statement to the nature of work, examples of work, duties to be performed and responsibilities exercised for each position.
- c. Minimum qualifications necessary to be considered eligible to take the examinations.
- d. Any special qualifications necessary for successful performance in the position.

The City Council and/or heads of departments shall co-operate and advise the Commission in the formulation of specifications, responsibilities, and qualifications.

2.4 Content and Meaning of Class Specifications - The specifications for any position or class are intended to be descriptive only, not restrictive. The employee is expected to perform any related tasks or under emergency conditions, any reasonable task as required by the department head.

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2.5 Classification of New Positions - Before a new position is established, the department head must present to the Commission a full statement of duties, responsibilities of the new position(s), together with his recommendations regarding title, qualifications needed and rates of compensation.

2.6 Changes in Duties - No substantial change in duties or responsibilities of any existing position shall be made without the approval of the Commission. Any permanent changes that may result in a change in qualifications and requirements must be approved by the Commission through a request that a new position be created in accordance with the procedures set forth in Section 2.4.

2.7 Duties in Two or More Departments - Any officer or employee may be required to perform duties in two or more departments as may be necessary or proper for the efficient and economical conduct for the business of the city.

2.8 Use of Official Title - When a position is allocated to a class, the class title shall become the title of the position and shall be used in all records and communications referring to that position.

2.9 Exemptions from the Classified Service - The classification plan shall include all classes as approved and from time to time amended by the Civil Service Commission.

Not to be included in the classified service are:

- a. Officers who are elected by the people.
- b. Officers who are elected by the City Council or whose appointment is subject to approval by the City Council, i.e. City Engineer.
- c. Heads of principal departments and Divisions of the City.
- d. Seasonal or temporary employees whose employment does not exceed 90 work days in any calendar year.
- e. One private secretary and or deputy to each of the elected City officials.
- f. Administrative assistants to the Mayor.

2.10 Changes in Compensation - Changing the compensation of any position in the classified service, whether by ordinance or otherwise, shall not affect the tenure of the incumbent of such office unless such a change involves a change in duties and responsibilities.

2.11 Changes in Title - Changes in Allocation - In any case in which an employee has qualified for a position under one title, and the title of the position has been changed, the incumbent shall have the right to hold that position under its new title. However, when a incumbent holds a position which is reallocated to a class with a higher minimum pay and with greater duties and responsibilities requiring higher qualifications, this position shall be filled by certification from the appropriate eligible list, and the person formerly holding the position shall not automatically become eligible to continue therein, but shall be transferred to a position in a class with similar duties and qualifications if there is such a position open; otherwise, the person's name shall be placed at the head of the re-employment register for that position for which he is qualified.

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**RULE III**  
**VETERAN'S PREFERENCE**

3.1 Eligibility for Preference - In order for a person to receive preference in original entry examinations in the City of Ottawa, an applicant must furnish proof of eligibility for preference as directed to do so by the Chief Examiner. Acceptable proof shall be an official or Photostat copy of each discharge or release from military service.

3.2 Lateness or Unavailability of Proof of Service - If, for any reason, the individual cannot furnish proof within ten (10) days after eligibility list has been posted, the, the applicant claim shall be deemed waived and his name will appear on the eligibility list based on the scores earned.

If acceptable proof is received and eligibility determined adjustments will be made to the eligibility lists and the Chief Examiner will notify persons on the list of any changes.

3.3 Military Preference - In original entry examinations, the Civil Service Commission shall give to veteran's preference consisting of the addition of five points pursuant to ILCS65 5/10-1-16 to the one final score of veterans whose names appear on the register of eligibles. In order to receive the five points, the applicant must first pass the examination.

3.4 Eligibles - Original Entry - Military preference will be given to each examinee that would be qualified under the laws and rules regarding veteran's preference of the United States and/or State of Illinois.

**RULE IV**  
**SENIORITY**

4.1 Seniority Lists - The Human Resources Department has the responsibility of maintaining a current seniority list, which includes the names of all employees in each class in order of their seniority.

4.2 Accumulation of Seniority Following Completion of Probation - After completion of the probationary period, an employee accrues seniority in the class retroactive to his original date of employment.

4.3 Accumulation of Seniority During Disability - Employees accrue seniority while on leave of absence for a disability.

4.4 Accumulation of Seniority During Authorized Absence Without Pay for Personal Convenience - For the purpose of computing service for seniority in any class, authorized absences without pay because of personal convenience of as much as, but not exceeding, 30 consecutive work days, shall not be charged against service for such total seniority. If the leave of absence for personal convenience exceeds 30 consecutive work days, no seniority shall accrue for any part of the leave of absence without pay for personal convenience.

4.5 Accumulation of Seniority During Lay-Off Status - Employees do not accrue seniority while on lay-off status except during lay-off periods not in excess of 30 consecutive work days.

4.6 Accumulation of Seniority During Suspension - Employees do not accrue seniority while on suspension.

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4.7 Seniority and Promotion - Credit for seniority shall be given for actual service only (except as stated in Rule 4.3 -4.5), including the probationary period in the rank or grade from which promotion is sought, or in ranks or grades certified at the time of the examination by the Civil Service Commission, whether or not such service has been continuous. Seniority shall be computed only from the date of appointment to the position from which the appointee is seeking the promotion to the date on which that promotional examination is to be held. The average mark to be entered for seniority shall be obtained by adding the final grade one-quarter point every complete year of service in grade from which promotion is sought. A maximum of five points will be allowed for seniority. Such credit may only be used when candidate is competing from the next lower rank or job class.

4.8 Priority of Certification - In certifying from the registers for promotion, when two or more eligible applicants have the same general average, preference in certification shall be given in order of seniority for service.

4.9 Making of Certification - Upon requisition of an appointing officer, the Commission shall certify the names of not more than three persons standing highest on the Promotion Eligible Register. The appointing officer shall appoint one of the three eligible applicants to the position provided. No person shall be certified from a promotion list who has resigned or who has been removed from the service of the City of Ottawa.

**RULE V**

**APPLICATION AND NOTICE OF EXAMINATION**

5.1 Application Forms - Applications for examination shall be filed upon forms furnished by the Human Resources Department, and applicants must comply with the requirements of said forms in every respect.

5.2 Fraud in Applications - Any person who, by himself or in cooperation with any other person or persons, submits information, documents or records of a false nature so as to misrepresent himself in his application for examination, shall be excluded from the examination. If fraud in a person's standard application becomes known to the Commission subsequent to said person's placement on an eligible list or said person's appointment to a position, the Commission may strike said persons name from any eligible register or dismiss said person from the service, provided that said person shall have an opportunity to be heard by the Commission in his own defense prior to the Commission's action.

5.3 Admittance to the Examination - No person will be admitted to a promotional or original entry examination that has not filled out an approved application form by the deadline date determined and posted by the Human Resources Department.

5.4 Notice of Original Entry Examinations - The Chief Examiner of the Civil Service Commission will give notice of the examinations at least two (2) weeks prior to the date of the examination. The notice will be posted on all designated bulletin boards in all City Buildings. A notice of the opening will be published the Ottawa Daily Times.

5.5 Notice of Promotional Examinations - Notice of promotional examinations shall be posted on all designated bulletin boards in all appropriate city buildings at least three (3) weeks before the examination date. The notice

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will include time, place, and location of examination, the general scope and minimum qualifications needed.

5.6 General Scope - The general scope of all examinations shall include the subjects upon which applicants are to be examined, with the weight given to each subject by the Commission to represent its value in determining general average. The subject of examination may include:

- a. duties of positions, educational tests, courtesy and discipline tests,
- b. reports, discussions or theses, statements of experience,
- c. tests of knowledge of city government, tests of knowledge of the city, tests of knowledge of laws and ordinances,
- d. ascertained merits of efficiency, seniority of service, medical examinations,
- e. physical tests, or any or all of them,
- f. and such subjects may be given in the form of a written or oral test, or an ocular demonstration, or
- g. any or all of them, according to the schedules of subjects set forth in the published notices of examinations.

**RULE VI**  
**EXAMINATIONS**

6.1 Minimum Qualifications - Whenever the Commission shall announce an examination for any position or class of positions, it shall fix such minimum qualifications for applicants as, in its opinion, may be appropriate for the proper and competent performance of duties and responsibilities involved. No person shall knowingly be admitted to the examination who does not meet the minimum qualifications so fixed, but the fact that one is permitted to take an examination shall not be considered as evidence that he is qualified, nor that he is eligible for the position. The following minimum qualifications shall be a part of the requirements for admission to all examinations given by the Commission:

- a. Character and Fitness - Every applicant must be free of drug or substance abuse, and physically able to perform the duties and responsibilities of the position without creating an unreasonable risk of lifetime obligation on the City.
- b. Age - No applicant shall be admitted to an examination that is less than 18 years of age at the date of examination. Nothing in this rule shall be construed to restrict the power of the Commission to fix age limits in cases where such action is, in its opinion, reasonable necessary to the achievement of the purposes of these Rules or the Civil Service Act.
- c. Citizenship - Anyone that is U.S. citizen may take any examination for any position of the Civil Service.

6.2 Examination Fees - No fee will be charged for either original entry or promotional examinations unless the Civil Service Commission finds it necessary to do so. When and if imposed, said fees will be reasonable and minimal in order to only cover the cost of test administration.

6.3 Character of Examinations - Examinations for positions in the City of Ottawa shall be constructed as to test fairly the skills, knowledge, abilities, and fitness of persons examined to discharge the duties of the position to which they seek to be appointed, and may consist, as the Commission prescribes, of any appropriate and valid test instruments and measure designated by the Civil Service Commission.

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The following divisions are examples of exams to be utilized by the Civil Service Commission to determine the qualifications and ranking of applicants:

- a. Examinations may be written, oral, by statement of training and experience, in the forms of tests of knowledge, skill, capacity, intellect, aptitude, physical ability; or, by any other recognized standard method, which in the judgment of the Civil Service Commission is reasonable and practical for any particular classification. Different examining procedures may be determined for the examination in classifications, but all examinations in the same classification must be uniform.
- b. Practical tests of ability to perform the duties of the position such as preparation of reports of memoranda, actual performance of work similar to that of the position involved, or practical, manual, or mechanical tests.
- c. Physical tests and medical examinations.
- d. Independent investigation by the Civil Service Commission or appointing officer of the psychological suitability, temperament, and ability to meet the public to deal with people - or any other factors which may bear upon the applicant's capacity or fitness for the position.
- e. Investigation and consideration of experience or merit in the performance of the work of positions of like or similar character. The Commission before examination may reject any applicant if his application shows failure to meet the qualifications of the position. The divisions of any examination may be held in any order, and may be administered to applicants in assembled groups or individually, as the Commission may prescribe.
- f. The Civil Service Commissioner may alter the weighting of sections of an original or promotional examination, but when altered, such weights shall be a part of the examination announcement.

6.4 Kinds of Examinations - Examinations shall be two types - original entry and promotional. Original entry exams shall be open and competitive. Promotional exams shall be open only to City employees, except when employees in the next lower grade do not meet minimum qualifications or have not applied for the position, or are not interested in the position.

6.5 Original Entry Examinations - Original Entry Examinations shall consist of a written examination Points for veteran's preference will be added to the applicant's final score when he/she passes the examinations.

6.6 Promotional Examinations - Promotional examinations shall be competitive among qualified candidates who want to take the examination. The examination will generally include a written or comparable assessment and oral examination, merit and seniority. The relative weights per part shall generally be: written or comparable assessment 75 percent, ascertained merit - 20 percent, seniority - 5 points. In case of same final scoring, an oral interview would be worth ten (10) points.

- a. Merit - The department head and respective supervisory personnel of the employee seeking promotion will rate the individual on job knowledge, performance and work habits. The Civil Service Commission will provide forms. The department head, or his designee, shall discuss the rating with the employee.

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- b. Seniority - Points for seniority will be added to the final score in accordance with Rule 4.7.

6.7 Physical Examination - The Commission may set minimum physical and medical standards for any position. The Commission may refuse to certify any candidate for original entry or promotional position who fails the physical examination.

6.8 Questions on Religious or Political Affiliation or Opinions - At no time during the examination process will there be any questions relating to religious or political opinions or affiliations.

6.9 Religious or Political Affiliation - A person's religious or political affiliation will not be a consideration for employment.

6.10 Results of Examinations - The Commission within 60 days of the date of the examination shall publish the results of original entry and promotional examinations. The eligible registers shall be posted in City Hall.

6.11 Chief Examiner - The Civil Service Commission reserves the right to control all exams and may designate persons to be examiners and to conduct the exams as the Civil Service Commission directs. The Civil Service Commission may appoint a Chief Examiner who is responsible to the Commission for the conduct of examinations, the processing of applications, establishment of eligible registers and performance of related tasks as the Commission may direct.

**RULE VII**  
**ELIGIBLE REGISTERS**

7.1 Eligible Registers - Promotional and Original Entry - Names of persons who have passed the examination will be placed on eligibility lists for such class in order of relative grades received without reference to priority time of examination. Ties in the final scores shall be resolved by arranging names of such eligibles according to their ratings on that part of the examination which has greater weight; and if still not resolved, by order of application for examination. The name of no person shall be entered on an eligible register resulting from an examination whose general average shall be less than 70 percent of complete proficiency in the subjects of examination taken as a whole. This register shall be posted within 60 days.

7.2 Re-Employment Registers - Re-employment registers shall contain names of employees who have been laid off because of reduction in force, reduction of funds, or because of reallocation or reclassification of positions. Such registers shall have appropriate names listed according to class and in order of seniority as earned up to the date of eligibility for a position on the re-employment register. Physical and medical examinations shall be required where there has been inactive duty for two months or more. For appointment purposes, re-employment registers will have precedence for the class in question.

7.3 Duration of Names on Registers - Names on promotional and original entry registers shall remain for a period of two (2) years from date of posting or a period allowed by the ordinance or as changed by actions of this Commission.

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7.4 Removal for cause. - The Civil Service Commission may remove a name from the list for cause, at any time. Any of the following shall be sufficient cause for removal of a candidate from an eligible register, though removal may be made for cause other than those enumerated:

- a. Fraud in employment application.
- b. Failure of physical or medical examination.
- c. Unfavorable background checks.

7.5 Appeal for Removal for Cause - If a name is removed for cause, the person will be given 30 days within which to appeal the decision after which time the decision is final. The Commission may appoint a hearing officer to hear the appeal.

7.6 Decertification of Eligibility Registers - The Civil Service Commission may decertify any eligibility register at any time it is no longer valid as a result change in the needs of the City or for any material change in the specifications of the class.

**RULE VIII**  
**REQUISITION AND CERTIFICATION**

8.1 Filling of Vacancies. Whenever a vacancy is to be filled in the classified service, the department head or Appointing Authority shall make a requisition upon a form prescribed by the Commission for the certification of an eligible appointee. A separate requisition shall be made for each position to be filled. If no list of eligibles for the class exists, the Commission will call for an examination at the earliest possible date.

8.2 Certification from Registers - Original Entry Register. The Commission shall certify the highest name on original entry eligibility lists for each person requisitioned. If the appointing officer chooses to fill the position, said certified person shall be appointed for a probationary period.

8.3 Notification of Candidate - The person—(s) certified for an original entry position shall be notified by the U.S. mail that he has been selected for appointment. The individual so selected must notify the Commission in writing of his intentions within 5 days of notification.

8.4 Waiver of Certification - An eligible candidate that has been certified may, with the consent of the Commission, waive the certification or reinstatement without losing his place on the eligible list. But, unless the Commission shall otherwise direct, the name of an eligible that refuses to accept appointment when it is tendered him, shall be removed from the eligible list and the next highest ranking person shall be certified in his place. If within 30 days from the date of certification, the eligible so removed furnishes to the Commission good and sufficient reasons for his failure to accept the appointment, his name may be restored to his relative position on the eligible list. In the absence of any such excuse, the removal at the expiration of 30 days shall be final.

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**RULE IX**  
**APPOINTMENT AND PROBATION**

9.1 Notice of Appointment - Immediate notice in writing shall be given by the Appointing Authority to the Commission of all appointments, permanent or temporary, made in the classified civil service and of all promotions, resignations, or vacancies for any cause in such service, and of data thereof.

9.2 Probationary Period - All classified appointees shall be on probation for a period of six months. If the conduct and performance of a person appointed has been satisfactory, the appointment shall be deemed complete unless the appointing authority extends the period.

9.3 Probation (purpose) - The probationary period is an integral part of the examination process and shall be used by the supervisor for close observation and evaluation of the employee's work performance. It is the responsibility of the supervisor to discuss with the employee their progress or lack thereof. The employee will be evaluated on a schedule determined by the Civil Service Commission and against the performance standards and expectations established by the department head and the employee's supervisor.

9.4 Temporary Appointments - To prevent the stoppage of public business or to meet the extraordinary emergencies, a department head may, with the approval of the Appointing Authority, make a temporary appointment to remain in force a maximum of 90 calendar days and only until regular appointments are made.

In any case where no appropriate eligible register for requisitioned position exists, the head of any department may nominate a member of the classified service to the Commission for temporary appointment. If the Commission finds the person to possess the necessary experience, training and other qualifications for the position, that person may be appointed to fill the existing vacancy pending the establishment of an appropriate eligible register and the making of appointments therefrom.

Any person whose name is on the eligible register for a position in the classified position, if he is properly qualified, may be temporarily appointed, without losing his place upon such a list, but no such temporary appointment shall be made until the appointing officer has received notice of approval by the commission. Time served on temporary appointments shall be credited to the probationary period.

9.5 Restoration of Probationer to Eligible List - Should the work for which a probationer has been certified prove temporary and he be laid off without fault or delinquency on his part before his time of probation is completed, his name shall be restored to its former position on the eligible list, and the term he has served shall be credited to his as a part of his probationary period.

9.6 Assignment to Duties - All persons appointed to or promoted in the classified service shall be assigned to and perform the duties of the position to which they are appointed or promoted. An employee may be assigned temporarily, without extra pay, to perform other than his regular duties. But no assignment shall be for a period of more than 60 days without consent of the Commission. The Commission may extend the temporary reassignment of duties for an additional 60 days.

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9.7 Restoration of Probationer to Register - Should the work for which a probationer has been certified prove temporary, and be laid off without fault or delinquency on his part before his time of probation is complete, his name shall be restored to its proper position upon the register of eligibles.

9.8 Change of Address - Every applicant, whose name is on an eligible list, employee, or former employee awaiting some action by the Commission, is required to notify the Commission of any change of address or change of name or change in marital status at the time of change. The Commission assumes no responsibility beyond the address last recorded in the Commission office.

**RULE X**  
**PROMOTION**

10.1 Eligibility - No person shall be eligible for promotion from his present position in the classified service unless he has successfully completed one year of service in that position. Also, he must meet any special qualifications, minimum training experience and physical requirements established by the Commission.

10.2 Method of Promotion - Promotions in the classified service shall be made on the basis of ascertained merit, examination, seniority in service and military preference as hereinafter provided. All examinations for promotion shall be competitive among such members of the next lower rank (in the same line or character of work to be determined the Commission) as desire to submit themselves to such examinations. In all cases where it is practicable vacancies in a rank higher than the lowest shall be filled by promotion.

10.3 Demotion - The Commission upon presentation of written charges and hearing before the Commission, may demote any person for violations of this code or other disciplinary reasons provided herein. . Demotions arising from the inability of an employee to satisfactorily discharge the duties required in the particular classification must be stipulated.

10.4 Military Preference - Persons entitled to military preference in promotion examinations, under the provisions of the Civil Service Act, must submit proof of their military service and the duration of their service to the Commission in the same manner as those taking the original examinations.

No person shall receive one promotional appointment after he has received one promotion from an eligible list on which he or she was allowed such preference. Credit shall be given to those individuals, whose names appear on the register of eligibles resulting from promotional examinations by adding to the final grade seven tenths of one point for each six months or a fraction thereof of military service, not exceeding thirty months.

**RULE XI**  
**TERMINATION, SUSPENSION, HEARINGS**

11.1 Causes for Termination - It is to the mutual advantage of both the City and its employees that the rules concerning conduct be understood and adhered to in order to create an orderly work environment and insure the City is attaining its goals of public service. Employees who violate these rules are not performing in the best interest of the City and their co-workers.

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The following examples of conduct are considered sufficient cause for disciplinary action, up to and including dismissal (removal may be made for causes other than those enumerated).

- a. The employee is incompetent or inefficient in the performance of his or her duties
- b. Failure to follow the orders of one's supervisor or department head.
- c. The employee has been brutal or profane in his treatment of the public or his fellow employees.
- d. Being habitually absent or tardy. Failing to report to the supervisor or department head when one is absent. That the employee has been excessive in the frequency of absenteeism or has developed a pattern or practice of repeated tardiness.
- e. The employee has some permanent or chronic physical or mental ailment or defect, which incapacitates him or her for the proper performance of the duties required by the position to which the employee has been appointed. That the employee has been excessive in the frequency of absenteeism or has developed a pattern or practice of repeated tardiness.
- f. That the employee has intentionally violated any lawful official regulation of the department, the City, or these rules, or order of a superior or has failed to obey any lawful and reasonable direction or order given him or her by the superior officer when such violation or failure to obey amounts to insubordination or serious breach of discipline.
- g. The employee has taken for a personal use a fee, gift, or other valuable things in the course of his work or in connection with it when such fee, gift, or other valuable thing is given him or her by any person in the hope or expectation of receiving special privileges.
- h. The employee, through negligence or willful misconduct, has caused damage to public property or waste of public supplies.
- i. The employee has been convicted of a felony or criminal misdemeanor or an offense involving corruption or deception of the City, co-workers or the public.
- j. The employee has failed to meet and/or maintain established standards of performance as provided in job descriptions and performance appraisal criteria.
- k. The employee was engaged in acts of sexual harassment.
- m. The employee was found to be in possession of any item customarily considered a lethal weapon while on duty or City property including, but not limited to: firearms of any type, explosives, knives or similar items.
- n. That the employee deliberately gave false information on job application, time records or other records; altering, removing or destroying City records or reports without authorization.
- o. That the employee failed to report accidents, damaged equipment, or other hazardous conditions.

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p. That the employee was engaged in the unlawful or unauthorized removal of property from the City, co-workers, or the public.

q. That the employee, while on duty and during working hours was under the influence of or in possession of alcohol, marijuana or controlled substances not properly prescribed for the employee by a physician.

11.2 Termination Proceedings - The City of Ottawa shall commence all termination proceedings against an employee by filing with the Civil Service Commission written charges factually stating the causes justifying termination. A copy of the written charges shall be served on the employee by registered mail. The effective date of discharge, if ordered, will be date designated by the Civil Service Commission.

11.3 Hearing Board - If the employee wishes to contest his termination, he must make a written request for a hearing to the Civil Service Commission within the 15-day period prior to the effective date of discharge. The Commission may act as the hearing board or may appoint a hearing officer, for purposes of conducting the hearing. The effective date of discharge, if ordered, will be the date designated by the board.

11.4 Responsibility of the Hearing Board. The Commission shall have a duly appointed person make the transcript of the hearing. The Commission shall inform the Appointing Authority the findings and recommendations of the Board. The Commission will notify the employee by certified mail, within five days of the results of the hearing.

11.5 Rehearings - Petitions for re-hearings of persons removed or discharged from the Classified Service, through investigation as provided in the Civil Service Act, may be filed with the Commission within 30 days after the finding and decision have been recorded. Petitions shall state fully the grounds upon which applications for re-hearings are based. In case such petitions are allowed, re-hearings of original charges, together with any new evidence, may be conducted. Findings and decisions as a result of such hearings shall be entered. In case such petitions are not allowed, the order of suspension of discharge shall remain in force.

11.6 Suspension During Hearing - An employee who has been served with written charges for discharge may be suspended without pay during the period that the discharge is pending and until final disposition thereof.

11.7 Disciplinary Suspension - The Appointing Authority may suspend for just cause, an employee as a disciplinary measure up to 30 working days. Any employee suspended for more than five working days, or suspended within six

months after a previous suspension, shall be entitled to a hearing upon written request, before the Civil Service Commission concerning the propriety of such suspensions. The employee and the Civil Service Commission shall be notified in writing, five working days before the suspension is to go into effect, as to the reasons for such a suspension. The Commission shall give the employee an opportunity to be heard in his own defense.

11.8 Causes Justifying Suspension - Causes justifying suspension shall include but are not limited to the causes specified in 11.1.

11.9 Discharge During the Probationary Period - If any probationer shall be found incompetent or not qualified for performance of the duties of the position he is filing, the Appointing Authority may discharge him.

The discharged employee may not appeal the termination to the Commission for review unless in the judgment of the Commission, the employee's rights within their rules were infringed.

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The Appointing Authority, or his designee, shall discuss the reasons for the dismissal with the probationer and must be able to show that the reasons for dismissal were discussed with the probationer prior to the dismissal action.

**RULE XII**

**GENERAL PROVISIONS AFFECTING ELIGIBLES AND EMPLOYEES**

12.1 Change of Address - Every applicant whose name is on an eligible list, employee, or former employee awaiting some action by the Commission is required to notify the Commission of any change of address or change of name or change in marital status at the time of the change. In sending notices of matters affecting such persons, the Commission assumes no responsibility beyond the address last recorded in the Commission office. Failure to respond to notices sent by the Commission may result in denial of admission to examination or in removal of names from the eligible lists.

12.2 Resignations - A resignation is deemed accepted by the Commission when

No officer or employee in the Classified Service who tenders his written resignation shall, after his resignation has been accepted by the Commission, be allowed to withdraw the resignation unless the application for such withdrawal is filed with the Commission within 30 days of the commission's acceptance of the resignation, and then only upon the recommendation of the head of the department and with the consent of the Commission.

12.3 Leave of Absence - The Appointing Authority may grant a leave of absence to an officer or employee who has been certified in the Classified Service for not less than six months, for such period as sees fit, not to exceed one year. Immediate report of such leave of absence shall be made to the Commission. No leave of absence shall exceed one year, except to an enable an officer or employee to accept an elective or appointive position with the City of Ottawa not included in the Classified Service, or to enter the Army, Navy, Coast Guard, or Marine service of the United States, or because of disability or injury received in the performance of duty. In all such cases where the employee seeks a leave of absence who has had a leave of absence of 60 days or more in preceding year, no leave of absence shall be granted unless approved by the Commission. The Appointing Authority in all cases, may require the employee as a condition of granting of a leave or extension, to waive all rights to immediate reinstatement in his position upon

termination of the leave and to retain only the right to be appointed to the first vacancy in the class in which he has been employed. The privilege of reinstatement beyond the actual approved leave shall extend for no more than twelve months.

Any acts committed by the individual while on authorized leave similar in nature to the prohibitions cited in Rule XI, (Discipline and Termination) may result in immediate loss of reinstatement opportunity or authorized leave status.

12.4 Certain Activities Prohibited - No employees holding any position in the City shall solicit orally or by letter or receive or pay, or be in any manner concerned in the soliciting of any subscription, contribution, or fund for any political purpose whatsoever. No officer or employee holding any position in the Classified Service of the City shall, during the hours of his employment, by the use of his office or while in dress or uniform prescribed for such office or position, conduct personal or private business transactions for their personal gain.

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12.5 Nepotism - The Civil Service Commission will not certify the appointment of any candidate for any position where a direct supervisory relationship will be established with a blood relative. "Blood relative" shall mean mother, father, son, daughter, grandmother, grandfather, sister, or brother.

**RULE XIII**  
**LAYOFFS AND REINSTATEMENT**

13.1 Layoffs - Whenever it becomes necessary, through lack of work or funds, or for other cause, to reduce the force in any employment, the person who was last certified to such employment, shall be the first laid off. Persons laid off in accordance with the foregoing procedure shall be entitled to have their names placed at the head of a reinstatement list, according to the seniority of their certifications. Such reinstatement lists shall take precedence over eligible lists.

13.2 Methods of Reinstatement - Whenever a vacancy occurs in any position in the Classified Service, the Commission shall, before any new certification is made from an eligible register, reinstate from the appropriate reinstatement list the person at the top of the list, provided that the employee could perform the work available. At the discretion of the Commission, the person eligible to be reinstated may be re-examined to determine his or her present qualification. If the eligible fails the reexamination, they will not be reinstated and his or her name will be stricken from the reinstatement list.

13.3 Abolition of Position - When a position shall be abolished, the incumbent of that office shall be placed reinstatement eligible list for such position should be the same created within a period of two years.

ADOPTED by the Civil Service Commission this 8<sup>th</sup> day of February, 2005.

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Phil McNally

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Jack Mitchell

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Rob Schmidt

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Kyle Stephens

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Maureen Work