

RESOLUTION No 2009-24

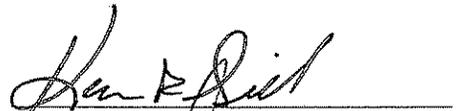
A RESOLUTION OF THE COUNCIL OF THE CITY OF COATESVILLE, CHESTER COUNTY, PENNSYLVANIA, APPROVING THE AMENDMENTS TO THE COATESVILLE RULES AND REGULATIONS OF THE CIVIL SERVICE COMMISSION AS PRESENTED BY THE CIVIL SERVICE COMMISSION.

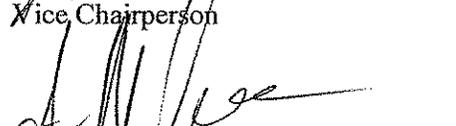
WHEREAS, the City of Coatesville is a Home Rule Charter, City of the Third Class in the Commonwealth of Pennsylvania; and

WHEREAS, the Civil Service Commission has submitted the amended Rules and Regulations of the Civil Service Commission to comply with the current case law and the statutes of the Commonwealth of Pennsylvania,

WHEREAS, the Rules and Regulations of the Civil Service Commission, which are in accordance with powers granted by the General Assembly of the Commonwealth of Pennsylvania, were hereby adopted by the Civil Service Commission of the City of Coatesville, Pennsylvania on March 12th, 2009.

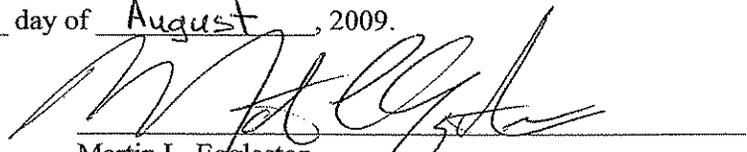

Chairperson

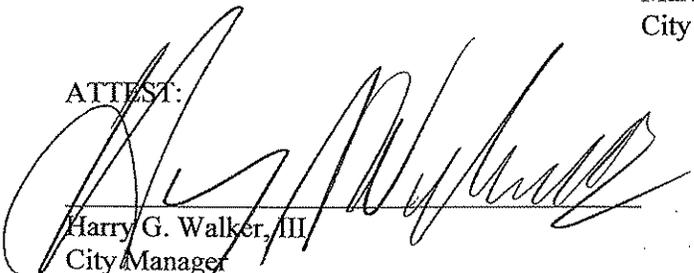

Vice Chairperson


Secretary

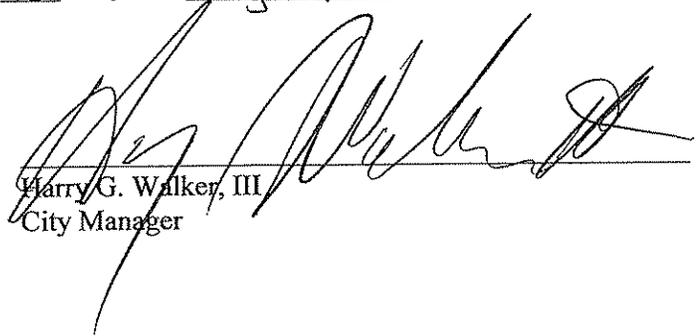
NOW, THEREFORE, BE IT RESOLVED by the Council for the City of Coatesville for the City of Coatesville that the amended Rules and Regulations of the Civil Service Commission are hereby approved as presented by the City's Civil Service Commission in Exhibit A.

RESOLVED AND ENACTED, this 10 day of August, 2009.


Martin L. Eggleston
City Council President

ATTEST:

Harry G. Walker, III
City Manager

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Resolution duly adopted at a regular meeting of City Council held on the 10 day of August 2009 and recorded in the minutes as such.



Harry G. Walker, III
City Manager

CITY OF COATESVILLE

RULES AND REGULATIONS

OF THE

CIVIL SERVICE COMMISSION

FOR

**POLICE OFFICERS, CORPORALS, SERGEANTS, LIEUTENANTS AND
FIREFIGHTERS**

The following policies and procedures are promulgated under the authority of Article XI, Section 1171 to 1195 and other sections of the Pennsylvania City Code, Pennsylvania State Civil Service Act and the Coatesville City Charter.

2009

ARTICLE I. DEFINITION OF TERMS

Unless otherwise expressly stated, the following words and phrases, whenever used in these rules and regulations, shall be construed to have the meaning indicated herein.

- Section 1.0 Applicant** – Any individual who applies in writing to the commission in response to a legally advertised notice of vacancy and/or examination for any position in the police department or fire department.
- 1.1 Appointing Authority** – City manager with the approval of the majority of the total membership of the City Council.
- 1.2 Business Day** – the day the City is customarily open for normal business, and does not refer to the employee's workday, nor holidays observed by the City of Coatesville.
- 1.3 City Council** - City Council of Coatesville, Pennsylvania.
- 1.4 Certification** - The submission to the Coatesville City Council pursuant to City Manager's request for three names taken from the eligibility list developed by the Civil Service Commission.
- 1.5 Classification** - The systematic arrangement of jobs with similar duties and responsibilities.
- 1.6 Chairperson** - The Chairperson of the Civil Service Commission of the City of Coatesville, Pennsylvania.
- 1.7 Commission** - The Civil Service Commission of the City of Coatesville, Pennsylvania.
- 1.8 Commissioner** – An individual appointed by the City of Coatesville, Pennsylvania to serve as a member of the Civil Service Commission.
- 1.9 Day** – Calendar day, unless otherwise specified.
- 1.10 Demotion** - The reassignment of a police officer, corporal, sergeant, lieutenant, or firefighter from one classification to another with a lower maximum rate of pay.
- 1.11 Discharge** - The involuntary termination of a police officer, corporal, sergeant, lieutenant or firefighter for reasons other than lack of funds or work.
- 1.12 Disciplinary Action** - Action taken, with cause, to discipline a police officer, corporal, sergeant, lieutenant or firefighter including oral warning, written reprimand, suspension, demotion, or discharge.
- 1.13 Eligible** - A person whose name is recorded on a current eligibility list or furlough list developed by the Coatesville Civil Service Commission.

- 1.14 Eligibility List** - A list of names of persons who have passed the examination for a particular position in the Police or Fire Department developed and administered by the Coatesville Civil Service Commission.
- 1.15 Examination** - The series of examinations authorized by the Coatesville Civil Service Commission to be given to candidates to determine their qualifications for a position in the Police or Fire Department.
- 1.16 External Candidate** – Individual not currently employed by the City of Coatesville who is an applicant or candidate for a posted position.
- 1.17 Firefighter** - An applicant appointed to a paid position in the Fire Department of the City of Coatesville pursuant to the Coatesville Civil Service Commission Rules and Regulations. Volunteer positions are specifically exempt from and not covered by these rules and regulations.
- 1.18 Furlough List** - A list containing the names of persons temporarily laid off from positions in the Police or Fire Department because of a reduction in force.
- 1.19 Gender** - All words herein in the masculine gender shall be deemed to include the feminine gender, though policies shall be written in gender neutral terminology as much as possible. The words (he) (his) (he) and (men) when used in these rules represent both the masculine and feminine genders.
- 1.20 Internal Candidate** – Individual currently employed by the city of Coatesville is a candidate for a promotional posted position.
- 1.21 Job Description** - A written description of a classification title, prerequisites for the classification, a list of the essential functions of the job classification, and additional examples of duties performed as developed and submitted to the Coatesville Civil Service Commission by the Police or Fire Chief.
- 1.22 Lay-off** - The involuntary separation of a police officer, corporal, sergeant, lieutenant or firefighter from City service due to lack of work, lack of funds, or the abolishment of a position. This is synonymous with decrease in authorized strength.
- 1.23 Military Service Credit** – A person who has served a minimum of 180 days of active duty in the armed forces of the United States of America and who has received a DD-214 that reflects an honorable discharge. Any discharge other than honorable discharge is not creditable for the purpose of this section.
- 1.24 Police Officer** – For the purpose of these rules and regulations, an entry level sworn full time position in the City of Coatesville Police Department.
- 1.25 Probationer** - A police officer or firefighter as defined in the Rules and Regulations who has been appointed from an eligibility list, but who has not yet completed his work-test period.

- 1.26 Provisional Appointment** - A temporary noncompetitive appointment of a qualified individual to a classified position pending the establishment of an eligibility list for such a position. This is not a part-time position.
- 1.27 Reduction in Rank** - A change to a different position or rank which results in a decrease in salary. A decrease in salary without a change to a different position or rank shall not necessarily constitute a reduction in rank.
- 1.28 Removal** - The permanent involuntary and disciplinary separation of a police officer, corporal, sergeant or lieutenant from the Police Department and firefighter from the Fire Department.
- 1.29 Repeated Denial of Promotion** - Employee denied promotion three (3) times after he/she has passed the required testing sequence.
- 1.30 Reprimand** - A written warning to a police officer, corporal, sergeant, lieutenant or firefighter that deficiency exists in work performance or conduct and improvement or correction is required.
- 1.31 Suspension** - The temporary involuntary and disciplinary separation without pay of a police officer, corporal, sergeant, lieutenant or firefighter from his position.
- 1.32 Secretary** - The Secretary of the Civil Service Commission of the City of Coatesville, Pennsylvania.
- 1.33 City Secretary** - The secretary of the City of Coatesville, Pennsylvania.
- 1.34 Transfer** - The change, without further examination, of a permanent employee from a position under the jurisdiction of one appointing authority to a similar position under the jurisdiction of one appointing authority, or to a position in a different title under the jurisdiction of the same appointing authority.
- 1.35 Vice Chairperson** - The Vice Chairperson of the Civil Service Commission of the City of Coatesville, Pennsylvania.
- 1.36 Veteran** - An honorably discharged person who has served for a minimum of 180 days active duty in the armed forces of the United States of America.

ARTICLE II. THE COMMISSION

Section 2.0 Tenure and Conduct of Commissioners.

1. Commissioners shall be appointed by City Council initially to serve for either a 2, 3, or 4 year term. All follow-up appointments shall be for a term of four (4) years. Each shall serve until that term expires, or until he resigns, is removed, moves his residence out of the City of Coatesville, or until a successor is appointed.
2. Any vacancy occurring in the Commission for whatever reason shall be filled by the City Council for the unexpired term within the period of thirty (30) days after such vacancy occurs.
3. A Commissioner can be removed by City Council for only the following reasons:
 - a. substantial failure to carry out his duties as Commissioner;
 - b. failure to carry out his duties in accordance with the law or these Rules and Regulations;
 - c. failure to adhere to principles of confidentiality, impartiality, or nondiscrimination; or
 - d. expiration of his term of office.

2.1 Officers.

The Civil Service Commission shall elect one of its members Chairperson, one as Vice Chairperson, and one as Secretary on the first Monday in February of even numbered years. If the first Monday is a legal holiday, the meeting shall be held the next day.

2.2 Duties of Chairperson.

The Chairperson, or in his absence, the Vice Chairperson, shall preside at all meetings and hearings of the Commission, decide all points of order or procedure, and perform all duties required by law or these rules.

2.3 Duties of Secretary.

The Secretary shall carry on, at the direction of the Commission, all official correspondence of the Commission, send out all notices required by law and these rules or procedures, keep a record of each examination or other official action of the Commission, and perform all other duties required by law, by these rules, and by the Commission. The City Secretary shall assist the Commission Secretary in the performance of these duties, as requested.

2.4 Meetings.

Except for the biennial organization meeting, all meetings shall be held either at the call of the Chairperson or at the call of two (2) members of the Commission, or as required for Commission hearings. No rule or regulation of the Commission shall be in force without the prior approval of the City Council of the City of Coatesville and, except when otherwise required by law or provided in these rules, the Commission shall have the discretion to determine whether business meetings shall be open to the public.

2.5 Types of Meetings.

The Commission may convene the following types of meetings:

- (a) Regular
- (b) Administrative
- (c) Executive
- (d) Emergency

The rules contained herein are applicable to all meetings of the Commission.

(a) Regular Meetings.

Regular meetings shall be held as needed (or once a month) with a prior public notice advertised in a Local Newspaper.

(b) Administrative Meetings.

An administrative meeting may be ordered at any time by the Chairperson of the Commission or by two Commissioners by delivering personally or by mailing written notices to each member of the Commission.

(c) Executive Sessions.

The Commission may hold executive sessions to consider the employment, discipline, reduction, or dismissal of a public officer, or employee or contract hearing officer or to hear complaints or charges brought against such officer, or employee or contract hearing officer by another public officer, person, or employee unless such officer, or employee or contract hearing officer requests a public hearing. The Commission also may exclude witnesses and others.

(d) Emergency Meetings.

If by any reason of fire, flood, earthquake, or other emergency, it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such place as is designated by the Chairperson of the Commission.

2.6 Quorum.

A quorum shall consist of two (2) members and all actions of the Commission shall have the concurrence of at least two (2) members.

2.7 Order of Business.

The order of business of all meetings of the commission, except hearings, shall include at least the following:

1. Roll Call
2. Approval of Minutes of Previous Meetings
3. Unfinished Business
4. Hearing of Cases
5. New Business
6. Communications and Reports

2.8 Minutes.

The commission shall keep minutes of its proceedings and records of examination and other official action. The Commission Secretary shall keep minutes of the Commission's proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact. All records of the commission shall be securely preserved and disposed of according to the Retention and Disposition Schedule for Records of Pennsylvania Municipalities issued by the Government Records Committee under the authority of the Municipal Records Act, 53 PA. C.S.A. § 1382 *et seq.*

2.9 Annual Report.

The Commission shall make an annual written report to the Council, containing a brief summary of its work during the previous year, at the first City Council meeting scheduled in March.

2.10 Commission Forms.

The Commission will adopt and use various types of forms to perform its official functions, copies of which may be obtained from the Secretary of the Commission.

2.11 Investigations.

The Commission shall have the power to make investigations concerning all matters relating to the administration and enforcement of these Rules and Regulations. The Chairperson of the Commission is authorized to administer oaths and affirmations in connection with such investigations.

2.12 Subpoenas.

The Commission shall have the power to issue subpoenas over the signature of the Chairperson or designee, to acquire the attendance of witnesses, and to have the production of records and papers pertaining to any investigation or inquiry. The fees of such witnesses for attendance and travel shall be the same as for witnesses appearing in the courts and shall be paid from appropriations for the incidental expense of the Commission.

All officers in public service and employees of the City shall attend and testify when required to do so by the Commission. If any person shall refuse or neglect to obey any subpoena issued by the commission, upon conviction of such refusal or neglect in a summary proceeding, that person shall be sentenced to pay a fine

not to exceed one hundred dollars (\$100), and in default of the payment of such fine and cost shall be imprisoned not to exceed thirty (30) days.

If any person or employee shall refuse or neglect to obey any subpoena, the Commission may apply by petition to the Court of Common Pleas of Chester County for its subpoena, requiring the attendance of such persons before the Commission or the court to testify and to produce any records and papers necessary, and in default thereof shall be held in contempt of court.

ARTICLE III. APPLICATIONS AND QUALIFICATIONS

Section 3.0 Filling Vacancies.

When a vacancy is to be filled for the position of police officer, corporal, sergeant or lieutenant in the Police Department or firefighter in the Fire Department, the appointing authority shall submit a list of eligibles equivalent to the number of positions needing fill plus at least 2, from the Coatesville Civil Service Commission Eligibility List for consideration to the City Council.

In the event no current eligibility list exists, the City Manager shall submit a written request to the Commission for the process of certification of a list of eligibles to begin, requesting the positions to be filled.

1. Applicants.

No person shall be admitted to the examination for the position of police officer in the Police Department or firefighter in the Fire Department of the City of Coatesville until after having filed, on the official form prescribed by the Civil Service Commission, a sworn or affirmed application giving such information as the Commission may require. The applicant must make an oath that the application is completed truthfully, and the applicant is subject to the penalties of 18 Pa. C.S.A. § 4904 relative to sworn falsification to authorities. The official application form, and all notations, references, and statements appearing in it, are incorporated by reference into these rules and regulations and shall be as much a part of these Rules as if fully described herein.

- a. Applications for the position of police officer or firefighter shall be received as advertised, during normal business hours, in the office of the City Manager. The receipt of such applications shall be subject to the following conditions:
 1. no application received after 5:00 p.m. on any day that is 15 days or less prior to the date fixed for the written examination in the public announcement shall be considered for such examination, but
 2. additions, corrections, or deletions may be made in applications up to the eighth day prior to the date fixed for the written test.
 3. an application shall become invalid after the testing process is completed, or the applicant has failed any portion of the multiphase exam.
- b. Computation of time shall not include the examination date itself.

2. Recording Applications.

- a. The Commission Secretary shall review each application upon receipt for the purpose of determining that such application contains no errors or omissions, but at the Secretary's discretion, may be returned to the applicant for correction.
- b. The Commission Secretary shall date, number, and record, in the order received, all acceptable applications which, once recorded, shall become Commission records and shall not be returned to the applicants. The commission Secretary will provide each applicant with notice of the time

and place for the first portion of the testing procedure, the written examination.

3.1 Availability.

When a vacancy has been declared, application forms shall be made available to all interested persons at the office of the Commission Secretary, as well as from any other public location or office that the Commission designates. These forms may be mailed upon written request. However, the Commission assumes no responsibility for missed filing deadlines due to delay in the mail.

3.2 Discrimination.

The City of Coatesville is an equal opportunity employer. It is the city of Coatesville's and the commission's policy to grant equal employment opportunities to qualified persons without regard to race, religion, color, national origin, gender, age, veteran status, marital status or non-job-related physical or mental handicap or disability. The City of Coatesville and the commission will provide equal opportunities in employment and promotion.

3.2 Age Requirement.

An applicant for the initial position of police officer or firefighter shall be no less than twenty-one (21) years of age by the application deadline.

3.3 General Qualifications.

The applicant applying for police office or firefighter position shall not be considered eligible for the position unless he or she meets the following criteria:

1. shall be a citizen of the US; in the case of a foreign-born applicant, evidence satisfactory to the Commission shall be produced showing the applicant to be a naturalized citizen of the US;
2. shall have graduated from an accredited high school or possess a graduate equivalency diploma accepted by the Commonwealth of Pennsylvania;
3. shall be physically, medically, and psychologically fit to perform the essential functions of the job classification, with or without reasonable accommodation;
4. shall be licensed to operate a motor vehicle in the Commonwealth of Pennsylvania; and
5. shall have no record of conviction of a misdemeanor of the first degree or of any felony or violent crime.
6. Shall be Pennsylvania Act 120 or comparable certified at the time of filing of the application. With respect to initial applicants for an initial police position of police officer or fire fighter, at the lowest levels of employment, such applicants need not be Act 120 certified at the time of application for employment. However, such initial applicants shall be required, at the time

of application for employment, to agree, as a condition of applying for employment, to repay all funds expended by the City on such applicant's Act 120 Certification in the event that the applicant, after hiring, leaves the employment of the City within three (3) years (for whatever reason, including firing).(except for in the line of duty injury resulting in loss of employment)

3.4 Residency Requirement.

An applicant for the position must live within a twenty-five mile radius from the City of Coatesville at the time of appointment but need not be a resident of the City of Coatesville. The City Council may authorize the Commission, by Rules and Regulations, to require the members of the Police or Fire Department to become residents of the City within 12 months after appointment to such position. However, incoming members of the Police or Fire Department shall be notified at the time of application of any rule requiring them to move into the city.

3.5 Investigation of Applicants.

The Commission shall request the Chief of Police or the Chief's designee to conduct a background investigation of each applicant. The background investigation shall include interviews with references having personal knowledge of the applicant, such as the applicant's family, acquaintances, current and former employers, current and former neighbors, current and former teachers and school officials, and any other persons that are deemed appropriate or necessary to complete the investigation. In addition the applicant's credit history and record of criminal convictions should be investigated. The applicant may be interviewed directly when the information collected during the background investigation requires clarification or explanation. After the background investigation is completed, the Chief, or designee, shall make a written recommendation to the Commission on whether the applicant is appropriate for consideration for appointment.

3.6 Ineligibility for False Statement.

The statements made by the candidate in his/her application shall contain no falsification, omission, or concealment of material fact. Should investigation disclose any falsification or concealment with respect to an application:

1. the application shall be invalid and the candidate shall be disqualified from examination, or
2. if the candidate shall have been examined, the name of such candidate shall be removed from consideration for the position, or
3. if the candidate shall have been appointed, such willful misstatement, falsification, or concealment shall constitute grounds for dismissal.

4. No person who makes any willful false statement shall be permitted to make any future application for any position in the Police or Fire Departments of the City of Coatesville for a period of 7 years.

3.7 Rejection of Applicant.

The commission may refuse to examine or, if examined, may refuse to certify as eligible after examination any applicant who is found to lack any of the minimum qualifications for examinations prescribed in these Rules for the particular position for which the applicant has applied. In addition, the commission may refuse to examine, or if examined, may refuse to certify any applicant who is physically or mentally unfit to perform the full duties of the position applied for, or who is a habitual substance abuser, who is guilty of any crime involving moral turpitude, or of infamous or notoriously disgraceful conduct, or who has been dismissed from public service for delinquency or misconduct in office, or who is affiliated with any group whose policies or activities are subversive to the forms of government set forth in the constitutions and laws of the United States and the Commonwealth of Pennsylvania.

3.8 Hearing for Disqualified Applicants.

Any disqualified applicants who believes that they are aggrieved by the actions of the commission in refusing to examine or to certify them as eligible after examination, may request a hearing before the commission. Within ten days after such request, the commission shall designate a time and place for the hearing which shall be conducted pursuant to the procedures set forth in the Local Agency Law, 2 Pa C.S. § 101 et seq. The disqualified applicant must make his request for hearing in writing ten calendar days of the date when the party knew or should have know of the commission's action which is being challenged.

ARTICLE IV. EXAMINATION AND GRADING PROCEDURE.

All examinations and the administering thereof shall comply with all state and federal laws and standards for validation and non-discrimination.

Section 4.0 Public Notice of Examinations.

1. Public notice of the time and place of examinations, together with the information as to the type of position to be filled, the requirements for that position, where applications may be obtained, and the deadline for filing those applications, shall be published in at least one (1) newspaper of local circulation one (1) time. The public notice shall be published and posted on the bulletin board in City Hall at least 2 two weeks prior to an examination.
2. Notice shall likewise and in a similar manner be provided to local resource contacts for appropriate dissemination to the disabled community. Additional public notice via publication, posting or otherwise, may be given at any time at the discretion of the Commission or as required by law.

4.1 Notice of Examinations for Applicants.

1. In addition to the public notice, the Secretary shall give each applicant written notice which shall include the dates, times, places, and duration of the written and oral examinations no less than 14 days prior to each examination. This notice shall also inform recipients that any applicant who needs special accommodation in taking the tests should notify the examiner of such requirements in advance of the examination date.
2. Failure to report for a written or oral examination in accordance with the instructions contained in the written notice shall disqualify the applicant;
3. Medical and psychological examinations of any applicant shall be given only after a job offer has been extended; successful completion of these exams is necessary to make the job offer valid; these examinations shall be at the expense of the City of Coatesville and shall be given according to a schedule arranged by the Coatesville Civil Service Commission ; the applicant, with the approval of the examiners designated by the Coatesville Civil Service Commission , may arrange another time if there is a scheduling conflict.

4.2 Promotional Examination for Corporal, Sergeant and Lieutenant.

In the event that there is no valid eligibility list or if promotional vacancies exceed names on existing valid eligibility lists, a promotional test shall be administered by the Commission. The Commission shall post a notice in City Hall and in the Coatesville Police Department stating the upcoming date, time, and place of the promotional test.

Individual officers shall inform the Commission, by a set deadline, if interested in taking the examination. Officers will be informed if they meet the necessary prerequisites for promotion and will then receive written notification of the date, time, and place of the promotional exam . Only officers receiving notices to

report for a promotional examination shall be permitted to participate in such examination.

4.3 Promotional Examinations for Corporal, Sergeant and Lieutenant.

Each examinee shall undergo and complete the following exams:

1. written examination;
2. oral examination;
3. Psychological leadership examination
4. promotional physical examination

4.4 General Examination Requirements for the position of Patrol Officer and Firefighter.

The examination of patrol officer will consist of a written and oral examination which will be graded on a one hundred (100) point scale with the written examination representing sixty percent (60%) of the final score and the oral examination representing forty percent (40%) of the final score. In addition, each applicant will undergo a physical agility test. These tests will be graded on a pass/fail basis for every applicant. After an applicant has been extended a conditional offer of employment, final appointment shall be contingent upon the applicant passing a complete medical and psychological examination.

4.5 Appointment of Examiners.

The commission shall appoint or approve a written examination administrator, an oral examination administrator, a physical agility examiner, a medical examiner and a psychological examiner to conduct the appropriate examination required by these Rules.

4.6 Entry Level Written Examination.

Examinations for entry level positions in the Police and Fire Departments shall be statistically job validated examinations consisting of as many components as the Commission decides.

4.7 Conduct of Entry Level Written Examinations.

1. The Commission may appoint the Department of Community Affairs (Municipal Consulting Services Division), the State Civil Service of the Commonwealth of Pennsylvania, a consulting company, or any other recognized examining agency to act as examiner for the written examinations with input from the Chief of Police.
2. The Commission shall prepare a statement of instructions and rules for the conduct of written examinations, or may use such as supplied by a testing agency.

3. A blind system for scoring written examinations will be used. The candidate's test number and name are to be placed on a card and sealed in an envelope until the test scores are calculated, then the number will be matched to the candidate's name.

4.8 Entry Level and Promotional Oral Examinations.

Every applicant who scored a minimum passing score or higher on the written examination shall qualify for an oral examination. Both written and oral examinations shall be graded on a 100 point scale with a score of seventy (70%) percent or higher necessary for passing. The oral examination shall involve questioning applicants on how they would handle situations relevant to their perspective duties. Within thirty (30) days after the applicant's oral examination, they shall be informed of their oral examination and total overall scored, and each passing applicant shall be informed of the next step in the examination process.

1. The Oral review for positions in the Police Department shall be conducted by a panel of at least two (2) professional law enforcement administrators from an agency outside the City of Coatesville as designated by the Commission.

For positions in the Fire Department, this panel will consist of at least two (2) professional Fire Department administrators.

No such administrator shall have had any personal, social, or other relationship with any person to be tested which would affect the objective judgment of the panel. All candidates for the same position shall be reviewed by the same oral review board which shall grade the applicants.

2. The oral review for promotion shall be administered in conjunction with the written examination.

4.9 Veteran's Entry Level Preference Point.

Pursuant to the Veteran's Preference Act, any applicant for the position of patrol officer who qualifies as a "soldier" under this Act shall receive an additional ten (10) points on top of their total score if that applicant had received passing scores under Sections 4.7 and 4.8. Any applicant claiming veteran's preference is responsible for providing any and all relevant documents to the commission.

4.10 Determining the Entry Level Minimum Passing Score.

1. The Commission for entry level testing, shall determine the minimum raw score on the written part of the examination, which shall be the minimum passing score, and which shall be stated as a score of seventy (70). The Commission may consider recommendations from additional testing companies used by the Commission in making this determination. The minimum passing score determination shall be made before the identity of any competitor is known to the Commission. The minimum passing score on formal, structured oral interviews or other similar non-written examination parts shall also be stated as a score of seventy (70).

2. In order to have his/her name appear on an entry level eligibility list, each competitor must pass each part of the examination process. Each competitor who fails to attain the minimum passing score on any part of the examination process shall be considered to have failed the examination and shall not be eligible to compete in any further part of the examination.
3. The points received on both the written and oral exams shall be combined to form the overall examination score for the candidate.
4. Test results for entry level Police Officers shall be weighted as follows for total scoring:
 - a. 50% of the written test score
 - b. + 50% of the oral test score
 - c. 100% of the total weighted score.
5. Every entry level applicant who is entitled by law to additional credit for service in the Armed Forces of the United States, and who receives the minimum raw score of 70 shall have their score adjusted by the addition of 10 points. Applicants claiming veteran's preference shall submit satisfactory proof of service and honorable separation with their initial formal application. Only applicants for the entry-level positions shall be entitled to a veteran's preference.
6. Test results for Corporals and Sergeants and Lieutenants shall be weighted as follows and a composite test score shall be rendered following the completion of all tests:

40%	written test score
60%	oral test score
<u>0%</u>	<u>psychological evaluation</u>
100%	Total

4.11 Entry Level Physical Agility Testing, Police Officer, Corporal and Sergeant.

The Commission shall appoint or approve an independent physical agility examiner who shall conduct a physical agility test consistent with MOETC entry level physical standards (controlled for age and gender) on a pass/fail basis to determine a candidate's ability to perform the duties of a police officer, corporal or sergeant. The test shall be job related. The pass/fail requirements shall not apply to promotional Corporal, Sergeant, Lieutenant, and Captain candidates provided that a medical doctor, approved by the department, prescribes a plan of action, also approved by the department, designed to substantially improve (within the probationary period) the candidate's physical fitness consistent with MOTEC entry level standards.

4.12 Physical Agility Testing, Firefighter.

The Commission shall appoint an independent physical agility examiner who shall conduct a physical agility test on a pass/fail basis to determine a candidate's

ability to perform the duties of a firefighters. The test shall be job related. The Commission shall request the Chief of the Fire Department to recommend appropriate tests if changes to warrant testing is considered.

4.13 Background Investigation.

The commission shall request the chief of police or the chief's designee to conduct a background investigation on each applicant for a position in the Police or Fire Department. The background investigation shall also include interviews with the applicants current and former employers, current and former neighbors, references and current and former teachers and school officials. The background investigation shall also include a criminal history check. The applicants' credit history and record of criminal convictions shall also be investigated, as well as the applicant's driving record for verification that he posses a valid driver's license.

After the background investigation is completed, the chief, or designee, shall make a written recommendation to the commission on whether the applicant is appropriate for consideration for appointment to a paid position in the Fire Department.

Appropriateness of the applicant shall be based on the criteria set forth in Section 3.3 of these Rules. This recommendation shall be in writing and, if the recommendation is to disqualify, then a written explanation of the reasons for disqualification must be included. The commission shall make the final determination on whether the information collected during the background investigation warrants rejection of the candidate. Within thirty (30) days after the commission considers the recommendation of the chief of police or designee, each applicant will be informed of whether they have passed the background investigation.

ARTICLE V. CERTIFICATION OF THE LIST OF ELIGIBLES AND APPOINTMENT

Section 5.0 The Eligibility List.

The Commission shall create and maintain an eligibility list for each position in the Police and Fire departments.

5.1 Preparation of the Eligibility List.

1. Within thirty (30) days after the receipt of the results of all examinations, the Commission Secretary shall prepare an eligibility list and forward it to the office of the City Manager upon which shall appear the name of each applicant who received a passing grade in the examination process.
2. The names on the eligibility list shall be arranged, from the highest to the lowest, in the order of the final weighted score received by each eligible applicant.
3. The eligibility list shall be filed with the Commission Secretary and a copy posted on a bulletin board in City Hall.

5.2 Breaking Tie Scores.

When two (2) or more eligible applicants receive the same final weighted score, the order in which the names of such persons shall appear on the eligibility list shall be determined by their respective scores on the oral examination. In the event that two (2) or more qualifying applicants also receive identical scores on the oral examination, the order of listing shall be determined by the order in which the applications were received, recorded, and dated by the Secretary of the Commission.

5.3 Life of the Eligibility List.

The eligibility list will be valid for two years from the date the commission ranks all passing applicants, assigns veteran's preference points and formally adopts the eligibility list. The Commission, at its discretion, may void an eligibility list at any time for any reason.

5.4 Furlough List.

No testing for vacancies for the position of police officer, corporal, sergeant, lieutenant, or firefighter shall be authorized if a furlough list exists from which the Council must make its reappointments.

5.5 Removal of a Name from an Eligibility List.

In addition to other reasons stated in these rules as grounds for removal, the name of any person appearing on an eligibility list shall be removed by the Commission if such person:

1. is appointed to a full-time position in the Police or Fire Department, or
2. declines an appointment to a permanent position in the Police or Fire Department. However, he may also continue to remain at his original place on the list to be called again within the life of the eligibility list, if he requests to remain on the list.

5.6 Appointment.

All appointments to positions in the Police or Fire Departments shall be made from the Eligibility List for each position as developed and approved by the Coatesville Civil Service Commission, except as indicated below.

The appointing authority of the City of Coatesville may fill any vacancy in an existing position in the Police or Fire Departments that occurs as a result of retirement, resignation, disability or death by the reappointment or reinstatement of a former employee of the Police or Fire Department who had been furloughed and previously complied with the provisions of the Civil Service requirements. Except for medical and psychological examinations, no other testing shall be required for a furloughed employee or rehired or reappointed employee.

5.7 Provisional Appointment.

Whenever there are urgent reasons for the filling of a vacancy in any position in the police department and there is no sufficient eligibility list for such appointment, the commission may nominate a person for noncompetitive examination. Such nominee may be certified by the commission as qualified after such noncompetitive examination and may be appointed provisionally to fill such vacancy. It shall thereupon become the duty of the commission within thirty (30) days to hold a competitive examination and within 120 days to certify a list of eligible persons and a regular appointment shall then be made from the name or names submitted by the commission – provided, however, that nothing within this section shall prevent the appointment, of persons temporarily as police officers in cases of riot or other emergency.

A provisional employee shall serve a 6-month working test period, during which the appointing authority (which is City Manager with the approval of the City Council) shall assess the provisional employee's assignment and work performance. This assessment shall constitute the final part of the accelerated examination and determine whether the provisional shall be granted probationary status.

Provisional appointees who successfully complete the working test period shall automatically be granted probationary status. Provisional appointees may be separated before the end of the working test period on a pass/fail basis.

5.8 Entry Level Medical and Psychological Examinations.

After the appointing authority selects a candidate from the certified list of three appointment to the vacant position, that candidate must submit to a medical examination and a psychological examinations by appropriate medical experts.

5.9 Medical Examination.

The Commission shall appoint one (1) or more medical examiners to make all medical examinations required by these Rules. Medical examination results shall be based upon consideration of the job description, essential functions of the job

duties, and the professional judgment of the medical examiner as to the applicant's ability to perform with or without reasonable accommodation. The medical examination shall state the ability, with or without reasonable accommodation, of each applicant to perform the essential functions of the duties of the job description. The statement of each pass/fail examination shall be submitted to the Secretary of the commission with the invoice attached.

5.10 Disqualification of the Applicant Unable to Perform Essential Functions.

If a qualified physician shall find any applicant medically unable to perform the essential functions of the position of a police officer or firefighter, with or without reasonable accommodation, a brief but specific statement of such findings shall be entered in the report of his medical examination and be submitted to the Secretary of the Commission.

5.11 Re-examination of Medical Fitness.

Each applicant eligible for certification to the City Council for appointment to and position in the Police or Fire Departments shall at all times be able to qualify in performing the essential functions of the position applied for at the initial hiring.

5.12 Psychological Examination\Assessments

The Commission shall appoint one (1) or more psychological examiners to make all psychological examinations required by these rules.

The psychological examiner shall state the psychological condition of each applicant as well as an opinion as to the applicant's ability to perform the essential functions of the duties of the job description. Psychological Leadership Assessments will not be scored, but shall be reviewed by the Chief of Police prior to the selection of a candidate(s).

5.13 Disqualification of Psychologically Unfit Applicant.

If a qualified examiner shall find any applicant unfit for performance of the essential duties of a police officer or firefighter because of any significant psychological defect, specifically stated as the cause of rejection in the statement, such applicant shall be rejected and a brief statement of the reason for the rejection shall be entered in the report of his/her psychological examination.

5.14 Re-examination of Psychological Fitness.

Each applicant shall at all times meet the same minimum psychological requirements as those set at initial hiring.

5.15 Notice of Applicant's Grade.

Within seven thirty(30) days after receipt by the Commission's Secretary of the scores of each examination, the Secretary shall give each applicant written notice of his grade and a copy of the eligibility list shall be posted in City Hall listing the applicants who passed the examination.

5.16 Ineligibility for One Year.

If an applicant fails to obtain a passing grade in any examination, he will not be eligible for a subsequent examination for any position in the Police or Fire Department of the City for a period of one (1) year.

5.17 Penalty for Improper Conduct.

Should an applicant be found by the Commission to have committed any act tending to defeat the proper conduct or the result of any examination, his name shall be removed from the examination and the applicant shall not be permitted to make future application for any position in the Police or Fire Department for a period of seven (7) years.

5.18 If the candidate successfully passes the medical and psychological examinations, then that individual shall be appointed to the vacant position in the police department for which the application was submitted. The appointment shall be contingent upon successfully passing both the medical and psychological examinations. The failure to pass either examination shall result in the candidate being rejected from consideration. The rejected candidate may appeal this decision. The commission shall then certify another name to be included with the two previously certified names for consideration by the appointing authority.

5.19 Probationary Period.

Every successful applicant to the position of police officer or to promotional position with the police department shall serve a twelve (12) month probationary period. If at the end of the twelve (12) month probationary period the conduct of the probationer has not been satisfactory to the City Council, the probationer shall be notified in writing that the appointment will not be permanent.

Every successful applicant to the position of firefighter shall serve a six (6) month probationary period.

Any police officer or firefighter who is not informed in writing that his performance has been unsatisfactory shall receive a permanent appointment to the new position. Any probationer who is notified in writing that his appointment will not be made permanent has no right of appeal under these Rules.

ARTICLE VI. PROMOTIONS

Section 6.0 Qualifications

Promotions shall be based on qualifications and examinations as previously described herein, the nature and scope of which shall be determined by the Commission.

6.1. General Qualifications: Applicants for Promotion.

In addition to meeting the qualifications in Sections 3.3 and 3.4 above, all applicants for a promotional position except Chief, shall have not been suspended without pay for more than five (5) days within 12 months prior to the deadline for submitting applications. This rule shall not apply to a suspension to which the applicant has timely appealed pursuant to contractual grievance procedures unless the appeal is resolved prior to the creation of the eligibility list.

All applicants at the time of appointment shall have continuous prior service with the Police Department of the City of Coatesville as follows:

- (1) An applicant for the position of corporal shall have at least one (1) years of service with the Coatesville Police Department, and two (2) years of Act 120 certification.
- (2) An applicant for the position of Sergeant shall have at least one (1) year of experience as a Corporal or three (3) years as a patrol officer and an existing officer with the Coatesville Police Department;
- (3) An applicant for the position of Lieutenant shall have at least three (3) years of experience as a Sergeant within the Coatesville Police Department;
- (4) An applicant for the position of Captain must be a Lieutenant within the Coatesville Police Department, and will be excluded from the Civil Service selection process.

6.2 Examinations.

A promotional examination shall be conducted and an eligibility list drawn up in the same manner as that prescribed for original appointments, provided that only the names of those participants in a promotional examination who shall have attained a minimal final average rating of seventy percent (70%) shall be placed on the resulting eligibility list for promotional appointments.

6.3 Eligibility List.

In response to a written request by the City Manager for names to fill a position by promotion, the Commission shall submit a list of all persons qualified and shall contain a numbering of names. If there are less than three candidates available on the eligibility list, the City reserves the right to reopen the promotional process to candidates not currently employed by the City, who have similar rank and experience with a Department of similar responsibility, size and Policing issues.

6.4 Appointment of Chief of Police.

None of the rules and regulations contained herein shall be construed to limit in any way the discretion of the City Manager in selecting a chief of police or captain, in accordance with the provisions of Section 2-404 (Powers and Duties) of the Home Rule Charter of the City of Coatesville.

ARTICLE VII. INSPECTION

Section 7.0 Confidentiality.

All examination materials shall be confidential and not open to general public inspection. Any examined applicant may inspect his final score, provided that:

1. a written request is made to the Commission within ten (10) days from the date of the mailing of the written notice of an applicant's grade;
2. written consent is received from the Commission; and
3. inspection is made by the applicant within ten (10) days from the mailing of the consent of the Commission.

7.1 Inspection Procedure.

No applicant may inspect any results other than his own. Except as otherwise provided in this Article, no records of the Commission shall be open to the public. A member of the Commission or any other person who may, from time to time, be designated by the Commission, shall be present at all times during any inspection of any record of the Commission.

**ARTICLE VIII. SUSPENSIONS, REDUCTIONS IN RANK, REPEATED DENIALS OF
PROMOTIONS AND REMOVALS**

Section 8.0 Procedures. Fire Department.

1. Whenever any firefighter is suspended, repeatedly denied promotion, reduced in rank, or removed by the City the specific charges warranting each action shall be stated in writing.
2. The charges shall be stated clearly and in sufficient detail to enable the accused to understand the charges made against him and to be able to defend or answer them. Any firefighter so charged shall be notified of his right to a hearing.
3. An exact copy shall be delivered to the accused by certified mail.
4. Exact copies shall be delivered to each Commission member by regular mail.

8.1 Grounds for disciplinary Action. Fire Department.

No persons appointed to a position in the Fire Department pursuant to these Rules and Regulations shall be suspended without pay or reduced in rank or removed and no person promoted in rank pursuant to these Rules may be reduced in rank except for the following reasons:

1. physical or mental disability affecting the ability to continue to perform the essential functions of duties, with or without reasonable accommodation, in which cases the person shall receive an honorable discharge from service;
2. neglect or violation of any official duty;
3. violation of any law provided that such violation constitutes a misdemeanor or felony;
4. inefficiency, neglect, intemperance, immorality, disobedience of orders, insubordination, or conduct unbecoming to an officer;
5. intoxication or being under the influence of controlled substances while on duty;
6. engaging or participating in the conduct of any political or election campaign other than to exercise his/her own right of suffrage.

8.2 Equal Opportunity.

No firefighter shall be precluded from hire, suspended, repeatedly denied promotion, reduced in rank, or removed for racial, religious, color, ethnic, gender, sexual orientation, age, veterans' status, marital status, or political reasons or by non job- related physical or mental handicaps or disabilities. The

City of Coatesville and the Commission will provide equal opportunities in employment and promotion according to all applicable state and federal laws.

8.3 Procedure, Police Department – Generally

It is recognized that suspension and discharge of all members of the Police Department subject to Civil Service are regulated, and must be regulated, in accordance with the provisions of the Third Class City Code, as more specifically set forth at 53 P.S. Section 39408, governing suspension and discharge and as specifically required by Section 115-21 and 115-23 of the City Code governing the adoption of Civil Service regulations and the requirement that they be in compliance with Third Class City Code and amendments thereto.

8.4 Procedure, Police Department – Suspension/Discharge, Generally.

All members of the Police Department subject to Civil Service regulations shall be subject to suspension by the Police Chief for misconduct, or violation of any laws of this Commonwealth or, and ordinance of this City or regulation of the Department, pending action by the City Council of the City of Coatesville upon the charges made against any such employees. On hearing before the City Council, the affected member of the Police Department as identified above may be fined or suspended for a period not exceeding (30) days with or without pay, or said member of the Police Department may be discharged by City Council of found guilty of the charges made against said member of the Police Department.

8.5 Procedure, Police Department – Ten Day Suspension.

The Chief of Police for misconduct or violation as identified in Section 8.4 above, may suspend any employee of such Department subject to Civil Service for a period of ten (10) days, with or without pay, without preferring charges and without a hearing of Council, but no such employee shall be suspended more than one (1) time for the identical or the same violation or act of misconduct.

8.6 Procedure, Police Department – Appeal Rights

Any member of the Police Department subject to Civil Service grieved by the action of City Council in fining, suspending or discharging him or her shall have the right to appeal said action by Petition to the Court of Common Pleas within thirty (30) days after the suspension or after receipt of the written notice of such action by City Council, Which it shall be the duty of City Council to give and Court shall hear the charges made against the person affected *de novo*.

8.7 Procedure, Police Department – Issue on appeal.

On appeal, the issue before the Court of Common Pleas shall be whether the action of City Council shall be affirmed or shall be modified in any respect or whether the charges should be dismissed or whether the suspension made by the Chief of Police shall be affirmed or rescinded. Where any member of the Police Department subject to Civil Service has been suspended and the charges dismissed and the suspension rescinded on appeal, the employee shall receive full compensation for the entire period of suspension.

8.8 Procedure, Police Department – Reduction in Police Force Size .

If it should be necessary to reduce the number of employees in the Police Department subject to Civil Service for purposes of economy, seniority rights shall prevail, and any and all removals for such cause or causes shall be from the members last appointed, and the member or members serving the shortest time shall be removed first; but members with longer times of service may be discharged for cause.

ARTICLE IX HEARINGS ON SUSPENSIONS, REMOVALS AND REDUCTION IN RANK

Section 9.0 The police officer or firefighter who has been suspended, removed or reduced in rank may appeal the decision of the appointing authority by written notice to the Secretary of the Commission at City Hall, One City Hall Place, Coatesville, PA 19320 requesting a hearing. This request shall be received by the commission within ten (10) days after the officer received notice of the discipline. The officer may make written answers to any charges filed not later than the date fixed for the hearing. Failure of the officer to provide written answers to any of the charges shall not be deemed an admission by the officer.

The Commission shall schedule a hearing within ten days from the officer's written request for a hearing, unless continued by the commission for cause at the request of the commission, the City Council or the officer.

A stenographic record of all testimony shall be taken at every hearing and preserved by the Commission. In the event the charges are dismissed, the record shall be sealed and not be available for public inspection.

9.1 Demanding an Appeal.

1. Any police officer or firefighter who is suspended, repeatedly denied promotion, reduced in rank, or removed may file with the Commission a written demand for an appeal.
2. Written demand and any statement of written answers to the charges made against the person accused shall be filed no later than ten (10) days from the date upon which the City Manager, with the approval of the majority of the total membership of the Council, issued a decision.
3. Within thirty (30) days the Commission shall grant an appeal to any accused person who complies with the provisions of this section.
4. Each such appeal shall be a personnel matter and closed to the public.
5. Request for an appeal under this section in no way affects the right of an employee alleging discrimination on the basis of disability to assert a claim under the grievance procedure adopted by the Coatesville City Council.

9.2 Appeals on Suspensions, Reductions, Repeated Denials of Promotion, and Removals.

1. The Commission shall grant an appeal which shall be held within a thirty (30) day period from the date of the City Manager's decision, with approval of the majority of the total membership of the Council, unless extended by the Commission for cause at the request of the City Manager, the accused, or the Commission.
2. At any such appeal, the person against whom the charges are made may be present in person and/or may be represented by legal counsel.

3. The City Manager, with approval of the majority of total membership of the Council, may suspend any such person, without pay, pending the determination of the charges against him, but in the event the Commission fails to uphold the charges, then the person sought to be suspended, demoted, or removed shall be reinstated with full pay for the period during which he was suspended, demoted, or removed, and no charges shall be recorded against his personnel record.
4. A stenographic record of all testimony taken at such hearings shall be filed with, and preserved by, the Commission whereby the record shall be sealed and not available for public inspection in the event all the charges are dismissed.
5. All parties concerned shall have immediate right of appeal to the Court of Common Pleas of Chester County, Pennsylvania and the case shall be determined as the Court deems proper.
6. Such appeal shall be taken within thirty (30) days from the date of entry by the Commission of its final order and shall be by petition.
7. The City Manager and the person sought to be suspended, demoted, or removed shall at all times have the right to employ counsel before the Commission and upon appeal to the Court of Common Pleas.

9.3 Notice of Appeal.

Notice of the date, time, and place for each hearing shall be either by personal service or by certified mail to the accused, the City, and/or the parties' Legal Counsel.

9.4 Oaths.

All testimony shall be given under oath. The Chairperson, or appointee, shall administer all oaths.

9.5 Appeals Procedure.

Appeals before the Commission shall be conducted in the following manner:

1. the Chairperson shall identify the parties and state the general purpose of the hearing;
2. the Secretary, upon direction of the Chairperson, shall read the written charges against the accused together with the record of action taken against the accused;
3. the Secretary shall read any written reply of the accused;
4. the Chairperson, who shall act as spokesperson for the meeting, shall afford the City an opportunity to make further statements in support of the charges and to produce and examine any witnesses;
5. the Chairperson shall afford the accused or his counsel an opportunity to question or cross-examine the person making charges and to question or cross-examine any witnesses produced by such person;
6. the Chairperson shall afford the accused, or his counsel, an opportunity to produce any witnesses;
7. the Chairperson shall afford the City Manager or his counsel an opportunity to question or cross-examine any witnesses produced by the accused;
8. the Chairperson shall permit each party, or his counsel, to make a summation;

9. the Commission shall judge whether or not evidence is admissible and procedure is appropriate and shall not be bound by the technical rules of evidence;
10. a stenographic transcript of the proceedings shall be made and filed in the Commission's archives along with all other records pertinent to the case; and
11. the Commission, at any time during the course of the hearing, may question or examine the person making charges, the accused, and any witness.

9.6 Standard of Review.

In conducting the appeal, the Commission's standard of review shall be to determine whether sufficient evidence has been presented to support the reason given for the disciplinary action. If the Commission finds that sufficient evidence has been introduced to support the charge, the Commission shall not modify the penalty imposed by the accused's supervisor unless it finds that the penalty imposed was arbitrary, discriminatory, or an abuse of the supervisor's and/or the City Manager's discretion. In considering the appropriateness of the discipline, the Commission shall not substitute its judgment for that of the supervisor or City Manager. The Commission may request post-hearing briefs from each party to facilitate its decision-making.

9.7 Decision of the Commission.

1. Within thirty (30) days after the hearing, the Commission shall issue its decision in the form of a written order approved by at least two (2) members of the Commission.
2. The written order shall include all findings of fact and conclusions of law and its decision.
3. The findings and decisions of the Commission shall be delivered to the person making charges, to the accused and to the City within five (5) days of the issuance of the decision.

9.8 Retention of Solicitor.

1. The Commission may, at its sole discretion, engage the services of an attorney to serve as its independent solicitor in all disciplinary hearing matters.
2. In all considerations of the Commission in disciplinary matters and in examining applicants all findings of fact shall be made solely by the Commission, but it may be guided by the advice of its solicitor and findings of law.
3. All substantive decisions in any disciplinary matter and on examinations shall be made solely by the Commission.

9.9 Conflict of Interest.

1. Should any Commission member have a relationship to, or possess information of any facts about persons and/or activities, which may prejudice his vote, full disclosure of such knowledge shall be made to all members of the Commission. At that time:

- a. that Commission member may elect to refrain from participation in the hearing process and;
 - b. the other Commission members may vote upon whether or not the biasing value of the knowledge is such as to warrant the exclusion of the member's vote; and
 - c. in the event of a split vote, the said member shall be disqualified.
2. If a member of the Commission is disqualified by a conflict of interest, City Council shall appoint a temporary third member to the Commission who shall possess the same residency qualifications as the members of the Commission to serve for the hearing in question.

ARTICLE X. ADOPTIONS AND AMENDMENTS

Section 10.0 Amendments

From time to time the Commission may amend , revise, void or replace these Rules for any reason by action of a majority of the commission at any properly convened meeting of the commission. The foregoing Rules and Regulations are in accordance with the powers granted by the City Council under the Home Rule Charter. These Rules and Regulations are intended to be consistent with general state law. Before any changes to these Rules become effective, those changes must be approved by the City Council. These Rules, and any amendments thereto shall be made available to the public for distribution or inspection. Any direct inconsistency, whether now existing or resulting from future amendments to the City Code, shall cause the automatic amendment of these Rules and Regulations to make them consistent with the Code, whether or not these Rules and Regulations have been formally amended.

10.1 Separability.

In the event that any portion, provision, sentence, clause or section or part of any section of these Rules and Regulations, is found to be illegal, unconstitutional or unenforceable, such provisions shall not affect or impair any of remaining provisions or sentences, clauses or sections or parts of these Rules and Regulations, and it is declared to be the intent of the Civil Service Commission that the Rules shall be severable.

10.2 Public Inspection.

These Rules and Regulations shall be made available by the City for public inspection at no charge, and for public distribution at a reasonable charge.