

RULES OF THE MUNICIPAL CIVIL SERVICE COMMISSION

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RULES OF THE MUNICIPAL CIVIL SERVICE COMMISSION

CITY OF STOW, OHIO

PREAMBLE

The following set of rules is hereby adopted in accordance with the authority conferred upon the Municipal Civil Service Commission of the City of Stow, Ohio, by Section 10 of Article XV of the Constitution of the State of Ohio and by Section 124.40 of the Ohio Revised Code and the Charter of the Municipality of Stow, Ohio.

Unless specifically contained herein to the contrary, the Rules of the Municipal Civil Service Commission shall preempt Chapter 124 of the Ohio Revised Code because of local interest and the exercise of home rule powers. In any conflict between these rules and a negotiated collective bargaining agreement, the determination will be made in favor of the collective bargaining agreement in accordance with Section 4177.10 of the Ohio Revised Code. These rules shall be interpreted to conform to the Americans with Disabilities Act and the Family and Medical Leave Act.

RULE I

ADMINISTRATION

1. The Municipal Civil Service Commission of the City of Stow, Ohio, shall be composed of three (3) persons who shall be appointed and serve in the manner provided for in the Ohio Revised Code.

It shall be the duty of each member of the Commission to attend all meetings of the Commission and to devote as much time as is necessary to the management of the business and affairs of the Commission.

2. The Commission shall administer and enforce the rules herein prescribed and the applicable Civil Service Laws of the State of Ohio relative to civil service in the City of Stow, Ohio.
3. The Commission shall elect one of its members as Chairman and one as Vice-Chairman who shall serve until a new member is appointed and qualified at which time successors as Chairman and Vice-Chairman shall be elected. It shall be the duty of the Chairman to call such meetings of the Commission as are necessary to transact the business and affairs of the Commission, and to preside at all meetings of the Commission.

The Chairman may on his or her own initiative, and shall, upon the request of the other two (2) members of the Commission, call a special meeting of the Commission to be held not later than ten (10) days from the date of notice of such meeting. In the absence of the Chairman, the Vice-Chairman shall act as Chairman. Two (2) members of the Commission shall constitute a quorum at any meeting of the Commission, and it shall require the affirmative vote of at least two (2) members to adopt any motion or resolution.

4. The Commission shall designate a suitable person to act as Secretary of the Commission. At the discretion of the Commission, a member of the Commission may act as Secretary of the Commission. The Secretary shall:
 - a. Attend all meetings of the Commission and keep the minutes thereof;
 - b. Keep in the form of minutes a record of the official actions of the Commission;
 - c. Sign, subject to required expenditure approvals under the Charter or Codified Ordinances of the City of Stow, all requisitions and orders for the payment of money from any accounts and funds of the Commission;
 - d. Accurately and properly keep all the records of the Commission;
 - e. Keep all files in proper order;
 - f. Prepare and deliver, or cause to be delivered, notices and other communications ordered by the Commission;
 - g. Properly furnish appointing authorities with eligibility lists;
 - h. Handle such correspondence as the Commission shall determine; and
 - i. Perform such other duties as may be required by the Commission.

RULE II

DEFINITION OF TERMS

The several terms herein specified whenever used in the Rules of the Stow, Ohio Municipal Civil Service Commission or in the administration of the Civil Service Laws shall be construed as follows:

1. "Commission" refers to the Municipal Civil Service Commission of the City of Stow, Ohio.
2. "Civil Service" refers to and includes all officers and positions of trust or employment in the service of the City of Stow, Ohio.

3. The "Unclassified Service" as applied to the Civil Service of the City of Stow, Ohio, shall comprise those positions set forth in Section 124.11(A) of the Ohio Revised Code unless modified by ordinance of Stow City Council.

Positions in the unclassified service shall be exempt from all civil service examinations.

4. The "Classified Service" shall comprise all persons in the employ of the City not specifically included in the unclassified service. The classified service may be divided into the "Competitive Class" and the "Unskilled Labor Class" as provided in Section 124.11(B) of the Ohio Revised Code.
5. "Position Classification" shall refer to the arrangement of positions into classes including grades. Positions shall be classified in accordance with the duties and responsibilities of the position.
6. "Municipal Service" shall include those positions in the classified service of the City of Stow, Ohio.
7. "Position" when used by itself shall refer to any specific office, employment, or job calling for the performance of certain duties, either full-time or part-time, and for the exercise of certain responsibilities by one individual.
8. "Appointing Authority" means the officer, commission, board, or body having the power of appointment to, or removal from, positions in any office, department, commission, or board.
9. The term "Employee" shall signify any person holding a position subject to appointment, removal, promotion, or reduction by an appointing officer, commission, board, or body.
10. "Original Appointment" shall refer to all appointments in the classified civil service that are not filled by promotion, transfer, or reduction, as provided in these rules.

RULE III

POSITION CLASSIFICATION

Positions in the Civil Service of the City shall be classified in accordance with an established plan which shall provide that any and all positions whose duties, responsibilities, and necessary qualifications are sufficiently alike to so warrant shall be allocated to the same class with a title which shall be descriptive of the duties performed and with a salary range which will compensate each employee assigned to the class on a reasonably like basis.

A class specification shall be prepared for each class setting forth the class title, salary range, typical duties and responsibilities, and the necessary qualifications. It shall set forth the factors and conditions which are essential characteristics of the class.

RULE IV
EXAMINATIONS

1. Location of Examination

Examinations may be held at such places as the Commission deems advisable and shall be administered under its direction.

2. Notice of Examination

a. Entrance Examination

Notice of competitive entrance examinations shall be given by posting notices conspicuously on the City bulletin boards and in such other places as may be deemed advisable, not less than two (2) weeks prior to such examinations.

b. Promotional Examination

Notice of competitive promotional examinations to be held shall be given by posting of bulletins in conspicuous places in the departments whose employees may be interested or may be by individual communications to the employees eligible for such promotion. Such notice shall be given not less than two (2) weeks prior to the examination except in the Fire Department where such notice shall be given for not less than thirty (30) days prior to the examination.

3. Identity of Examinees Concealed

The identity of all persons taking competitive assembled examinations shall be concealed by the use of an identification number which shall be used on all examination papers. This number shall be used from the beginning of the examination until the papers have all been rated. Any papers bearing the name of the applicant or any other identification mark shall be rejected and the candidate so notified.

4. Qualification for Promotions

a. Promotion of Police Officers

No position above the rank of Police Officer in the Police Department, except for the rank of Police Chief, shall be filled by original appointment. Vacancies in positions above the rank of Police Officer in the Police Department shall be filled by promotion from among persons holding positions in a rank lower than the position to be filled. No position above the rank of Police Officer in the Police Department shall be filled by any person unless he or she has first passed a competitive promotional examination. Promotion shall be by successive ranks so far as practicable, and no person in the Police Department shall be promoted to a position in a higher rank who has not served at least twelve (12) months in

the next lower rank. No competitive promotional examinations shall be held unless there are at least two (2) persons eligible to compete. Whenever the Civil Service Commission determines that there are less than two (2) persons holding positions in the rank next lower than the position to be filled who are eligible and willing to compete, the Commission shall allow the persons holding positions in the then next lower rank, who are eligible, to compete with the persons holding positions in the rank lower than the position to be filled.

An increase in the salary or other compensation of anyone holding a position in the Police Department, beyond that fixed for the rank in which such position is classified, shall be deemed a promotion, except as provided in Section 124.491 of the Ohio Revised Code. Whenever a vacancy occurs in the position above the rank of Police Officer in the Police Department, and there is no eligibility list for such rank, the Civil Service Commission shall, within sixty (60) days of such vacancy, hold a competitive promotional examination.

b. Promotion of Firefighters

Vacancies in positions above the rank of regular Firefighter in the Fire Department, except for the rank of Fire Chief, shall be filled by competitive promotional examinations, and promotions shall be by successive ranks as provided in this section. Positions in which such vacancies occur shall be called promoted ranks.

When a vacancy occurs in the promoted rank immediately above the rank of regular Firefighter, no person shall be eligible to take the examination unless he or she has served twenty-four (24) months in the rank of regular Firefighter, provided in those cases where there are less than two (2) persons in the rank of regular Firefighter who have served twenty-four (24) months therein and are willing to take the examination, the twenty-four (24) month service requirement does not apply.

When a vacancy occurs in a promoted rank, other than the promoted rank immediately above the rank of regular Firefighter, no person shall be eligible to take the examination unless he or she has served twelve (12) months in the rank from which the promotion is to be made, provided in those cases where there are less than two (2) persons in such next lower rank who have served twelve (12) months and are willing to take the examination, the twelve (12) month service requirement shall not apply. If the non-application of the twelve (12) month service requirement to persons in the next lower rank does not produce two (2) persons eligible and willing to compete, then the same method shall be followed by going to successively lower ranks until two (2) or more persons are eligible and willing to compete in an examination for the vacancy. In the event this process of searching successively lower ranks reaches the rank of regular Firefighter, the twenty-four (24) month service requirement applies, provided in those cases where such application still fails to produce two (2) persons who are

eligible and willing to compete, said twenty-four (24) month service requirement does not apply. In the event two (2) persons are unwilling to compete for such examination, then the one person who is willing to compete shall be appointed to fill the vacancy after passing a qualifying examination.

5. Scope: Subjects and Weights Thereof

a. Entrance Examination

Entrance examinations may include, but shall not be limited to, tests which are written, oral, and physical, a demonstration of skill or an evaluation of training and experiences, and shall be designed to fairly test the relative capacity of the persons examined to discharge the particular duties of the position for which appointment is sought. The Commission shall prescribe the subjects of each examination and the relative weights to be attached thereto provided that any such determination must have been adopted prior to the date of such examination and specified in the examination announcement.

b. Promotional Examination

Promotional examinations may include, but shall not be limited to, tests which are written, oral, and physical, a demonstration of skill or an evaluation of training and experiences, and shall be designed to fairly test the relative capacity of the persons examined to discharge the particular duties of the position to which promotion is sought. The Commission shall prescribe the subjects of each examination and the relative weights to be attached thereto provided that any such determination must have been adopted prior to the date of such examination and specified in the examination announcement.

c. Seniority Rating and Credit

Applicants taking promotional examinations who receive a passing grade shall receive seniority credit for like or similar service with the City of Stow, or, in the case of the position of Police or Fire Chief, seniority credit for like or similar service with the City of Stow or other political subdivisions of this state or another or with the Federal Government. Such seniority credit shall be determined as follows:

One percent (1%) of the total grade attainable in such examination for each of the first four (4) years of service, and six-tenths percent (6/10%) of such total grade for each of the next ten (10) years of service. Half of the credit set out above (3/10%) shall be given for a half year of service. The smallest credit increment will be a half credit given for a partial year of more than six (6) months but less than one (1) year. Applicants for promotion must have a minimum of one (1) full year of service in order to be eligible for seniority credit. The total grade attainable shall be 100% or a perfect score in all phases of the examination exclusive of extra credits.

6. Physical Examination/Personality Assessment

A candidate may be required to pass a physical examination before commencement of employment. Physical examinations shall be made by a licensed physician designated by the appointing authority. Said physician shall furnish a certificate as to the applicant's physical condition.

A candidate may be required to pass a Personality Assessment before commencement of employment. Personality Assessments shall be made by a licensed psychologist or psychiatrist designated by the appointing authority.

7. Admitting Applicants to Examination

No applicant shall be admitted to any assembled examination more than fifteen (15) minutes after commencement of such examination, or after any applicant competing in any such examination has withdrawn from the examination or has completed his or her work and left the examination room.

8. Time Allowed for Examination Subjects

No applicant in any examination shall be given more time on any subject than allotted.

9. Frauds in Examinations Prohibited

a. No person or officer shall:

- 1) Willfully or corruptly by himself or herself or in cooperation with one or more persons' defeat, deceive, or obstruct any person in respect of his or her right of examination, appointment, or employment arising under the Civil Service Law or under any rules and regulations prescribed pursuant thereto;
- 2) Willfully or corruptly falsely mark, grade, estimate, or report upon the examination or proper standing of the person examined, registered, or certified pursuant to the provisions of the Civil Service Law, or aid in so doing;
- 3) Willfully or corruptly make any false representations concerning the results of such examinations or concerning any person examined;
- 4) Willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, registered, or certified, or to be appointed, employed, or promoted;
- 5) Willfully impersonate any other person, or permit or aid in any manner any other person to impersonate him or her, in connection with any examination, registration, or appointment or application or request to be examined, registered, or appointed;

- 6) Furnish any false information about himself or herself, or any other person, in connection with any examination, registration, or appointment or application or request to be examined, registered, or appointed;
 - 7) Make known or assist in making known to any applicant for examination any question to be asked on such examination;
 - 8) Assist any other applicant taking an examination in any manner whatsoever; or
 - 9) Personally solicit a favor from any member of the Commission or appointing officer, or have any person in his or her behalf solicit a favor.
- b. No Commission member or employee shall solicit or receive favors from any applicant, employee, or appointing authority.
 - c. Any applicant in any examination found to be using any means of information other than that provided in the examination itself, such as memoranda, pamphlets, or books of any kind, to assist him or her in answering the questions, shall have his or her examination papers taken up and filed with a zero (0) marking when the circumstances justify such action.

10. Visitors at Examination

No visitor shall be admitted to the examination room during any examination except by special permission of the person in charge.

11. Protests and Challenges

a. Prior to Grading

Participants in any promotional examination may request to inspect the examination questions together with the rating key for the questions immediately after the promotional examination has concluded. Participants in any Entry-Level examination shall not be permitted to inspect standardized tests prepared by experts outside the Commission or the Civil Service. Any protest by a participant as to the questions asked or the rating key answers must be filed in writing within the challenge period posted in the notice of examination and must contain detailed information and authority therefor.

Following this inspection period, the Commission shall carefully consider all objections within thirty (30) days and make such changes in the tentative rating key as are warranted after which the rating key adopted shall be used in the actual scoring of the examination papers.

b. Notice of Grades

The examination papers of each participant shall then be graded and each participant shall be notified by mail as to his or her grade.

c. After Notice of Grade has been Received

Each participant shall have the right to inspect his or her examination papers together with the rating key within ten (10) calendar days of the postal date stamped on the mailed notice of his or her grade and to inform himself or herself as to the markings given to him or her on each subject or question. Any protest as to the grading must be filed in writing by the participant within the ten (10) day period. The Commission shall then give consideration to all protests within thirty (30) days and make such changes as warranted. The Commission shall then establish the eligibility list and no grades given in any examination shall be changed after the posting of any eligibility list.

d. Public Inspection

All applications, selection devices, and examination papers are the property of the Commission and shall be treated as confidential to the maximum extent permitted by Federal and Ohio State law.

12. Examination Postponed

Examinations, unless postponed, must be held upon dates fixed by the Commission. Examinations may be postponed by order of the Commission; which order shall designate the reason therefor.

13. Credit for Military Service

When proper proof of honorable, active service in the armed forces of the United States is submitted to the Commission with the application for the examination and such service man or woman being otherwise eligible has received a passing grade in any regular entrance examination, he or she shall be granted additional credit of five (5) points.

14. Method of Grading Examinations

In examinations composed of more than one part, the method of scoring shall be:

- a. Each part of the examination shall be separately rated and the proficiency of each competitor determined on the basis of a scale of 100 for maximum possible attainment;
- b. Each part shall be assigned a weight which shall be based on the relative value of the part to that of the entire examination expressed in terms of tenths of the total;
- c. The earned grade of each examinee in each part of the examination shall be multiplied by the weight assigned to that part and the sum of the totals together with any earned extra credits shall be the earned grade for the participant; and

- d. Unless the Commission determines otherwise and specifies same in the examination announcement, a passing grade shall be deemed to be 70%.
- e. Bonus Points/Extra Credits

- 1) Entrance Examinations

The Commission may grant applicants taking entrance examinations, who receive a passing grade, bonus points for the following categories:

- A) Education – Up to a maximum of five (5) points for college education at a college or university accredited by the North Central Association of Colleges and Schools or another affiliated region of the same organization.
- B) Experience – Up to a maximum of five (5) points for full-time or part-time police officer experience of one (1) year or more for applicants possessing a current certification as an Ohio Law Enforcement Officer by the Ohio Peace Officers Training Council or a similar certifying body.
- C) Current Certification as an Ohio Law Enforcement Officer by the Ohio Peace Officers Training Council – Five (5) points.
- D) Current Certification for the State of Ohio Firefighter Level 2 Course (240 Hours) – Five (5) points.
- E) Military Service – Five (5) points. Service must have been of an active and honorable nature. Credit will be given for service listed as “honorable.”

The Commission shall determine which of the aforementioned bonus point categories to apply to each entrance examination, shall adopt such bonus points prior to the date of such examination, and shall specify same in the examination announcement. No applicant shall receive bonus points in excess of twenty (20) points.

- 2) Promotional Examinations

Applicants taking promotional examinations who receive a passing grade shall receive extra credit for seniority and other categories as the Commission deems fit.

No bonus points shall be added to an applicant’s examination grade unless the applicant achieves at least the minimum passing grade on the examination without counting such extra credit.

15. Examinations Declared Null and Void

Examinations, once given, may be declared null and void by the Commission in the event the Commission determines that an irregularity, fraud, or violation of its rules exists in connection therewith. Such action shall be taken as soon as such irregularity, fraud, or rule violation becomes known to the Commission. An order of the Commission declaring an examination null and void shall state the reason therefor.

All applicants competing in the first examination shall be notified of such action and shall be eligible to compete in a replacement examination without filing a separate application or the payment of an additional fee. Any person taking the first examination not desirous of competing in a replacement examination shall receive a refund of said fee.

RULE V

APPLICATIONS

Unless waived, all applicants must be citizens of the United States and meet the requirements as stated in the examination announcement.

All requirements for a position as listed in the examination announcement must be met at the time of hire or promotion. All documents required to receive bonus points are due at the time of application submittal. The only exception to this requirement is an official college transcript that must be submitted directly by the college or university and received by the date specified in the Notice of Examination.

Applicants for examination must be at least seventeen (17) years of age provided, however, that the Commission may change the minimum age limit and fix other limits for any examination or particular work by giving notice of the limits prescribed in the notice of such examination. The age for retirement of members of the classified service shall be as provided by Ohio state law and/or Federal law.

1. Police Department Applicants

Applicants for examinations for original appointment to the Police Department as a Police Officer must have attained the age of nineteen (19) on or prior to the date of the examination and attained the age of twenty-one (21) to be appointed.

2. Fire Department Applicants

Applicants for examinations for original appointment to the Fire Department as a Firefighter must have attained the age of nineteen (19) on or prior to the date of the examination and attained the age of twenty (20) to be appointed.

3. Application Blanks Furnished

Application blanks for examinations shall be furnished by the Commission. The Commission may determine and provide for the submission of any relevant information either on the application blank or supplemental sheet.

4. Completion of Application Blanks

Application blanks must be filled out in ink or be typed and shall be completed and signed by the applicant, in his or her own handwriting, and filed in the offices of the Commission within the time limit fixed by the Commission for the particular examination.

5. Fees for Examinations

The Commission may charge a fee for civil service examinations.

6. False Statements or Omissions

False statements or omissions on the application or during the hiring process may be cause for rejection of the application, refusal of participation in the examination, or termination if the employee has been hired.

RULE VI

ELIGIBILITY AND CERTIFIED ELIGIBLE LISTS

1. Eligibility List

a. Definition of Eligibility List

Eligibility list is defined for the purposes of these Civil Service Rules as a list of names and scores who have taken an examination for a specific classification, and/or where applicable have taken an examination for a specific classification and been placed on a preliminary eligibility list and subsequently passed an approved physical agility test.

b. Physical Agility Tests

If approved by the Civil Service Commission, persons who have taken an entry level examination for a specific classification and received a passing score, and been ranked and placed on an eligibility list, may be required to take and pass a physical agility test. Said physical agility test shall be pass/fail and shall not affect scores. However, persons who fail the physical agility test shall not be placed on the final eligibility list, nor shall they be placed on a certified eligible list.

c. Posting of Lists

The Commission shall prepare and keep open to public inspection, from the returns of each examination, an eligibility list of the persons who are eligible for appointment. Such persons shall take rank upon the eligibility list in the order of their relative grades or band if for an Original Appointment. Whenever it becomes necessary to hold a subsequent examination in order to obtain additional eligibles, the Commission may consolidate existing lists for the same class by rearranging the names of those eligible therein according to their grade or band if for an Original Appointment. All those persons whose names appear on an existing list which is to be merged with a new list shall have an opportunity to compete in the second examination.

d. Subsequent Examination

- 1) All persons on the unexpired "Eligibility List" will be notified and given the opportunity to participate in the Subsequent Examination.
- 2) All persons on the unexpired "Certified Eligible List," will remain on that list.
- 3) All persons on the unexpired "Eligibility List" who choose to NOT take the Subsequent Examination, their first score and Band ranking will remain the same.
- 4) All persons on the unexpired "Eligibility List" who choose to take the Subsequent Examination, will be given their highest score out of the two (2) examinations.
- 5) The Original Unexpired Eligibility List will then be combined with the Subsequent Examination Eligibility List to create the "New Eligibility List." The New Eligibility List will expire two (2) years from the date it was created and the Original Unexpired Eligibility List is void.
- 6) Lastly, from the New Eligibility List, the Commission "shall" certify all names in the highest band - those names will then move over to the previously existing Certified Eligibility List, and be in addition to the previously certified candidates.

e. Duration of Lists

The term of eligibility of each list and of the names appearing thereon shall be two (2) years. The term of the eligibility list may be extended by the Commission for an additional two (2) years, not to exceed a total of four (4) years. Any list that has been in effect for more than one (1) year may, at the discretion of the Commission, be terminated at any time in the public interest.

f. Applicants Receiving the Same Mark

In the event of two (2) or more applicants receiving the same mark on a promotional examination, seniority shall determine the order in which their names shall be placed on the eligibility list. In the event of two (2) or more applicants receiving the same mark on a promotional examination and having the same seniority date, ties shall be broken by their position on the eligibility list of their prior rank. That individual ranking highest on the eligibility list of their previous rank will be deemed to have seniority for purposes of promotional civil service examinations only.

g. Change of Address

Each person on an eligibility list shall file with the Commission written notice of any change of address, and failure to do so may be considered sufficient reason for not certifying his or her name to appointing authorities for future appointments.

h. Revocation of List

An eligibility list may be revoked prior to being in existence for one (1) year and another examination ordered only when in the judgment of the Commission such action is deemed advisable by reason of errors, fraud, or obviously inappropriate standards prescribed in connection with any examination. All competitors in the first examination shall be notified and shall be eligible to compete in the rescheduled examination without filing a separate application or the payment of an additional fee. No eligibility list shall be altered or revoked except upon written notice to all persons whose standing may be affected and upon an entry in the minutes of the Commission of the reasons for such alteration or revocation.

i. Sign-offs and Waivers

A person on an eligibility list may voluntarily sign a waiver requesting that he or she not be considered for appointment for a defined period of time. Such a waiver must be made on a form approved by the Commission and for a defined period of time approved by the department to which the appointment is sought. At the conclusion of their sign-off period, individuals shall be automatically restored to the eligibility list in the position they would have been had they not withdrawn.

In a promotional situation involving applicants who are all internal candidates, such candidates may voluntarily agree to waive one or more of the requirements set forth in these rules. Such a waiver will be effective only if all applicants agree and approval is obtained from the Commission.

2. Certified Eligible List

a. Definition of Certified Eligible List

Certified eligible list is defined for the purposes of these Civil Service Rules as a finite list of names and scores of individuals who have taken and passed an examination for a specific classification and/or where applicable have taken and passed an examination for a specific classification, been placed on a preliminary eligibility list and subsequently passed an approved physical agility test, and in either case are eligible and available for employment.

The number of names on a certified eligible list shall be as determined by the Civil Service Commission.

b. Certification and Appointment for Original Appointments

- 1) The appointing authority, or department head with the written consent of the appointing authority, shall notify the Commission that it intends to make an original appointment in the civil service, and the Commission shall, except as otherwise provided in these Rules, provide a certified eligibility list or conduct a competitive examination pursuant to these rules. The Commission shall thereafter certify to appointing authority the names of the candidates standing in the highest band on the candidate list resulting from that examination.
- 2) The Commission shall certify all names in the highest band from the appropriate list so that in making appointments to a position in the class, the appointing authority has a choice of at least ten (10) candidates. In the event the highest band may be exhausted or fewer than ten (10) candidates remain, prior to the completion of the appointment process, the commission may certify subsequent band(s) as necessary to ensure that the appointing authority may select from among at least ten (10) candidates.
- 3) Score banding or grade banding is a method of grouping scores within a band. It shall apply to all exams for Original Appointment except as otherwise provided in these rules and is described below.

Band Breakdown:

A score of 90 or greater = A band

A score of 85 through 89 = B band

A score of 80 through 84 = C band

A score of 75 through 79 = D band

A score of 70 through 74 = E band

The final calculated score for banding classification will be the result of the raw test score plus all available bonus points added to it (if any).

After the grading of an examination has been completed, all candidates tested will be notified in writing of their exam results. Those candidates passing the exam will be notified of which score band he or she is in on the candidate list. The banded candidate list shall be used to provide hiring departments with names of certified candidates available for hire.

- 4) The appointing authority shall appoint to the vacant position one (1) of the individuals whose name is certified.
- 5) The Commission may certify less than ten (10) names to the appointing authority if ten (10) names are not available. When less than ten (10) names are certified to an appointing authority, appointment from that list shall not be mandatory, and the appointing authority may request that the Commission administer a new examination.
- 6) For each two (2) appointments or conditional offers made from a candidate list, an appointing authority may request that the Commission omit from future certifications to such appointing authority up to two (2) individuals who have been considered two (2) or more times, but not appointed.

c. Number of Names to be Certified from Promotional Exam

In the case of a position in the classified service which is to be filled by a promotion or in the case of the selection of a Police or Fire Chief, the Commission shall, except as provided for in Sections 124.30 and 124.32 of the Ohio Revised Code, certify to the appointing authority the names of the three (3) candidates standing highest on the eligibility list for the class or grade to which said position is classified.

d. Certification Not More than Four (4) Times

A person certified from an eligibility list four (4) times to the same appointing authority for the same position and passed over on all four (4) occasions shall be omitted from future certifications.

e. Disqualification or Removal of Applicants and Eligibles from Eligibility Lists

- 1) Applicants may be rejected from consideration or refused admittance to an examination, and eligibles may be disqualified or removed from an eligible or certified eligibility list, for, but not limited to, the following causes:

- A) Those causes set forth in the Rule IV(10) and Rule IX;
- B) The individual is found to lack any of the established minimum requirements for the position, any requirements set forth by applicable federal or State of Ohio laws, these Rules or the Charter, any other job-related ability, or has failed to provide a transcript, license, certificate, or other required documentation within time limits prescribed by the Commission;
- C) The individual's name appears on a promotional eligible list and the individual is no longer a City employee;
- D) The individual fails to pass the required medical examination for the position;
- E) The individual has a poor traffic record and is applying for a position which requires an operator's license and involves driving;
- F) The individual has been convicted of a felony or a job-related misdemeanor;
- G) The individual has been dismissed or resigned in lieu of termination from public or private employment for cause;
- H) The individual has made a false statement of material fact in the application or testing process (reference Rule V);
- I) The individual has practiced or attempted to practice deception or fraud on the application or examination (reference Rule IV), or in securing eligibility or appointment;
- J) The individual has used, threatened to use, or attempted to use political influence in securing employment, reemployment, or promotion;
- K) The individual cannot speak, read, or write the English language and the work requires speaking, reading, or writing the English language;
- L) The individual fails to report for an interview or other step in the selection process as directed by the Commission or appointing authority and/or fails to report for duty as directed by the appointing authority;
- M) The individual cannot be located at the address on file with the Commission;
- N) The individual, during the selection process, failed a drug or alcohol screening test in that the test showed the presence of drugs and/or alcohol in the individual's body fluids. This shall not be grounds for disqualification if the substance is a prescribed medication and has

been prescribed for applicant by a licensed physician, and has been taken by the applicant in accordance with the physician's instructions;

- O) The individual, during information revealed in a background investigation, admits to current use of the drugs of abuse as defined in Section 3719.011 of the Ohio Revised Code. This provision is only applicable to applicants for entry-level positions in the Department of Public Safety and who are not subject to Rule VI (2)(e)(1)(P);
 - P) The individual, based upon information revealed during the background investigation, violates the provisions of the Background Removal Standards for Police Officer or the provisions of the Background Removal Standards for Firefighter applicants, whichever is applicable, and both of which are hereby incorporated by reference; or
 - Q) The individual voluntarily signs a waiver that he or she will not be considered for appointment pursuant to Rule VII.
- 2) In the event an individual is rejected, refused, disqualified, or removed from the list of eligibles pursuant to Rule VI (2)(e)(1)(N) or (O) above, he or she shall be precluded from employment with the City for one (1) year.
- 3) If an individual is removed from a certified eligibility list pursuant to Rule VI 2(e)(1)(A) through (P) above, the Commission shall notify the individual via writing that he or she is being removed from the eligibility list and cite the section(s) from Rule VI(2)(e) above warranting removal, unless the applicant is being removed pursuant to Rule VI (2)(e)(1)(C) or (M) in which case removal shall be automatic and notice shall not be required. The eligible may appeal his or her removal from the list to the Civil Service Commission by contacting the Secretary of the Civil Service Commission within fourteen (14) calendar days from the date said notice is sent by regular U.S. mail or electronic mail to the applicant. Upon receiving a notice of appeal from the applicant, the Secretary shall set the matter on the agenda of the next scheduled Civil Service Commission meeting or special meeting scheduled for the matter and the applicant shall be given an opportunity to be heard. Civil Service Commission members shall confine their review at appeal to determining whether a violation of the Rules occurred and a majority vote shall be required to overturn the removal. If the Secretary does not receive notice of appeal by the applicant within the time period prescribed, the applicant's appellate right shall be considered waived and the removal shall be final.

f. Duration of Certified Eligible Lists

Certified eligible lists shall be in effect until such time as the department head, with the written consent of the appointing authority, or the appointing authority who has requested said list is able to make an appointment from said list.

In the event that multiple appointments are to be made, the department head, with the written consent of the appointing authority, or the appointing authority who has requested said list may make more than one appointment from a list, may request a new list for each appointment made, or may request that an additional name be added for each appointment made.

RULE VII
APPOINTMENTS

Appointments to sworn positions in the Fire and Police Departments that are not filled by promotion, transfer, or reduction, as provided by the Civil Service Laws and the Rules of the Commission, shall be made only from those persons whose names are certified to the appointing authority in accordance with the Civil Service Laws and the Rules of the Commission.

Appointments outside the sworn members of the Fire and Police Departments may be made by the appointing authority by non-competitive testing procedures approved in advance by the Civil Service Commission. Such an appointee shall not be required to take a competitive test within two (2) years and shall be considered a member of the classified civil service in all respects.

1. Appointment from Other Appropriate Lists

Upon receipt from the Commission of a certified eligible list, the appointing authority shall fill such position by appointment of one of the names certified to him or her and shall forthwith report in writing to the Commission the name of such appointee, the title of the position, the duties and responsibilities of same, the salary or compensation thereof, and such other information as the Commission may require in order to keep its roster.

In the event that an eligibility list becomes exhausted, through inadvertence or otherwise, and until a new list can be created, or when no eligibility list for such position exists, names may be certified from eligibility lists which the Commission determined to be most appropriate for the group or class in which the position to be filled is classified.

a. Appointments to Police Officer by Lateral Transfer List

In addition to appointments to original positions as Police Officers from a certified eligible list as set out in Rule VII, appointments may also be made from the lateral transfer list in accordance with the following provisions:

- 1) The Civil Service Commission shall advertise and accept applications, for a period to be determined by the Commission or for an indefinite period of time if designated by the Commission, for applicants to be placed on a lateral transfer list.
- 2) To be eligible to be placed on this lateral transfer list, the applicant must meet all of the following conditions:
 - i) Be currently Ohio Peace Officer Training Academy (OPOTA) certified as an Ohio Peace Officer as defined in Chapter 109 of the Ohio Administrative Code or a graduate of the Ohio State Highway Patrol Academy or similar training program allowed under Section 5503.05 of the Ohio Revised Code; and
 - ii) Be currently working or have worked within the past twelve (12) months as a full-time or part-time OPOTA certified Ohio Peace Officer in a jurisdiction in the State of Ohio as defined in Section 109.71 of the Ohio Revised Code, or as a full-time or part-time Ohio State Highway Patrol Officer, under Section 5503.01 of the Ohio Revised Code.
- 3) Before placing on a Lateral Transfer List, every applicant shall submit to an oral interview before a panel selected by the Appointing Authority and the Chief of Police. In the oral interview process, the panel may consider the following factors, among other job related factors, deemed appropriate by the panel:
 - i) The reason the applicant has been separated from the applicant's former employers or wishes to leave the applicant's current employment;
 - ii) The type of agency or entity that employed the applicant in the past;
 - iii) Any public safety certifications obtained by the applicant;
 - iv) The results of any background check;
 - v) The results of the physical fitness exam;
 - vi) The results of any polygraph examination and/or voice test analysis;
 - vii) The results of any personality assessment or medical examination; and
 - viii) Any other job related factors the panel deems appropriate.

If the panel determines that the applicant meets the criteria for the lateral transfer list and successfully completes the oral interview process and would be an appropriate applicant to be placed on the lateral transfer list considering job related factors, the panel shall place the applicant on the list, complete the list, and forward the list to the Civil Service Commission. There will be no ranking of the applicants on the list. The Commission shall then certify the list if it finds everything to be in compliance with the Commission's Rules. The Commission has the discretion to leave the time period for the lateral transfer list open for an indefinite period of time; however, the Commission must certify any applicant on the lateral transfer list before that applicant is eligible for appointment.

2. Probationary Period; Probationary Removal or Reduction

All original and promotional appointments including provisional appointments shall be for a probationary period of not less than sixty (60) days nor more than one (1) year except original appointments to a Police Department as a Police Officer or to a Fire Department as a Firefighter which shall be for a probationary period of one (1) year and no appointment or promotion is final until the appointee has satisfactorily served his or her probationary period as fixed by the Commission. Said probationary period shall not conflict with any mandatory probationary periods under the provisions of the Ohio Revised Code.

Service as a provisional employee in the same or similar class shall be included in the probationary period. If the service of the probationary employee is unsatisfactory, he or she may be removed or reduced at any time during his or her probationary period. If the appointing authority's decision is to remove the appointee, his or her communication to the Commission shall state the reason for such decision.

3. Restriction as to Age or Other Requirements

Any restriction for appointment from an eligibility list as to age or other requirements shall be made prior to and stated in the bulletin announcing the examination and no eligibility list shall be so restricted unless it has been announced in the examination bulletin.

4. Temporary Appointments

In case of an emergency, an appointment may be made without regard to the Civil Service Laws or the Rules of the Commission, but in no case to continue longer than thirty (30) days, and in no case shall successive temporary appointments be made; provided, however, that interim or temporary appointments made necessary by reason of sickness or disability of the regular employee shall continue only during such period of temporary sickness or disability.

Where the services to be rendered by an appointee are for a temporary period, not to exceed thirty (30) days, and the need of such service is important and urgent, the appointing authority may select for such temporary service any person on the proper

list of those eligible for permanent appointment. Successive temporary appointments to the same position shall not be made under this provision. The acceptance or refusal of a temporary appointment by an eligible person shall not affect his or her standing on the register for permanent appointment, nor shall the period of temporary service be counted as part of the probationary service in case of subsequent appointment to a permanent position.

All such temporary appointments shall be promptly reported to the Commission in writing by the appointing authority.

5. Provisional Appointments

Provisional appointments may be made in accordance with the Ohio Revised Code Section 124.30.

6. Promotions

Vacancies in positions in the classified service shall be filled insofar as practical by promotions.

RULE VIII

TRANSFERS, REINSTATEMENTS, AND LAYOFFS

1. Transfers

A person holding a position in the classified service may be transferred, with the written consent of the Commission, to a similar position in another department having the same pay and similar duties, but no transfer shall be made to a position in another class nor to a position for which original entrance requires an examination involving essential tests or qualifications different from those required for original entrance to the position held by such person. No transfer shall be made to a position carrying a salary different from or higher than that of the position from which the transfer is requested.

2. Layoffs and Abolishments

The Civil Service Commission of the City of Stow enacts the following provisions with the purpose and intent to establish direction and clarity for this Commission, the City of Stow, and employees of the City of Stow regarding the layoff of employees and the abolishment of positions in the classified service excluding those within the Police and Fire Departments. This Rule is not intended to apply to those employees of the City of Stow working under a collective bargaining agreement except where the Ohio Revised Code permits or requires such application.

a. In General

Whenever any permanent office or position in the classified service, except in the Police and Fire Departments, is abolished or made unnecessary, or the person holding such office or position is to be laid off, the procedure outlined in Sections 124.321 through 124.328 of the Ohio Revised Code shall be followed unless otherwise modified by these rules or an applicable collective bargaining agreement.

“Permanent employee” or used herein means any person in the classified service holding a position that requires working a regular schedule of twenty-six (26) consecutive bi-weekly pay periods, or any other regular schedule of comparable consecutive pay periods, which is not limited to a specific season or duration. It does not include student help, intermittent, temporary, seasonal, external interim, or individuals covered by personal service contracts.

Layoffs, reductions, or abolishments in the Police and Fire Departments for causes other than those outlined in Section 124.34 of the Ohio Revised Code shall be made in accordance with the provisions of Section 124.37 of the Ohio Revised Code unless otherwise modified by an applicable collective bargaining agreement.

b. Exclusive Rule

The Administrative Rules of the Ohio Department of Administrative Services shall not apply to layoffs or abolishments within the City of Stow.

c. Determination of Reason for Layoff or Abolishment

Employees may be laid off as a result of a lack of funds, a lack of work, a material change in essential functions, reorganization for the efficient operation of the appointing authority, for reasons of economy, for other good reasons in the interest of public service, or for reasons of job abolishment. “Abolishment” means the deletion of a position or positions from the organization or structure of an appointing authority.

The Mayor or other applicable appointing authority (appointing authority) shall itself determine whether there are appropriate grounds for a layoff or job abolishment and shall file a statement of rationale and supporting documentation with this Commission prior to issuing the layoff notices. The appointing authority shall determine whether any position(s) shall be abolished and upon a determination to abolish shall file a statement of rationale and supporting documentation with this Commission prior to sending the notice(s) of abolishment. The appointing authority shall determine the classification(s) which will be affected and the number of employees to be laid off in each affected classification.

d. Calculation and Use of Retention Points

Ohio Revised Code 124.321 through 124.328 and Ohio Revised Code 124.37 provide that employees shall be laid off in descending order of retention points. "Retention points" means the system of points given to employees to determine the order of layoff.

- 1) Layoff and displacement shall be governed by retention points.
- 2) An employee's total retention points shall be the sum of the base points plus the retention points assigned for continuous service with the City of Stow. "Continuous service" means the uninterrupted service of an employee in a full-time position within the classified service of the City of Stow and shall include time in active pay status and on approved leaves of absence with or without pay.
- 3) The appointing authority shall compute the total retention points for each employee in the classifications affected by a layoff or position abolishment, including the classifications in which displacement may occur.
- 4) The appointing authority shall submit the required information to the Civil Service Commission for verification. Notification to affected employees shall not occur prior the Commission's verification of retention points.
- 5) Employees shall be assigned a base of one hundred (100) retention points. Computation of retention points for continuous full-time service shall be made by crediting each employee with one (1) retention point for each bi-weekly pay period for continuous service. Retention points for continuous service for other than full-time service shall not be granted.
- 6) Once the number of layoffs and/or job abolishments and the affected classifications have been determined by the appointing authority, employees shall be laid off in the following order:
 - i) Full-time probationary employees in the affected classifications;
 - ii) The full-time employee(s) in the affected classification with the lowest number of retention points up to the number determined necessary.

e. Notice

- 1) Written notice shall be provided to each affected employee no less than fourteen (14) calendar days prior to the planned effective date of layoff or abolishment.
- 2) Such notice shall contain:
 - A) The reason for the layoff or abolishment;
 - B) The effective date;

- C) The employee's accumulated retention points;
- D) A copy of the retention points calculations for all positions in the affected classification;
- E) Notification as to whether the affected employee has known displacement (bumping) rights; and
- F) Notification of right of the affected employee to exercise such bumping rights if such election is date stamped by the Secretary to the Civil Service Commission no later than the fifth (5th) calendar day following the date on which the layoff notice/abolishment notice was furnished to the affected employee.

f. Displacement

- 1) A laid-off employee may exercise displacement rights into a classification within the same classification series as the position he or she is being laid off or displaced from. Classification numbers shall be established and assigned to each classification within the classified service on the Organization Chart for each appointing authority and within each department as established by Charter and/or Ordinance. Assignment of the classification numbers shall be established by ordinance of Stow City Council. Each classification number consists of five (5) digits and the first four (4) digits of the classification number shall define the classification series. An employee may only exercise displacement rights within their classification series and may only displace into a successively lower classification(s) for which the employee meets the established minimum qualifications.
- 2) A laid-off employee or displaced employee shall notify the appointing authority and the Civil Service Commission, in writing, of his or her intention to exercise displacement (bumping) rights within five (5) calendar days after receipt of notice of layoff or displacement. Receipt shall be deemed to have occurred three (3) calendar days after the date of mailing of the notice.
- 3) A laid-off employee or displaced employee exercising displacement rights shall displace the employee in the applicable classification with the fewest retention points within the order of displacement set forth in subsection D(6) above. No employee shall displace any employee whose position or classification requires special minimum qualifications unless the employee desiring to displace such employee possesses the requisite minimum qualifications for the classification as established by the classification specification or job description.

- 4) Displacement occurs on the date an employee is notified, in writing, that another employee has exercised his or her right of displacement thereby requiring that the employee with fewer retention points be displaced. A displaced employee may then, within five (5) calendar days of such notice, exercise the right to displace another employee if such right to displace exists. Displacement rights of an employee may only be exercised within the employee's appointing authority.

g. Displacement into Vacant Position

At any time immediately prior to, or simultaneous with the implementation of a layoff in a promoted classification, the City may, at its discretion, elect to expand the ranks of any classification that would otherwise be filled by original appointment so as to create positions that may be filled through displacement (bumping).

Such positions shall be regarded as having been filled from a recall list, even if there is no gap in compensable service by the affected employee.

3. Recall

Once any bumping has been exhausted, recall lists shall be established for each classification affected by a layoff, job abolishment, or displacement. Employees will be placed on recall lists for the applicable classification based upon retention points, with the employee with the highest number of retention points being placed at the top of the recall list followed by the remaining number of employees ranked in descending order of retention points.

The appointing authority shall notify the Commission of the final placement of employees for recall by providing a copy of applicable recall lists for each affected classification.

Whenever the appointing authority determines to fill a position for which a recall list exists, the employee with the highest retention points in the affected classification shall be the first to be offered the recall.

An employee who is laid off or displaced retains recall (reinstatement) rights for a period of two (2) years from the effective date of layoff or displacement. The appointing authority shall not hire or promote anyone into a position within that classification until all laid-off persons on a layoff list for that classification that are qualified to perform the duties of the position are recalled or decline the recall when it is offered.

An employee shall be provided at least ten (10) calendar days' advance notice of recall and shall have five (5) calendar days to accept or decline the recall. Notice of recall and acceptance or declination of recall shall be in writing. Failure to timely respond to recall shall be deemed a declination. An employee who declines recall to the

classification they were laid off or displaced from will be removed from the applicable recall list and shall lose all recall rights.

4. Appeals

a. Layoff or Displacement

Any employee who is laid off or displaced through bumping as the result of the layoff process may appeal the action to the Commission. The appeal shall be filed by hand delivery to the Secretary of the Civil Service Commission and acceptance by date stamp or postmarked no later than ten (10) calendar days after receipt of the layoff notice or after the date the employee is displaced. Hearings of an appeal of layoff or displacement shall be conducted in accordance of the provisions of Rule X herein except that for an employee displaced through bumping, the scope of such appeal shall be limited to the calculation of the retention points only, and may not address the cause of the layoff or abolishment.

b. Furlough Days

Voluntary or mandatory cost saving days, "furlough" days, are not subject to appeal under these provisions or Rule X herein.

RULE IX

REDUCTIONS, SUSPENSIONS, AND REMOVALS

The tenure of every officer or employee in the classified service of the City shall be during good behavior and efficient service and no such officer or employee shall be reduced in pay or position, fined, suspended, or removed, or have the officer's or employee's longevity reduced or eliminated, except for incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of any policy or work rule of the officer's or employee's appointing authority, violation of a last chance agreement, any other failure of good behavior, or any other acts of misfeasance, malfeasance, or nonfeasance in office, or conviction of a felony.

Conviction of a felony is a separate basis for reducing in pay or position, suspending, or removing an officer or employee, even if the officer or employee has already been reduced in pay or position, suspended, or removed for the same conduct that is the basis of the felony. If an officer or employee removed under this section is reinstated as a result of an appeal of the removal, any conviction of a felony that occurs during the pendency of the appeal is a basis for further disciplinary action under this section upon the officer's or employee's reinstatement.

An officer or employee may not appeal to the Commission any disciplinary action taken by an appointing authority as a result of the officer's or employee's conviction of a felony. Any officer or employee convicted of a felony immediately forfeits any status as a classified employee on and after the date of the conviction for the felony. If an officer or employee is removed under this section as a result of being convicted of a felony or is subsequently convicted of a felony that involves the same conduct that was the basis for the removal, the officer or employee is barred from receiving any compensation after the removal notwithstanding any modification or disaffirmance of the removal, except where the conviction for the felony is subsequently reversed or annulled.

As used in this section, "last chance agreement" means an agreement signed by both an appointing authority and an officer or employee of the appointing authority that describes the type of behavior or circumstances that, if it occurs, will automatically lead to removal of the officer or employee. In an appeal of a removal order based upon a violation of a last chance agreement, the Commission may only determine if the employee violated the agreement and thus affirm or disaffirm the judgment of the appointing authority.

The implementation of a voluntary or mandatory furlough is not a reduction in pay, a fine or a suspension for purposes of these rules and cannot be appealed.

In any case of reduction, fine, or suspension for more than forty (40) working hours, or removal, the appointing authority shall furnish such employee with a copy of the order of reduction, fine, suspension, or removal, which order shall state the reasons therefore. Such order shall be filed with the Commission within ten (10) calendar days after the effective date of the order.

Within ten (10) calendar days following the filing of such order, the employee may file an appeal, in writing, with the Commission. In the event such an appeal is filed, the Commission shall forthwith notify the appointing authority and shall hear such appeal within thirty (30) calendar days from and after its filing with the Commission, and it may affirm, disaffirm, or modify the judgment of the appointing authority. The Commission may appoint a trial board to hear such appeals.

In cases of removal or reduction in pay for disciplinary reasons, either the appointing authority or the officer or employee may appeal from the decision of the Commission to the Court of Common Pleas in accordance with the procedure provided by Section 119.12 of the Ohio Revised Code.

In the case of the suspension, fine, demotion, or removal of any member of the Police or Fire Departments under the rules of the Commission, an appeal on questions of law and fact may be had from the decision of the Commission to the Court of Common Pleas. Such appeal shall be taken within thirty (30) calendar days from the date of notice of the finding of the Commission.

1. Disciplinary Suspension

An employee may be suspended for a period of not to exceed forty (40) working hours for purposes of discipline without the right of appeal provided, however, that successive suspensions shall not be allowed.

2. Absence Without Leave

Absences from duty without leave for any time or failure to report if leave has expired, shall be considered "neglect of duty" and cause for removal.

3. Falsification in Application

Falsification of any statement in an application for examination shall be considered "dishonest" and sufficient cause for disqualification or removal.

4. Procedure to be Followed in Removal

The discharge of an employee by an appointing authority shall not become effective until such appointing authority shall have first:

- a. Served such employee a written order of removal, which order shall contain one or more statutory reasons for grounds for discharge, together with such specifications of facts as shall place him or her fairly upon his or her defense; and
- b. Filed with the Commission a copy of such order of removal within the time allowed.

5. Appeal

Any such employee so removed may appeal from the order of such appointing authority to the Commission within ten (10) calendar days after the effective date of such removal as set forth in the order of removal.

RULE X

HEARINGS, PROCEDURE

1. Time of Hearing; Notifications

Upon receipt from an employee or officer in the classified service of the City of a timely appeal from an order of removal, reduction in pay or position, or suspension for more than forty (40) working hours, the Commission shall set a time and place to hear such appeal. The Commission shall notify the appropriate appointing authority, as well as the employee, of the date and time of the hearing. An official record of the hearing shall be made by a court reporter.

2. Amendments to Orders

Amendments to the orders of removal, reduction in pay or position, or suspension for more than forty (40) working hours may be made by the appointing authority at any time, provided the employee receives notification of the amended order prior to ten (10) calendar days before the time set for the hearing as herein provided.

3. Rules of Evidence; Representation by Counsel

The production of evidence on the hearing of appeals and the Commission's decision thereof shall not be governed in general by the civil rules of evidence. The appellee and appellant may be represented by counsel.

4. Resignation Before Final Action

The acceptance by an appointing authority of the resignation of a person discharged, before the final action by the Commission, will be considered a withdrawal of the charges. Notice of such resignation shall be submitted by the appointing authority immediately, in writing, to the Commission. The separation of the employee thus resigning shall be entered upon the records of the Commission and the proceedings dismissed without judgment.

RULE XI
ANNEXATION

1. Employment Placement Procedures

In the event that the City of Stow shall annex unto its corporate limits any territory which, prior to annexation, was an independent and functioning legal entity with active and existing government personnel, the following procedures shall apply. Upon completion of formal annexation, all full-time employees who meet the terms and provisions of the existing City of Stow payroll ordinance definitions of "full-time" employees shall be entitled to a recommendation for immediate appointment. This appointment shall be to a position in a department of the City of Stow that is the most comparable to that department and position of employment held by the employee in the annexed territory. Within sixty (60) days after completion of formal annexation, the Civil Service Commission shall establish lists of employees eligible for recommended Civil Service Appointments. The lists shall be submitted to the appointing authority for consideration along with a recommendation indicating the most comparable City of Stow department for employment purposes. These lists shall supersede the current eligibility lists for such positions.

The Civil Service Commission shall hold a hearing to determine the appropriate level of employment for any full-time employee who holds a position in the annexed territory which is a higher step level than a position of original appointment in the City

of Stow. Consideration shall be given to the employee's experience, training, and the recommendation and evaluation of the appropriate City of Stow department head. Other considerations shall be reviewed by the Commission if deemed appropriate or advisable. The Civil Service Commission shall recommend that the employee be placed on the City payroll in the most appropriate classification and/or step level. Other conditions of employment as the Commission deems just, fair, and equitable shall apply. This recommendation shall supersede the current eligibility lists for such positions.

Any person employed under this rule shall be entitled to full seniority credit for prior service in the governmental entity and shall be entitled to receive the same seniority, benefits, vacation, sick leave, and other rights and privileges as the City of Stow extends to other employees within the department to which said employee is appointed.

No employee placed on the City of Stow payroll by virtue of this rule shall be eligible to take a promotional examination until the completion of one (1) year of service with the City of Stow and, further, upon meeting all applicable civil service requirements for such examination.

This rule shall not be deemed to release any potential employee considered for appointment, as a result of annexation, from meeting the minimum requirements of the City of Stow for the specific position for which the employee is recommended. The department head may make a recommendation to the appointing authority as to the individual's ability to meet the requisite employee criteria.

These Rules have been revised and adopted by the Stow Municipal Civil Service Commission on November 12, 2024.

BY AND FOR THE STOW MUNICIPAL CIVIL SERVICE COMMISSION:

2/4/25
Date


Gary Spring, Chair

2/4/25
Date


Chuck Obendorf, Vice-Chair

2/4/25
Date


Lindsey Campbell, Member