



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

MEMORANDUM
CSC NO. 2016 - 02

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VICE PRESIDENT

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COMMISSIONER

MICHAEL L. BROWN
EXECUTIVE OFFICER

Date: October 18, 2016

To: Department Heads
Departmental Personnel Officers
Employee Organization Representatives

From: Michael L. Brown ^{SB}
Executive Officer

Subject: **Notice of Posting:**
Proposed Amendments to Civil Service Commission Rules 211.3
and 311.5.2 – Examination without Charge.

The Civil Service Commission acted at its Regular Meeting on October 17, 2016, to direct its Executive Officer to post the proposed amendments to Civil Service Commission Rule 211.3 - Examination without Charge applicable to Uniformed Ranks of the San Francisco Police Department and Rule 311.5.2 - Examination without Charge applicable to Uniformed Ranks of the San Francisco Fire Department, and to meet and discuss the proposed Rules with any interested stakeholders. The proposed rule amendments will permanently adopt the following:

1. Continuous testing model for entry-level police officers and firefighters;
2. Allow applicants for entry-level police officer or firefighter positions to be charged a fee by an outside vendor to take a City-approved examination that is administered by that vendor; and
3. Fees may be waived for financial hardship.

Any employee organizations or other stakeholders interested in discussing the proposed amendments are invited to attend any or all of the following scheduled meetings:

Date: **Wednesday, October 26, 2016**
Time: **10:00 a.m. to 12:00 p.m.**

Date: **Thursday, October 27, 2016**
Time: **3:00 p.m. to 5:00 p.m.**

October 18, 2016

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The meetings will take place in the Civil Service Commission's Office, located at 25 Van Ness Avenue, Suite 720. Please contact Commission staff at CivilService@sfgov.org to RSVP if you are planning to attend any of the meetings.

Attached is a copy of the proposed amendments to Civil Service Commission Rules 211.3 and 311.5.2 Examination without Charge.

If there are any questions, please contact me at (415) 252-3247.

Sincerely,

CIVIL SERVICE COMMISSION


MICHAEL L. BROWN For
Executive Officer

Attachments

Rule 211

Examinations

Article I: Promotional Examinations In The Uniformed Ranks Of The Police Department

Applicability: Rule 211 shall apply to all classes of the Uniformed Ranks of the San Francisco Police Department

Sec. 211.1 General Provisions Governing Promotional Examinations

211.1.1 Except as specifically provided in this or other sections of these Rules, all promotions in the Uniformed Ranks of the Police Department, shall be made from the next lower civil service rank attained by examinations and/or other legally valid, job-related, selection procedures.

211.1.2 All promotive examinations in the Police Department shall be job-related, valid, and consistent with State and Federal laws that promote the non-discrimination policies of the City and County of San Francisco.

Sec. 211.2 Frequency of Promotional Examinations

The Civil Service Commission shall provide for promotion in the Police Department on the basis of examinations and tests at least once every four years for each promotive position or rank in the Police Department.

Sec. 211.3 Examination without Charge

211.3.1 Examinations shall be without charge to the applicants.

211.3.2 ~~Pilot~~ Exception to the Requirement that Examinations be without Charge.

1) Notwithstanding Section 211.3.1 above, ~~on a pilot basis for a period not to exceed thirty six (36) months from the date of adoption, December 16, 2013,~~ applicants for the entry-level Police Officer classification may be charged a fee by an outside vendor to take a City-approved examination that is administered by that vendor. Such fee may be waived for financial hardship.

2) The decision to deny an applicant's request for fee waiver based on financial hardship may be protested to the Human Resources Director within five (5) calendar days from the date of the notice of such denial. A day the Department of Human Resources is closed shall not be counted as the fifth (5th) calendar day. The Human Resources Director's decision to deny a request for fee waiver based on financial hardship shall be

Sec. 211.3 Examination without Charge (cont.)

211.3.2 ~~Pilot~~ Exception to the Requirement that Examinations be without Charge (cont.)

2) cont.

appealable to the Civil Service Commission in accordance with Civil Service Rule 205.12.1 - Appeal of Human Resources Director's and Executive Officer's Action, Examination Matters.

3) The Department of Human Resources shall provide the Civil Service Commission with reports on a semiannual basis on those examinations for which applicants were charged a fee pursuant to this Section 211.3.2. Such reports shall include, but not be limited to, the following information for each examination: the number of applicants; the number of fee waiver requests, denials, protests and appeals; no-show rates; and available statistical information on the sex, race or ethnic group of applicants and eligibles.

~~4) This Pilot Rule Section 211.3.2 shall become inoperable and removed on December 15, 2016 unless otherwise authorized by action of the Commission. The Rule shall be recorded and retained as part of the permanent Civil Service Commission records.~~

Sec. 211.4 Human Resources Director Empowered to Act

The Human Resources Director or his or her designee shall rule on all matters concerning the examination program in accordance with these Rules.

Rule 311

Examinations

Article II: Examination Process

Applicability: Article II, Rule 311 shall apply to all classes of the Uniformed Ranks of the San Francisco Fire Department.

Sec. 311.5 **Examination of Applicants**

311.5.1 **Requirement for Competitive Examinations**

All applicants for positions in the classified service shall submit to examinations which shall be competitive provided, however, that no examination shall be deemed to be competitive unless three (3) or more persons shall participate. However, any such examination may be held for less than three (3) qualified applicants with the approval of the Human Resources Director, after a finding that reasonable publicity of the proposed examination has been given.

311.5.2 **Examination without Charge**

311.5.2.1 Such examinations shall be without charge to the applicants.

311.5.2.2 ~~Pilot-Exception to the Requirement that Examinations be without Charge~~

1) Notwithstanding Section 311.5.2.1 above, ~~on a pilot basis for a period not to exceed thirty-six (36) months from the date of adoption, November 18, 2013,~~ applicants for the entry-level firefighter classification may be charged a fee by an outside vendor to take a City-approved examination that is administered by that vendor. Such fee may be waived for financial hardship.

2) The decision to deny an applicant's request for fee waiver based on financial hardship may be protested to the Human Resources Director within five (5) calendar days from the date of the notice of such denial. A day the Department of Human Resources is closed shall not be counted as the fifth (5th) calendar day. The Human Resources Director's decision to deny a request for fee waiver based on financial hardship shall be appealable to the Civil Service Commission in accordance with Civil Service Rule 305.12.1 - Appeal of Human Resources Director's and Executive Officer's Action, Examination Matters.

3) The Department of Human Resources shall provide the Civil Service Commission with reports on a semiannual basis on those examinations for which applicants were charged a fee pursuant to this Section 311.5.2.2. Such reports shall include, but not be limited to, the following information for each examination: the number of applicants; the number of fee waiver

Sec. 311.5 Examination of Applicants (cont.)**311.5.2 Examination without Charge (cont.)****311.5.2.2 cont.****3) cont.**

requests, denials, protests and appeals; no-show rates; and available statistical information on the sex, race or ethnic group of applicants and eligibles.

~~4) This Section 311.5.2.2 shall become inoperable and removed on November 15, 2016 unless otherwise authorized by action of the Commission. The Rule shall be recorded and retained as part of the permanent Civil Service Commission records.~~

311.5.3 Examination Control and Employment of Examiners

The Human Resources Director shall control all examinations and may employ suitable persons in or out of the public service to act as examiners.

311.5.4 Type of Examinations

The examinations used shall measure the relative capacities of the persons examined to perform the functions, duties, and responsibilities of the class to which they seek appointment. Examinations shall consist of selection techniques which will test fairly the relative qualifications, merit and fitness of the applicants for the position to be filled. Examinations shall be used to measure job-related aptitude, knowledge, skills, and ability.

311.5.5 Non Discrimination in Examinations

During the examination, no applicant for public employment shall be questioned as to political views, religious beliefs, labor or political affiliations, race, national origin, ethnicity, age, gender identification, sexual orientation, ancestry, marital status, medical conditions or disabilities, parental status, or other non-merit factors, nor will such factors be utilized in establishing minimum qualifications requirements and developing examinations. Nepotism and otherwise prohibited favoritism shall be prohibited.

Sec. 311.6 Means of Identification

The Human Resources Director shall determine the method of candidate identification to be used in all entry-level and promotional examinations and shall ensure candidate confidentiality for the purposes of scoring.