CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED
MAYOR

MEMORANDUM
CSC No. 2018-11

DATE: October 9, 2018

TO: Department Heads
Department Personnel Officers
Employee Organization Representatives

FROM: Michael L. Brown
Executive Officer/Director

SUBJECT: **1) Civil Service Commission Rule Change No. 2000 – 88: Amendments to Rule 102 – Definitions Applicable to Miscellaneous Employees.**

2) Civil Service Commission Rule Change No. 2000 – 89: Amendments to Rule 110 – Examination Announcements and Applicants Applicable to Miscellaneous Employees.

3) Civil Service Commission Rule Change No. 2000 – 90: Amendments to Rule 111 – Examinations Applicable to Miscellaneous Employees.

4) Civil Service Commission Rule Change No. 2000 – 91: Amendments to Rule 111A – Position-Based Testing Applicable to Miscellaneous Employees.

5) Civil Service Commission Rule Change No. 2000 – 92: Amendments to Rule 112 – Eligible Lists Applicable to Miscellaneous Employees.

6) Civil Service Commission Rule Change No. 2000 – 93: Amendments to Rule 113 – Certification of Eligibles Applicable to Miscellaneous Employees.

During the Regular Civil Service Commission (Commission) Meeting of September 17, 2018 the Commission voted to adopt the posted Rule amendments with clarifying edits to Rules 102, 110, 111, 111A, 112 and 113. The rule amendments create a confidential eligible list. In addition, definitions such as de-identification and eligible list score report have been introduced.

The rule amendments effective October 15, 2018 are designed to reduce implicit bias, increase applicant confidentiality while maintaining transparency in the hiring process.

A revised copy of pages VII and VIII (Amendment Control Sheet) dated October 15, 2018 is attached for inclusion in your copy of the Civil Service Commission Rules. Substitute the updated pages for the corresponding pages in your copy of the Civil Service Commission Rules – Volume I – Miscellaneous Employees.

If you have any questions, please call me at (415) 252-3247.

Sincerely,

CIVIL SERVICE COMMISSION

MICHAEL L. BROWN
Executive Officer

Attachments

Rule Change No.	Adoption Date	Effective Date	Rule Section	Page Number	Action	Remarks
2000-80	8/17/15	8/17/15	111.36.1, 111.38.3 – 111.38.4	111.22 – 111.23	Amend	Replace pages 111.22 – 111.23 and page VII
2000-83	12/18/17	12/18/17	102.1.5, and 102.26.3	102.2 and 102.6	Delete and Amend	Replace pages 102.2 thru 102.7 ***Note:*** *Some Section Numbers have changed due to deletions and/or additions*
2000-84	12/18/17	12/18/17	114.6, 114.7, Article II, Article III, and 114.26.7	114.1, 114.6 – 114.9, and 114.20	Delete and Amend	Replace pages 114.1 and 114.6 – 114.29 ***Note:*** *Some Section Numbers have changed due to deletions and/or additions*
2000-85	12/18/17	12/18/17	121.2.1, 121.6, 121.7, 121.9 – 121.10,	121.2, 121.5 – 121.6	Delete and Amend	Replace pages 121.2 – 121.10 ***Note:*** *Some Section Numbers have changed due to deletions and/or additions*
2000-86	12/18/17	12/18/17	122.1.2, and 122.6	122.1 – 122.2, and 122.6	Amend	Replace pages 122.1 – 122.3, 122.6 – 122.7 and VII
2000-87	5/7/18	5/7/18	113.7 – 113.9	113.5 – 113.14	Delete and Amend	Replace pages 113.4 – 113.13 and page VII ***Note:*** *Some Section Numbers have changed due to deletions and/or additions*
2000-88	9/17/18	10/15/18	102.17 – 102.18	102.1, 102.4 – 102.7	Amend	Replace pages 102.1 and 102.4 – 102.7
2000-89	9/17/18	10/15/18	Applicability, 110.14 and Articles IV and V	110.1 – 110.6	Delete	Replace pages 110.1 – 110.6
2000-90	9/17/18	10/15/18	111.34.10	111.21	Add	Replace pages 111.20 – 111.21
2000-91	9/17/18	10/15/18	111A.17, 111A. 23 – 111A.23.1, 111A.24 – 111A.24.1 and 111A.34.1	111A.2, 111A.10, 111A.13 and 111A.18	Amend	Replace pages 111A.1 – 111A.2, 111A.10 – 111A.11, 111A.12 – 111A.13, and 111A.18 – 111A.19

Rule Change No.	Adoption Date	Effective Date	Rule Section	Page Number	Action	Remarks
2000-92	9/17/18	10/15/18	Articles II, III, and IV; Applicability; 112.1, 112.7, 112.7.1, 112.7.2, 112.7.3, 112.7.8 – 112.16.11	Entire Rule	Delete and Amend	Replace pages 112.1 -112.23 ***Note:*** *Some Section Numbers have changed due to deletions.*
2000-93	9/17/18	10/15/18	113.1.2, 113.1.3.2, 113.5, 113.7.1.2, 113.7.3.1, 113.7.4.1, 113.9, 113.11,	113.2 – 113.7, 113.10 – 113.11	Amend	Replace pages 113.2 – 113.7, 113.10 – 113.11 and pages VII and VIII

Rule 102
Definitions

Applicability: Rule 102 shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes.

Sec. 102.11 Classified Service

Includes all positions in the City service subject to competitive examination.

Sec. 102.12 Commission

The administrative body of Civil Service Commissioners empowered to enforce the civil service provisions of the Charter.

Sec. 102.13 Commissioner

A member of the Civil Service Commission of the City and County of San Francisco, appointed by the Mayor.

Sec. 102.14 Department

Organizational unit or units under one appointing officer.

Sec. 102.15 Department of Human Resources

The Department charged with administering the policies, Rules, and procedures of the Civil Service Commission and performing such other duties and functions as set forth in the Charter.

Sec. 102.16 Eligible

A person who has standing on an eligible list.

Sec. 102.17 Eligible List

A confidential list of names of applicants who have passed a civil service examination used for certification purposes only. Applicant information, including names of applicants on eligible lists, shall not be made public, unless required by law; however, an eligible list shall be made available for public inspection upon request once the eligible list is exhausted or expired and referrals resolved.

102.17.1 Eligible List Examination Score Report

A list of scores by rank of successful applicants, without names.

Sec. 102.18 De-Identification

De-Identification is the process of redacting candidates' information, including names, addresses, schools attended, and other personal identifying information to reduce the potential of biases (implicit or explicit) in the examination or selection process.

Sec. 102.19 Executive Session

A meeting or part of a meeting of the Commission legally held in private or with the general public excluded.

Sec. 102.20 Human Resources Director

Director of the Department of Human Resources.

Sec. 102.21 Layoff

Separation from a position because of economy, lack of funds, or lack of work.

Sec. 102.22 Near List

An eligible list or a holdover roster in a class similarly related to a class for which there is no eligible list from which the Human Resources Director may authorize the certification of eligibles for temporary civil service appointment.

Sec. 102.23 Part-Time Employment

Part-time employment is regularly scheduled, less than full-time, permanent or temporary appointment to a permanent or temporary position.

Sec. 102.24 Position

Duties and responsibilities assigned by an appointing officer to be performed by one employee.

102.24.1 Permanent

A collection of duties, regardless of the source and nature of the funds, performed by one individual, which represent the ongoing work of the City and County. Such position(s) may be either:

1) enumerated in the Annual Salary Ordinance or Salary Resolutions of the School Districts for which funds have been provided on a continuing basis; or

2) a position declared to be permanent by action of the Human Resources Director.

Sec. 102.24 Position (cont.)

102.24.2 Temporary

A position in which the duties and responsibilities exist for a maximum duration of 1040 hours except in the case of a special project, defined elsewhere in these Rules, for up to a maximum duration of 2080 hours.

102.24.3 Part-Time

Positions less than the established full-time normal schedule of hours per day or days per week.

102.24.4 Exempt

Temporary or permanent positions excluded from civil service hiring and removal procedures in accordance with the provisions of Section 10.104 of the Charter.

102.24.5 School-Term Only

Positions in the School Districts established for school term periods only.

102.24.6 As-Needed

A temporary or provisional appointment on either a full-time or part-time work schedule against a temporary requisition designated as as-needed to cover peak workloads, emergency extra workloads, necessary relief, and other situations involving a fluctuating staff.

Sec. 102.25 Post

To place on the official Bulletin Board.

Sec. 102.26 School Districts

San Francisco Unified School District and San Francisco Community College District.

Sec. 102.27 Seniority

102.27.1 Civil Service - Permanent

Seniority shall be determined by the date of certification which resulted in a permanent appointment to a position in a class in a department. In the event of identical dates, seniority shall be determined by rank on the eligible list, the higher eligible being the senior. Employees who resign or are terminated and subsequently are reappointed shall have their seniority determined by their new certification date following separation.

102.27.2 Civil Service - Temporary (from eligible list)

Seniority shall be determined by the date of certification which resulted in a temporary appointment to a temporary position in a class in a department. In the event of identical dates, seniority shall be determined by rank on the eligible list, the higher eligible being the senior.

102.27.3 Departmental

Seniority for shift and work assignments, vacation or holiday schedule is determined by the appointing officer and is not within the authority of the Civil Service Commission or the Department of Human Resources.

Sec. 102.28 Service

The City and County of San Francisco government service, including the classified positions in the School Districts.

Sec. 102.29 Start Work Date

The date on which an appointee is first reported on the timeroll as working.

Sec. 102.30 Time Periods

Reference to time periods, such as one week or one month, etc., shall mean calendar days unless the Rule specifically refers to business days.

Sec. 102.31 Validation Date

The date on which the Department of Human Resources notifies an appointing officer that it has approved an appointment.

Rule 110
Examination Announcements and Applicants

Article I: Equal Employment Opportunity Policy

Applicability: Article I, Rule 110, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes.

Article II: Examination Announcements

Applicability: Article II, Rule 110, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and, MTA Service-Critical classes.

Article III: Applicants

Applicability: Article III, Rule 110, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments, MTA Service-Critical classes.

Rule 110
Examination Announcements and Applicants

Article I: Equal Employment Opportunity Policy

Applicability: Article I, Rule 110, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes.

Sec. 110.1 Civil Service Commission Equal Employment Opportunity Policy Related to Examination Announcements and Application Procedures

It is the goal and policy of the Civil Service Commission to achieve a work force that is fully reflective of the multicultural, ethnic, and gender diversity of the City and County of San Francisco. The Human Resources Director shall conduct outreach for the purpose of announcing upcoming examinations. Outreach shall include such procedures among others as periodic mailings, job fairs, and presentations to inform the public of the employment opportunities and the examination process within the civil service merit system.

Rule 110
Examination Announcements and Applicants

Article II: Examination Announcements

Applicability: Article II, Rule 110, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments, and MTA Service-Critical classes.

Sec. 110.2 Examination Announcements

The examination announcement shall be the official notice of an examination and shall provide the qualifications, dates, and other particulars regarding the selection procedure. Applicants must be guided solely by the terms of the examination announcement.

Sec. 110.3 Minimum Posting Periods for Examination Announcements

Examination announcements shall be posted on the official bulletin board for a minimum period of five (5) workdays for entrance examinations, and ten (10) workdays for promotional examinations. Examination announcements for promotional examinations shall be distributed to all City and County departments. Appointing officers shall make reasonable efforts to properly notify employees.

Sec. 110.4 Appeals of Examination Announcements

Appeals concerning the provisions of an examination announcement must be received by the Human Resources Director within five (5) business days from the issuance date. The Human Resources Director shall rule on all appeals and shall notify appellants in writing of the decision. This decision is subject to appeal to the Commission as provided elsewhere in these Rules.

Sec. 110.5 Reissuance of Examination Announcements

After considering appeals submitted under these Rules, the Human Resources Director may reissue an examination announcement. When reissued, an examination announcement is not open to appeal.

Sec. 110.6 Correction of Examination Announcements

Examination announcements may be corrected by the Human Resources Director with respect to clerical errors, misprints, and incorrect wording by posting notice of such corrections next to the original examination announcement. When examination announcements are corrected under the provisions of this section, additional time shall not be allowed for the protest or appeal of the substantive provisions contained in the original examination announcement.

Rule 110
Examination Announcements and Applicants

Article III: Applicants

Applicability: Article III, Rule 110, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments, and MTA Service-Critical classes.

Sec. 110.7 Recruitment of Applicants

Recruitment shall be conducted to attract qualified applicants and to maximize the multicultural, ethnic, and gender diversity of the workforce in the City and County of San Francisco. Where appropriate or needed, the Human Resources Director shall conduct targeted outreach and recruitment programs, including cooperative efforts with community organizations, to attract qualified members of underrepresented groups.

Sec. 110.8 Definition of an Applicant

An applicant is a person who has filed an application for examination within the time limits or under the conditions specified on the examination announcement.

Sec. 110.9 Qualifications of Applicants

110.9.1 Every applicant for an examination must possess and maintain the qualifications required by law and by the examination announcement for the examination. Experience gained in violation of Commission Rules shall not be recognized. City and County employees shall receive credit only for the duties of the class to which appointed or assigned unless sufficient and credible documentation is provided to verify performance of other duties. Employees may receive credit for duties not usually performed by incumbents in a class if their employee file contains contemporaneous documentation that the duties were assigned and performed. By way of example but not limitation, records that describe and verify the out-of-class assignment that may be accepted as documentation include a valid performance appraisal completed during the normal evaluation period, payroll records filed at the time of the assignment and Notice of Assignment. Credit for duties not usually performed by incumbents in a class based on non-contemporaneous documentation shall require the certification of the Appointing Officer and the approval of the Human Resources Director.

Sec. 110.9 Qualifications of Applicants

110.9.2 Except with permission of the Human Resources Director, no employee may participate in an entrance examination carrying a lower salary schedule than that of the employee's current class nor for a class in which the employee has current permanent appointment.

Sec. 110.10 Review of Applicant Pool Demographics

When there is underrepresentation of an ethnic or gender group for a specific class or occupational category, the Human Resources Director shall review the ethnic and gender demographics of the pool of qualified applicants.

Where the pool of applicants does not reflect the demographics of the relevant labor market, and upon consideration of factors such as the number of anticipated vacancies and the level of underrepresentation, the Human Resources Director may take such action as appropriate including extending the filing period, reopening the examination for filing, or canceling the examination.

Sec. 110.11 Promotional Applicants

Applicants for promotive only or combined promotive and entrance examinations shall meet the requirements of the examination announcement under which they apply. If otherwise qualified, civil service employees with permanent, probationary, temporary civil service, or holdover status and who have had six 6) months of verifiable satisfactory experience in any class in any status (including provisional) qualify promotionally.

Sec. 110.12 Change of Address

In all cases of change of address, the Department of Human Resources must be notified in writing separately for each class involved. Notice of change of address to the Post Office and/or an employee's current department only will not be a reasonable excuse for special consideration in case of failure to respond to any notice within time limits.

Sec. 110.13 Custody of Examination Applications

Examination applications and supporting documents become the property of the Department of Human Resources when received. Return of such documents shall require the approval of the Human Resources Director.

Sec.111.34 Examination of Applicants (cont.)

111.34.4 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 may include written tests to determine job-related aptitude, knowledge, or achievements; and oral tests by qualifications appraisal boards.

111.34.5 Rules Governing Qualification Appraisal Boards

The Human Resources Director shall establish rules governing the size and composition of qualification appraisal board. Qualification appraisal boards may consider, in the case of employees of the City and County of San Francisco, all prior performance evaluations completed on Department of Human Resources forms and, in the case of all applicants, may consider prior work experience, assessment center evaluations, and work samples as part of their evaluation of candidates for employment to any position.

111.34.6 Apprenticeship Positions

Appropriate rosters of eligibles established by a trade, craft or occupation joint apprenticeship committee recognized by the State of California Department of Industrial Relations, Division of Apprenticeship Standards, may be utilized to fill apprenticeship positions or as the basis for establishing apprenticeship eligibility lists.

111.34.7 Adequacy of Examinations

Subject to the approval of the Commission, the Human Resources Director shall judge the adequacy of the tests to rate the capacity of the applicants to perform service for the City and County.

111.34.8 Establishment of Passing Mark and Number of List

The Human Resources Director may, for each examination, establish a passing mark or may determine the total number of persons who shall constitute the list of eligibles.

Sec.111.34 Examination of Applicants (cont.)

111.34.9 Preparation and Order of Eligible List

The Human Resources Director shall prepare the eligible list from the returns of the examiners, arranged in order of relative performance.

111.34.10 Confidentiality of Applicant Information

Applicant information, including names of applicants on eligible lists shall not be made public unless required by law.

111.34.11 Prohibition of Political, Religious or Fraternal Questions

No question submitted to applicants shall refer to political or religious opinions or fraternal affiliations.

Sec. 111.35 Protest of Written Questions and Answers

Incorporating former Charter Section 8.322 into the Civil Service Commission Rules pursuant to former Charter Section 8.320-1 Incorporating Former Charter Provision (Proposition C - November 5, 1991 Election)

111.35.1 Review Period by Participants in Written Examinations

After the written portion of a civil service examination has been held, the questions used and the answers thereto shall be available for review by the participants.

111.35.2 Exclusion from Review of Continuous or Standardized Tests

This review period shall not apply to questions and answers on any continuous or standardized entrance or concurrent entrance and promotive written tests.

111.35.3 Opportunity to Protest Questions and Answers

During the review period, participants shall have an opportunity to protest questions or answers they believe to be incorrect or improper.

111.35.4 Changes in Rating Key

After all protested items have been acted on and after the official rating key has been adopted and the identification sheets have been opened, further changes in the rating key shall not be made.

Rule 111A
Position-Based Testing

Applicability: Rule 111A shall apply to examinations designated to the Position-Based Testing Program and shall apply to employees in all classes except the Uniformed Ranks of the Police and Fire Departments, and MTA Service-Critical positions or classes.

Article I: Civil Service Commission Policy Related to Position-Based Testing

Article II: Examination Provisions

Article III: Examination Announcements

Article IV: Examination Applicants and Applications

Article V: Examinations

Article VI: Administration of Eligible Lists

Article VII: Certification of Eligibles

Sec.111A.14 Veterans Preference in Examinations

111A.14.1 The Human Resources Director shall establish the procedures for veterans preference in examinations in accordance with applicable law. The Human Resources Director shall establish the definitions of veterans preference and applicants entitled to veterans preference in examinations in accordance with applicable law and Civil Service Commission Rules.

111A.14.2 Any individual applicant for entrance employment with the City and County of San Francisco wishing to receive veterans preference credit as provided in Civil Service Commission Rules must notify the Department of Human Resources of his/her veteran status at the time he/she submits the initial job application or as specified on the examination announcement.

Sec. 111A.15 Change of Address

The Department of Human Resources must be notified in writing (including e-mail) by the applicant of any change of address, e-mail address or telephone number. Notice of change to the Post Office and/or an employee's current department only does not meet the notification requirement.

Sec. 111A.16 Custody of Examination Applications

Examination applications and supporting documents become the property of the Department of Human Resources when received. Return of such documents shall require the approval of the Human Resources Director.

Sec. 111A.17 Confidentiality of Applicant Information

Applicant information, including names of applicants on eligible lists shall not be made public, unless required by law.

Rule 111A
Position-Based Testing

Article V: Examinations

Applicability: Article V, Rule 111A shall apply to examinations designated to the Position-Based Testing Program and shall apply to employees in all classes except the Uniformed Ranks of the Police and Fire Departments, and MTA Service-Critical positions or classes.

Sec. 111A.18 Adequacy of Examinations

The Human Resources Director shall approve the adequacy of the examination to rate the capacity of the applicants to perform the job. Examinations may include, but are not limited to one or more testing devices such as written examinations, oral interviews, performance exercises, assessment centers, successful completion of requirements imposed by other authorities for the award of certification, licensure, academic recognition (e.g. degree, course completion), placement on a roster as provided in Sec. 111A.27, or any other devices or methods to determine merit and fitness for tested positions.

Sec. 111A.19 Examination Rating Panels

The Human Resources Director shall make every reasonable effort to ensure diversity of the qualified raters.

Sec. 111A.20 Establishing Cutoff Scores and Number of Eligibles

The Human Resources Director shall establish a cutoff or passing score and shall determine the number of persons who shall constitute the eligible list.

Sec. 111A.21 Cheating in Examinations Prohibited

111A.21.1 Any action that constitutes cheating, improper aid, hindrance, fraud, or collusion in any part of the examination process is prohibited. The following are some specific actions that are expressly prohibited: relevant false statements by applicants on the application or during the selection process; the use or attempted use of materials not authorized by the scheduling notice to candidates to report for the examination; defeating, deceiving or obstructing any person in respect to his or her right of examination; falsely marking, grading, estimating, or reporting upon the examination or proper standing of any person examined hereunder, or aid in so doing; making any false representations concerning the examination or the person examined; or furnishing to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person of being appointed, employed or promoted.

Sec. 111A.21 Cheating in Examinations Prohibited (cont.)

111A.21.2 Any person cheating, attempting to cheat, or assisting in cheating or hindering other persons in any phase of the examination process shall be prosecuted to the full extent of the Charter and other laws. Actions to be taken include elimination from the examination process, dismissal and ineligibility for future employment and such other appropriate action as may be recommended by the Human Resources Director.

Sec. 111A.22 Review of Ratings by Examination Participants

111A.22.1 Examination participants shall have a minimum period of five (5) working days to review their own examination ratings to confirm the accuracy of the calculation of their scores and/or rankings. The identity of the examiner giving any mark or grade shall not be disclosed.

111A.22.2 The Human Resources Director shall establish the procedures for Review of Ratings.

Rule 111A
Position-Based Testing

Article VI: Administration of Eligible Lists

Applicability: Article VI, Rule 111A shall apply to examinations designated to the Position-Based Testing Program and shall apply to employees in all classes except the Uniformed Ranks of the Police and Fire Departments, and MTA Service-Critical positions or classes.

Sec. 111A.23 Eligible Lists for Certification Purposes Only

111A.23.1 The names of examination participants passing all phases of an examination described by the terms and conditions of the examination announcement shall be placed on an eligible list. Eligible information, including names on eligible lists shall not be made public, unless require by law; however, an eligible shall be made available for public inspection upon request once the eligible list is exhausted or expired and referrals resolved.

111A.23.2 The Human Resources Director shall establish the duration of an eligible list and/or durations of eligibility of individuals on the eligible list. Eligibles will be notified of the duration of the eligible list and/or durations of eligibility of individuals.

Sec. 111A.24 Posting of Tentative Eligible List Examination Score Report

111A.24.1 At the beginning of the inspection period the Tentative Eligible List Score Report shall be posted and made available for public inspection.

111A.24.2 Changes in an eligible list because of clerical or computational errors shall not change the date of adoption of the eligible list.

111A.24.3 The Human Resources Director may adopt an eligible list pending the resolution of any appeal, and may certify to the appointing officer the names of eligibles available for appointment in accordance with the established certification rule. Resolutions of appeals shall not affect earlier hires from the eligible list.

Sec. 111A.25 Maintenance of Eligibility

Eligibles who fail to possess or maintain the qualifications required by law and/or by the terms of the examination announcement under which they participated shall forfeit their eligibility. The Human Resources Director is authorized to remove eligibles from an eligible list who have failed to maintain qualifications and/or may restore eligibles to an eligible list based on qualifications or to comply with Civil Service Commission Rules, policy and/or action.

Sec. 111A.34 Authority to Rule on Appeals

111A.34.1 Civil Service Commission

Appeals to the Civil Service Commission may occur at three (3) points in the examination process: (1) after the examination announcement has been issued, (2) after the examination has been administered and prior to the posting of the Tentative Eligible List Score Report and (3) after the merging of eligible lists in different classes. Appeals of the examination announcement may be based only on challenges to the position description and/or the minimum qualifications. Appeals after the examination administration may be based only on claims of inconsistency in examination administration, bias of raters and/or failure of raters to apply uniform standards. Appeals of merging of eligible lists in different classes may be based only on claims of substantial differences in the knowledge, skills and abilities required to perform the essential functions of the positions. Decisions of the Civil Service Commission on these examination matters will be final.

111A.34.2 Human Resources Director

All other appeals may be made to the Human Resources Director whose decision will be final.

Sec. 111A.35 Appeals to the Civil Service Commission

111A.35.1 Appeals of the Examination Announcement

1) The standard of review for appeals under this Section shall be abuse of discretion in establishing the position description, the minimum qualifications and/or the certification rule when the certification rule was not reached by mutual agreement with the employee organization representing the tested class. In determining abuse of discretion, the Civil Service Commission must find that the Human Resources Director made decisions beyond his/her authority or had no rational basis for his/her decision.

2) Appeals under this Section must be submitted directly to the Executive Officer of the Civil Service Commission and must be received in the Civil Service Commission office by close of business on the fifth (5th) business day after the examination announcement issuance date.

3) Appeals must be in writing and shall include a statement of the specific component(s) or item(s) of the examination announcement being contested and specific reason(s) why adoption of the cited portions of the examination announcement constitutes abuse of discretion by the Human Resources Director. To the extent possible, all supporting documentation must be submitted with the written appeal.

Sec. 111A.35 Appeals to the Civil Service Commission (cont.)

111A.35.1 Appeals of the Examination Announcement (cont.)

4) Upon receipt of an appeal, the Executive Officer of the Civil Service Commission shall immediately forward a copy of the appeal to the Department of Human Resources. The Executive Officer of the Civil Service Commission shall place the appeal on the Civil Service Commission agenda for the next Regular Commission Meeting consistent with the Brown Act, Sunshine Ordinance and other applicable law. The Executive Officer of the Civil Service Commission in consultation with the President may calendar the appeal at a Special Meeting prior to the Regular Meeting of the Civil Service Commission. The appellant and other parties shall be notified of the particulars of the hearing in accordance with the procedures established by the Executive Officer of the Civil Service Commission.

5) The Human Resources Director or representative may take actions to resolve the appeal with the appellant before the scheduled Commission hearing date and forward to the Executive Officer of the Civil Service Commission the documented resolution prior to the scheduled Commission hearing date. The Executive Officer of the Civil Service Commission shall report the resolution to the Civil Service Commission at the scheduled hearing.

6) The Civil Service Commission shall consider an unresolved appeal on the date it is calendared for hearing except under extraordinary circumstances and upon mutual agreement between the appellant and the Department of Human Resources. The Civil Service Commission shall rule on the appeal at the hearing. The Commission's action on the appeal shall be final and no reconsideration requests shall be allowed.

111A.35.2 Appeals of Inconsistency of Examination Administration, Bias of Raters and/or Failure of Raters to Apply Uniform Standards

1) Appeals shall be based solely on claims that the inconsistency in examination administration, bias of the raters and/or failure of the raters to apply uniform standards compromised either the validity or the reliability of the examination. Appeals shall include a statement of the specific facts that demonstrate that the validity or reliability of the examination was compromised, and cite the specific Civil Service Commission Rule or Department of Human Resources Policy that was violated. For the purposes of appeals under this Section, validity is generally defined as the establishment of the relationship between a test device or other selection procedure and performance on the job; and reliability is generally defined as the consistency of measurement of the test device or selection procedure.

Rule 112
Eligible Lists

Article I: Administration of Eligible Lists

Applicability: Article I, Rule 112, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments, and MTA Service-Critical classes.

Article II: Holdover Rosters and Return to Duty

Applicability: Article V, Rule 112, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes, and classes in the Management ("M") and Executive Management ("EM") Bargaining Units including "Management Unrepresented" classes covered in the Unrepresented Ordinance.

Article III: Holdover Rosters and Return to Duty for Classes in the Management ("M") and Executive Management ("EM") Bargaining Units including "Management Unrepresented" Classes Covered in the Unrepresented Ordinance.

Applicability: Article VI, Rule 112, shall apply to employees in classes in the Management ("M") and Executive Management ("EM") Bargaining Units including "Management Unrepresented" classes covered in the Unrepresented Ordinance.

Article IV: Redevelopment-Only Priority Eligible List

Applicability: Article VII, Rule 112, implements Assembly Bill 26 (2011) and shall apply to employees transitioned from the former San Francisco Redevelopment Agency (SFRA) to the City & County of San Francisco (CCSF) and who were laid off from their positions effective March 30, 2012.

Article V: Office of Community Investment and Infrastructure-Only Eligible List

Applicability: Article VIII, Rule 112, shall apply only to employees from the former San Francisco Redevelopment Agency who were appointed and separated from the City and County of San Francisco effective July 8, 2013 and are currently employed by the Office of Community Investment and Infrastructure as of February 2, 2015, without a break in service.

Rule 112
Eligible Lists

Article I: Administration of Eligible Lists

Applicability: Article I, Rule 112, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments, and MTA Service-Critical classes.

Sec.112.1 Types of Eligible Lists

The names of applicants passing all phases of an examination shall be placed on one of the following types of eligible lists in the order of total score. Eligibles with tie scores shall be listed in alphabetical order. Applicant information, including applicant names on eligible lists shall not be made public, unless required by law; however, an eligible list shall be made available for public inspection upon request once the eligible list is exhausted or expired and referrals resolved.

112.1.1 Discrete Eligible Lists

Discrete eligible lists are lists derived from examinations which are open for filing for a specific time period and in which the selection procedure is administered on a specific date or dates.

112.1.2 Continuous Eligible Lists

A continuous eligible list may be used for a class after the Human Resources Director has designated the class as a "continuous list class." Each time an examination for such a class is given, the names of the eligibles resulting from the examination shall be added to the existing eligible list, ranked by the eligible's score on the examination taken. For eligibles with the same score, names shall be listed alphabetically.

112.1.3 Duration of Eligibility on Continuous Lists

Each examination announcement for a continuous list class shall state the time period during which the names of eligibles successfully passing the examination will remain on the continuous list. This time period will be referred to as the "eligibility period." An eligible's name shall be removed from a continuous list at the end of the eligibility period.

Sec.112.2 Duration of Eligible Lists and of Eligibility

112.2.1 Duration of Discrete Eligible List

For discrete eligible lists, the eligible list shall state the duration of the list with the minimum duration being six (6) months and the maximum twenty four (24) months.

112.2.2 Duration of Eligibility - Continuous Eligible Lists

For continuous eligible lists, the examination announcement shall specify the duration of eligibility with the minimum period of eligibility being six (6) months and the maximum being twelve (12) months.

112.2.3 Establishment of Duration of Eligible Lists

In establishing duration of an eligible list or duration of eligibility, the Human Resources Director shall consider, among other factors, the size of the applicant pool, the number of positions in the class, the rate of turnover, and equal employment opportunity goals.

112.2.4 Expiration of Eligible Lists and Eligibility

If the expiration date of an eligible list or eligibility period falls on a Saturday, Sunday or legal holiday, the removal of all names shall be effective at the close of business on the following business day.

Sec.112.3 Extension of Eligibility

The Human Resources Director may extend an eligible list or eligibility period for up to one (1) additional year. Eligibles shall be notified of the extension and any change in the expiration of their eligibility.

Sec.112.4 Cancellation of Eligibility

The Human Resources Director may cancel an eligible list after the minimum duration of six (6) months. In canceling an eligible list, the Human Resources Director shall consider, among other factors, the number of eligibles remaining, the length of time since the selection procedures were administered, equal employment opportunity goals, and labor market availability. Eligibles and the recognized employee organization representing the affected class shall be notified.

Sec.112.5 Merging of Eligible Lists

112.5.1 The Human Resources Director may authorize the merging of an earlier list in a class with a later eligible list in the same class.

112.5.2 The names of eligibles from the earlier eligible list shall be interpolated with the names of eligibles on the later eligible list by score. Eligibles with the same score shall be listed in alphabetical order.

112.5.3 The duration of the merged eligible list shall be established as provided elsewhere in these Rules and eligibles from the earlier eligible list shall have their eligibility extended accordingly.

Sec.112.6 Priority of Eligible Lists

Except as otherwise provided in these Rules, the order of priority of discrete eligible lists regardless of adoption dates is as follows:

1) promotive lists;
2) combined promotive and entrance lists; and
3) entrance lists.

Within each category earlier discrete eligible lists have priority over later discrete eligible lists.

Sec.112.7 Posting Period for the Tentative Eligible List Examination Score Report and Review of Ratings by Examination Participants

112.7.1 Examination participants shall have a minimum period of three (3) business days to review their own examination ratings to confirm the accuracy of the calculation of their scores and/or rankings. The identity of the examiner giving any mark or grade shall not be disclosed.

112.7.2 The Human Resources Director shall establish the procedures for Review of Ratings.

112.7.3 The decision of the Human Resources Director shall be final shall not be reconsidered by the Commission.

Sec.112.8 Documents Included in Review of Ratings and Maintenance of Anonymity of Examiners

Inspection review of ratings of the final score calculations, if not exempted from inspection privileges, shall include rating sheets and other papers needed to verify accuracy of scores. Neither the identity of the examiner giving any mark or grade in an examination nor the questions and answers shall be provided. Individuals are not permitted to see other applicants' application materials, ratings or rating forms.

Sec.112.9 Appeal of Accuracy of Sores

The exclusive purpose of the review of ratings period is to review papers supporting a person's standing on the eligible list. Appeals during this period shall be limited to the accuracy of scores. Appeals must be filed in the office of the Department of Human Resources during the inspection period of the eligible list. The Human Resources Director shall rule on all appeals filed during this period. The decision of the Human Resources Director on the appeal shall be final and shall not be reconsidered by the Commission.

Sec.112.10 Adoption of Eligible List for Certification Purposes Only

112.10.1 Confidentiality of Applicant Information

Applicant information, including applicant name on eligible lists shall not be made public, unless required by law. Therefore all eligible lists, upon adoption, will be used for certification purposes only. Changes in an eligible list because of clerical or computational errors shall not change the date of adoption of the eligible list.

112.10.2 The Human Resources Director may adopt an eligible list pending the resolution of any appeal, and may certify to the appointing officer the names of eligibles available for appointment in accordance with the established certification rule. The decision of the Human Resources Director shall be final and shall not be reconsidered by the Commission.

Sec.112.11 Maintenance of Eligibility

112.11.1 Except as otherwise provided in these Rules, eligibles who fail to possess or maintain the qualifications required by law and by the terms of the examination announcement under which they participated shall forfeit their eligibility.

112.11.2 Except for persons designated as "holdovers," promotive eligibles on a combined promotive and entrance eligible list who are separated from the City and County Service shall have all promotive credit points deleted from their final scores in the examination and their ranks on the eligible list shall be reduced accordingly. If re-employed and if the eligible list has not expired, upon written request and with the approval of the Human Resources Director, such promotive credit points and the previous rank shall be restored.

Sec. 112.11 Maintenance of Eligibility (cont.)

112.11.3 Except for persons designated as "holdovers," eligibles on a promotive only eligible list who are separated from the City and County service shall be removed from such eligible list. If re-employed and if the eligible list has not expired, upon written request and with the approval of the Human Resources Director, the person may be returned to the eligible list with promotive credit points and previous rank restored.

112.11.4 The Human Resources Director is authorized to remove eligibles from an eligible list in accordance with the conditions specified above.

Sec.112.12 The Use of Eligible Lists

Except for circumstances beyond the control of the Department of Human Resources, the initial Notice of Certification to eligibles as provided in Civil Service Rule 113 shall be issued within thirty (30) days from the date of adoption of an eligible list.

Rule 112
Eligible Lists

Article II: Holdover Rosters and Return to Duty

Applicability: Article V, Rule 112, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes, and classes in the Management ("M") and Executive Management ("EM") Bargaining Units including "Management Unrepresented" classes covered in the Unrepresented Ordinance.

Sec.112.13 Holdover Status and Return to Duty

112.13.1 Holdover Roster - General Requirements

1) Subject to the provisions of this Rule, permanent or probationary civil service appointees who are laid off or placed on an involuntary leave of absence shall be designated as holdovers.

2) The names of holdovers shall be ranked on a holdover roster for the class or classes from which layoff occurs and in the order of total seniority in the class in the City and County service. Seniority prior to resignation or termination shall not be used in determining holdover rights in a class.

3) Holdovers shall be returned to duty in rank order from holdover rosters.

4) Holdovers shall, for a period of five (5) years from the date of layoff, have preference for appointment over eligibles on civil service lists, or employees requesting transfer, reinstatement, or reappointment. The Human Resources Director, upon review of all the circumstances, may extend the holdover status for such specified period of time as he/she may deem proper.

5) Holdover rosters shall be canvassed in the following order: first, permanent holdover rosters; then, temporary holdover rosters.

6) Permanent holdovers shall be returned to duty in temporary positions before temporary holdovers. Permanent holdovers shall displace any temporary or part-time exempt appointee in the same class in any City and County department. Permanent holdovers returned to duty in temporary positions shall retain their status on the permanent holdover roster. In the event of a displacement, the least senior temporary or part-time exempt appointee in the City and County service shall be laid off first.

Sec.112.13 Holdover Status and Return to Duty (cont.)

112.13.1 Holdover Roster - General Requirements (cont.)

7) Permanent holdovers in classes with citywide seniority for layoff purposes shall be entitled to displace only the least senior permanent employee in that class in City service. Holdovers who waive such appointment shall remain on the holdover list for subsequent permanent appointment to vacant positions, but may accept a temporary position in the class, if available.

8) Exceptions to Return to Duty in Rank Order

If two (2) or more approved requisitions are on file, the Human Resources Director may permit holdovers in line for appointment, and in accordance with their standing on the roster, to select from the available requisitions the positions to which they desire appointment. In cases where holdovers on rosters who would be reached for appointment on requisitions, the Human Resources Director may consult with appointing officers and employees involved, and if it is in the best interest of the service, may offer out said positions to holdovers so as to make it possible for them to return to duty in the department from which laid off.

9) Holdovers who are notified that they are being returned to duty are required to respond to the Department of Human Resources within five (5) business days of the date of notification. The Human Resources Director may extend the time response period beyond five (5) business days. Failure of a holdover to respond within the time limits shall be considered a refusal of the offer and shall be subject to the penalty, if any, provided in this Rule.

10) Except as otherwise provided in these Rules, holdovers who fail to possess and maintain the qualifications required by law and by the terms of the examination announcement under which they participated shall forfeit their eligibility.

11) In all cases of change of address, the Department of Human Resources must be notified in writing separately for each class involved. Notice of change of address to the Post Office and/or the employee's current department only shall not be a reasonable excuse for special consideration in case of failure to respond to notice of return to duty within time limits.

Sec.112.13 Holdover Status and Return to Duty (cont.)

112.13.1 Holdover Roster - General Requirements (cont.)

12) Except as otherwise directed by the Human Resources Director, holdovers being returned to duty shall not be required to pass a new medical examination.

13) A properly completed copy of the designated report of layoff or involuntary leave of absence form shall be forwarded to the Department of Human Resources as soon as possible (in advance of the action if possible) so that the Department of Human Resources may record the action and place the employee's name on a holdover roster for immediate consideration for return to duty.

14) Late reports of layoff shall not interfere with nor affect the rights of holdovers to whom notices of return to duty have already been mailed and who have been or may be returned to duty in response to such notices.

15) If there is no holdover roster for a class or if the holdover roster is exhausted, the Human Resources Director may authorize that a holdover be returned to duty from another holdover roster deemed suitable to temporarily provide the required service. If no other roster is available, the position shall be offered to eligibles on regular civil service eligible lists or to individuals requesting transfer, reinstatement or reappointment.

16) Holdovers returned to duty shall be reinstated with accrued compensatory time, if any, and with their original anniversary date for the purposes of computing sick leave and vacation benefits.

112.13.2 Holdover - Temporary Appointees

1) Appointees certified from an eligible list who have satisfactorily served under temporary appointment shall upon expiration of the list be designated a "temporary holdover."

2) Resignation from temporary appointment from a holdover roster or refusal of temporary appointment from a holdover roster cancels all temporary holdover rights in that class.

Sec.112.13 Holdover Status and Return to Duty (cont.)

112.13.3 Holdover - Permanent and Probationary Appointees

1) A permanent or probationary appointee to a promotional or entrance position who is laid off shall be designated a "permanent holdover" and shall be returned to duty in a position in the class from which laid off from a holdover roster as provided in this Rule.

2) A permanent holdover returned to duty on a permanent basis in a department other than the one from which laid off shall serve a new probationary period.

3) Return to duty of a permanent holdover to a position in the class from which laid off shall be subject to the following conditions:

4) Return to Duty - Department From Which Laid Off

Permanent Vacancy - A permanent holdover who refuses an offer to return to duty on a permanent basis in the department from which laid off shall forfeit all holdover rights in that class, and shall be removed from all rosters for that class. Such refusal of return to duty shall be deemed a resignation.

Temporary Vacancy - Permanent holdovers may refuse an offer to return to duty on a temporary basis in the department from which laid off without affecting future offers to be returned to duty. Waiver of temporary appointment shall not be removed without the permission of the Human Resources Director.

5) Return to Duty - Department Other Than the One From Which Laid Off

Permanent holdovers may refuse an offer to return to duty on a permanent or temporary basis in a department other than the department from which laid off without affecting future offers to be returned to duty. Such departmental waivers shall not be withdrawn without the approval of the Human Resources Director.

6) A permanent holdover who was laid off during the probationary period and who is returned to duty in the department from which laid off shall complete the remaining period of probationary service.

Sec.112.13 Holdover Status and Return to Duty (cont.)

112.13.3 Holdover - Permanent and Probationary Appointees (cont.)

7) Transferees who are laid off during the probationary period shall be ranked on the permanent holdover roster for the class in accordance with their seniority in the class in the City and County service.

8) Permanent holdovers who resign or are released during the probationary period may be returned to the holdover roster from which appointed subject to the provisions of these Rules. Such holdovers shall not displace any current permanent or probationary employees, but shall remain on the list for subsequent permanent appointment to vacant positions and may accept a temporary position in the class, if available.

Rule 112
Eligible Lists

Article III: Holdover Rosters and Return to Duty for Classes in the Management ("M") and Executive Management ("EM") Bargaining Units including "Management Unrepresented" Classes Covered in the Unrepresented Ordinance.

Applicability: Article VI, Rule 112, shall apply to employees in classes in the Management ("M") and Executive Management ("EM") Bargaining Units including "Management Unrepresented" classes covered in the Unrepresented Ordinance.

Sec. 112.14 Holdover Status and Return to Duty

112.14.1 Holdover Roster – General Requirements

1) Subject to the provisions of this Rule, permanent or probationary civil service appointees who are laid off or placed on an involuntary leave of absence shall be designated as holdovers.

2) The names of holdovers shall be ranked on a holdover roster for the class or classes from which layoff occurs and in the order of total seniority in the class in the City and County service. Seniority prior to resignation or termination shall not be used in determining holdover rights in a class.

3) Holdovers shall be returned to duty in vacant positions, in rank order from holdover rosters.

4) Holdovers shall, for a period of five (5) years from the date of layoff, have preference for appointment over eligibles on civil service lists, or employees requesting transfer, reinstatement, or reappointment. The Human Resources Director, upon review of all the circumstances, may extend the holdover status for such specified period of time as he/she may deem proper.

5) Holdover rosters shall be canvassed in the following order: first, permanent holdover rosters; then, temporary holdover rosters.

6) Permanent holdovers shall be returned to duty in temporary positions before temporary holdovers. Permanent holdovers shall displace any temporary or part-time exempt appointee in the same class in any City and County department. Permanent holdovers returned to duty in temporary positions shall retain their status on the permanent holdover roster. In the event of a displacement, the least senior temporary or part-time exempt appointee in the City and County service shall be laid off first.

Sec. 112.14 Holdover Status and Return to Duty (cont.)

112.14.1 Holdover Roster – General Requirements (cont.)

7) Permanent holdovers in classes with citywide seniority for layoff purposes shall not be entitled to displace permanent or probationary employees in that class in City service with the following exception:

a) Any active employee in classes in the Management ("M") and Executive Management ("EM") Bargaining Units including "Management Unrepresented" classes covered in the Unrepresented Ordinance with a minimum of twenty (20) years of continuous service on January 1, 2007.

i. Continuous service for the purpose of this section is defined as continuous service in a permanent civil service appointment to any class(es) in the Management ("M") and Executive Management ("EM") Bargaining Units including "Management Unrepresented" classes covered in the Unrepresented Ordinance.

ii. Provisional and exempt service in a class(es) in the Management ("M") and Executive Management ("EM") Bargaining Units including "Management Unrepresented" classes covered in the Unrepresented Ordinance will not constitute a break in continuous service.

8) Exceptions to Return to Duty in Rank Order

If two (2) or more approved requisitions are on file, the Human Resources Director may permit holdovers in line for appointment, and in accordance with their standing on the roster, to select from the available requisitions the positions to which they desire appointment. In cases where holdovers on rosters who would be reached for appointment on requisitions, the Human Resources Director may consult with appointing officers and employees involved, and if it is in the best interest of the service, may offer out said positions to holdovers so as to make it possible for them to return to duty in the department from which laid off.

9) Holdovers who are notified that they are being returned to duty are required to respond to the Department of Human Resources within five (5) business days of the date of notification. The Human Resources Director may extend the time response period beyond five (5) business days. Failure of a holdover to respond within the time limits shall be considered a refusal of the offer and shall be subject to the penalty, if any, provided in this Rule.

10) Except as otherwise provided in these Rules, holdovers who fail to possess and maintain the qualifications required by law and by the terms of the examination announcement under which they participated shall forfeit their eligibility.

Sec. 112.14 Holdover Status and Return to Duty (cont.)

112.14.1 Holdover Roster – General Requirements (cont.)

11) In all cases of change of address, the Department of Human Resources must be notified in writing separately for each class involved. Notice of change of address to the Post Office and/or the employee's current department only shall not be a reasonable excuse for special consideration in case of failure to respond to notice of return to duty within time limits.

12) Except as otherwise directed by the Human Resources Director, holdovers being returned to duty shall not be required to pass a new medical examination.

13) A properly completed copy of the designated report of layoff or involuntary leave of absence form shall be forwarded to the Department of Human Resources as soon as possible (in advance of the action if possible) so that the Department of Human Resources may record the action and place the employee's name on a holdover roster for immediate consideration for return to duty to vacant positions.

14) Late reports of layoff shall not interfere with nor affect the rights of holdovers to whom notices of return to duty to vacant positions have already been mailed and who have been or may be returned to duty to vacant positions in response to such notices.

15) If there is no holdover roster for a class or if the holdover roster is exhausted, the Human Resources Director may authorize that a holdover be returned to duty to a vacant position from another holdover roster deemed suitable to temporarily provide the required service. If no other roster is available, the position shall be offered to eligibles on regular civil service eligible lists or to individuals requesting transfer, reinstatement or reappointment.

16) Holdovers returned to duty in vacant positions shall be reinstated with accrued administrative leave, if any, and with their original anniversary date for the purposes of computing sick leave and vacation benefits.

112.14.2 Holdover Roster – Temporary Appointees

1) Appointees certified from an eligible list who have satisfactorily served under temporary appointment shall upon expiration of the list be designated a "temporary holdover."

2) Resignation from temporary appointment from a holdover roster or refusal of temporary appointment from a holdover roster cancels all temporary holdover rights in that class.

Sec. 112.14 Holdover Status and Return to Duty (cont.)

112.14.3 Holdover - Permanent and Probationary Appointees

1) A permanent or probationary appointee to a promotional or entrance position who is laid off shall be designated a "permanent holdover" and shall be returned to duty in a vacant position in the class from which laid off from a holdover roster as provided in this Rule.

2) A permanent holdover returned to duty on a permanent basis in a department other than the one from which laid off shall serve a new probationary period.

3) Return to duty of a permanent holdover to a vacant position in the class from which laid off shall be subject to the following conditions:

4) Return to Duty - Department From Which Laid Off

Permanent Vacancy - A permanent holdover who refuses an offer to return to duty on a permanent basis in the department from which laid off shall forfeit all holdover rights in that class,. and shall be removed from all rosters for that class. Such refusal of return to duty shall be deemed a resignation.

Temporary Vacancy - Permanent holdovers may refuse an offer to return to duty on a temporary basis in the department from which laid off without affecting future offers to be returned to duty. Waiver of temporary appointment shall not be removed without the permission of the Human Resources Director.

5) Return to Duty - Department Other Than the One From Which Laid Off

Permanent holdovers may refuse an offer to return to duty on a permanent or temporary basis in a department other than the department from which laid off without affecting future offers to be returned to duty. Such departmental waivers shall not be withdrawn without the approval of the Human Resources Director.

6) A permanent holdover who was laid off during the probationary period and who is returned to duty in the department from which laid off shall complete the remaining period of probationary service.

7) Transferees who are laid off during the probationary period shall be ranked on the permanent holdover roster for the class in accordance with their seniority in the class in the City and County service.

8) Permanent holdovers who resign or are released during the probationary period may be returned to the holdover roster from which appointed subject to the provisions of these Rules. Such holdovers shall not displace any current permanent or probationary employees, but shall remain on the list for subsequent permanent appointment to vacant positions and may accept a temporary position in the class, if available.

Rule 112
Eligible Lists

Article IV: Redevelopment-Only Priority Eligible List

Applicability: Article VII, Rule 112, implements Assembly Bill 26 (2011) and shall apply to employees transitioned from the former San Francisco Redevelopment Agency (SFRA) to the City and County of San Francisco (CCSF) and who were laid off from their positions effective March 30, 2012.

Sec. 112.15 Redevelopment-Only Priority Eligible List

112.15.1 Redevelopment-Only Priority Eligible List – General Requirements

1) Former San Francisco Redevelopment Agency (SFRA) employees transitioned to the City and County of San Francisco (CCSF) and who were laid off from their positions effective March 30, 2012 will be placed on a Redevelopment-Only Priority Eligible List in rank order according to recognized seniority established at the former SFRA.

2) Redevelopment-Only Priority Eligible List will not include any employee who is employed by the City.

3) In the event an employee on the Redevelopment-Only Priority Eligible List obtains other City employment, s/he will be removed from the List.

4) The duration of eligibility on the Redevelopment-Only Priority Eligible List shall be two (2) years and may be extended only by action of the Commission.

5) Eligibles on the Redevelopment-Only Priority Eligible List shall possess and maintain minimum qualifications for the class.

112.15.2 Redevelopment-Only Priority Eligible List - Placement

1) The Human Resources Director shall identify classifications similarly related to Redevelopment-Only classifications affected by layoffs effective March 30, 2012.

2) Former SFRA employees affected by the March 30, 2012 layoff will be placed in the identified similarly related classifications on the Redevelopment-Only Priority Eligible List in rank order of their SFRA seniority.

3) The Human Resources Director's decision on classification matters is subject to appeal to the Commission.

Sec. 112.15 Redevelopment-Only Priority Eligible List (cont.)

112.15.3 Redevelopment-Only Priority Eligible List – Promotive Points

1) Former SFRA employees laid off from their Redevelopment Agency Classifications effective March 30, 2012 and are active on Redevelopment-Only Priority Eligible List shall be considered promotive applicants.

2) Applicants for promotive-only or combined promotive and entrance examinations shall meet the requirements of the examination announcement under which they apply. If otherwise qualified, City employees with six (6) consecutive months (1040 hours) of verifiable experience in any job classification in any appointment type qualify as promotive applicants.

112.15.4 Redevelopment-Only Priority Eligible List - Certification

1) Redevelopment-Only Priority Eligible List will have priority of certification before regularly adopted eligible lists, with no right of refusal.

2) The Human Resources Director shall certify for Temporary Civil Service (TCS) appointment, in rank order, an eligible from the Redevelopment-Only Priority Eligible List to available permanent requisition(s) for position(s).

3) An eligible appointed from the Redevelopment-Only Priority Eligible List who completes six (6) months of documented satisfactory job performance subject to approval of the Civil Service Commission shall be granted permanent civil service status in the appointed classification. Paid or unpaid time off shall not count towards the completion of the six (6) month service requirement.

4) Seniority shall be established based on the date of certification to permanent civil service status.

5) The Human Resources Director is authorized to take such administrative action not in conflict with these Rules as is required to make this section operative.

112.15.5 Redevelopment-Only Priority Eligible List – Reports to the Civil Service Commission

1) The Department of Human Resources shall provide to the Civil Service Commission status reports on the Redevelopment-Only Priority Eligible List for all citywide classifications, including the names and rank order and appointment of former SFRA employees.

Sec. 112.15 Redevelopment-Only Priority Eligible List (cont.)

112.15.5 Redevelopment-Only Priority Eligible List – Reports to the Civil Service Commission (cont.)

2) Status Reports shall be submitted to the Civil Service Commission at the second meeting in August, commencing in 2012 and annually thereafter. The Civil Service Commission may request additional reports as it deems necessary.

112.15.6 Redevelopment-Only Priority Eligible List - Inoperability

This Rule shall become inoperable and removed on January 31, 2014 unless otherwise authorized by action of the Commission. The Rule shall be recorded and retained as part of the permanent Civil Service Commission records.

Rule 112
Eligible Lists

Article V: Office of Community Investment and Infrastructure-Only Eligible List

Applicability: Article VIII, Rule 112, shall apply only to employees from the former San Francisco Redevelopment Agency who were appointed and separated from the City and County of San Francisco effective July 8, 2013 and are currently employed by the Office of Community Investment and Infrastructure as of February 2, 2015, without a break in service.

Sec. 112.16 Office of Community Investment and Infrastructure-Only Eligible List

112.16.1 Authority and Purpose

1) This Rule provides authority to establish and adopt Office of Community Investment and Infrastructure-Only Eligible Lists based on open and competitive recruitment and selection processes conducted by the former San Francisco Redevelopment Agency for merit based permanent appointments.

2) As provided under the Charter Section 10.103 of the City and County of San Francisco, the Human Resources Director shall have the duty and authority to establish a system of job classification and to allocate each position to a job class.

3) The Human Resources Director shall have the responsibility and authority to allocate new positions to a class based on the level and type of assigned duties as applicable under this Rule. Groups of positions form a class when it is determined by the Human Resources Director that the duties are at the same level of responsibility and authority.

4) The Human Resources Director has the authority to make changes to the Classification Plan including creating new classes, abolishing, consolidating or amending classes consistent with the Classification Plan.

5) The decision of the Human Resources Director regarding classification matters, including the authority to determine the status of an employee, shall be final unless appealed to the Civil Service Commission.

Sec. 112.16 Office of Community Investment and Infrastructure-Only Eligible List (cont.)

112.16.2 General Principles

1) Only classifications determined by the Human Resources Director to be similarly related to the former "R" classifications will be established based on the open and competitive selection processes administered by the former San Francisco Redevelopment Agency to select and appoint former San Francisco Redevelopment Agency employees subject to appeal to the Civil Service Commission.

2) Office of Community Investment and Infrastructure-Only Eligible Lists shall only be comprised of former San Francisco Redevelopment Agency employees who meet the criteria established by this Rule, and shall be placed in rank order determined by the San Francisco Redevelopment Agency seniority date effective immediately prior to the date of San Francisco Redevelopment Agency dissolution.

112.16.3 Definitions

1) San Francisco Redevelopment Agency

A governmental agency independent of the City and County of San Francisco. The San Francisco Redevelopment Agency was dissolved by California State law (ABX1-26, Community Redevelopment), effective June 27, 2012.

2) Successor Agency

Pursuant to ABX1-26, the City and County of San Francisco was identified as the successor agency to the former San Francisco Redevelopment Agency. Subsequently, California State law (AB 1484 Community Redevelopment) amended the definition of the Successor Agency, with explicit requirements that the Successor Agency be a separate public entity from the public entity that provides for its governance, and that the two entities shall not merge. On October 4, 2012, Ordinance No. 215-12 Successor Agency to the Former Redevelopment Agency was signed into law by the Mayor, acknowledging and confirming that the Successor Agency is a separate legal entity from the City, including confirmation that all employees in "R" classification are employees of the separate legal entity, now known as the Office of Community Investment and Infrastructure.

Sec. 112.16 Office of Community Investment and Infrastructure-Only Eligible List (cont.)

3) Office of Community Investment and Infrastructure

The current successor agency to the former San Francisco Redevelopment Agency.

4) "R" Classifications

Abolished classification created by the City and County of San Francisco to reflect the classification structure and titles in the former San Francisco Redevelopment Agency.

112.16.4 Classification

The Human Resources Director shall establish Office of Community Investment and Infrastructure Only classifications similarly related to the former San Francisco Redevelopment Agency classifications ("R" classifications) in which affected employees were appointed immediately prior to the dissolution of the San Francisco Redevelopment Agency. The Human Resources Director's decision on classification matters is subject to appeal to the Civil Service Commission.

112.16.5 Eligibility Requirements

Only those former San Francisco Redevelopment Agency employees transitioned to the City and County of San Francisco and subsequently separated effective July 8, 2013 and currently employed by the Office of Community Investment and Infrastructure as of February 2, 2015 without a break in service will be placed on the Office of Community Investment and Infrastructure-Only Eligible List in the Office of Community Investment and Infrastructure-Only classification determined by the Human Resources Director to be similarly related to their appointment in the respective "R" classification at the time of the San Francisco Redevelopment Agency dissolution.

112.16.6 Eligible Lists

1) Former San Francisco Redevelopment Agency employees will be placed on the Office of Community Investment and Infrastructure-Only Eligible List in rank order determined by the San Francisco Redevelopment Agency seniority date effective immediately prior to the date of San Francisco Redevelopment Agency dissolution.

Sec. 112.16 Office of Community Investment and Infrastructure-Only Eligible List (cont.)

112.16.6 Eligible Lists (cont.)

2) Office of Community Investment and Infrastructure-Only Eligible Lists shall be ninety (90) days and may be extended only by action of the Commission.

112.16.7 Certification Rule of the List

1) The names of all eligibles on the Office of Community Investment and Infrastructure-Only Eligible Lists shall be certified to each available position.

2) An Office of Community Investment and Infrastructure-Only Eligible List adopted under the Rule of the List shall not be deemed exhausted without advance approval of the Commission.

112.16.8 Permanent Appointments

Permanent Appointment(s) will be made as a result of certification(s) from the Office of Community Investment and Infrastructure-Only Eligible Lists.

112.16.9 Probationary Period

Permanent appointments made from the Office of Community Investment and Infrastructure-Only Eligible Lists will be subject to the probationary period.

112.16.10 Reports to the Civil Service Commission

1) The Department of Human Resources shall provide to the Civil Service Commission status reports on the permanent civil service appointments offered to eligibles from all Office of Community Investment and Infrastructure-Only Eligible Lists, including the names and rank order and appointment of former San Francisco Redevelopment Agency employees.

2) The status report shall be submitted to the Civil Service Commission no later than thirty (30) days prior to the expiration date of the Office of Community Investment and Infrastructure-Only Eligible Lists. The Civil Service Commission may request additional reports as it deems necessary.

Sec. 112.16 Office of Community Investment and Infrastructure-Only Eligible List (cont.)

112.16.11 Inoperability

This Rule shall become inoperable and removed on June 1, 2015 unless otherwise authorized by action of the Civil Service Commission. The Rule shall be recorded and retained as part of the permanent Civil Service Commission records.

Rule 113
Certification of Eligibles

Article I: General Principles

Applicability: Article I, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Sec. 113.1 General Policy

113.1.1 The Civil Service Commission endorses and supports the broadening of the Rules governing certification of eligibles from civil service eligible lists and considers this broadening as an increase in opportunities for appointing officers to select employees who are best suited to perform the duties of specific positions and to provide greater opportunities to maximize multicultural diversity of the work force in the City and County of San Francisco.

113.1.2 Selection of employees from eligible lists shall be based on merit and fitness without regard to relationship, race, religion, gender, national origin, ethnicity, age, disability, gender identity, political affiliation, sexual orientation, ancestry, marital status, color, medical condition or other non-merit factors or otherwise prohibited nepotism or favoritism. Appointing officers and their designees shall be responsible for establishing non-discriminatory selection procedures which may include by way of example but not limitation, scheduling each interested eligible for interview, reviewing application materials, conducting interviews by a diverse panel, and asking job-related questions. The Civil Service Commission endorses and supports efforts to de-identify the names, address, and other personal information whenever screening determinations are conducted prior to the selection of certified eligible for interviews. Appointing officers/designees shall also be responsible for maintaining documentation of selection criteria, including efforts to de-identify eligibles' information. Departments shall make reports as requested by the Civil Service Commission on merit system issues such as recruitment, examination, and certification and selection procedures. The Human Resources Director shall report to the Civil Service Commission on the progress of the implementation of de-identification on a quarterly basis for two (2) years and thereafter on a schedule to be determined.

113.1.3 Implementation of the Rule by the Human Resources Director

Implementing this Rule, the Human Resources Director shall:

1) adhere to all rules, policies, procedures, and directives of the Civil Service Commission and all relevant Charter provisions of the City and County of San Francisco, and

2) ensure that such rules, policies, procedures, directives, and Charter provisions are adhered to by all departments as delegated by the Human Resources Director, and

3) take any action necessary to ensure compliance with federal, state and local anti-discrimination laws, ordinances or regulations.

Rule 113
Certification of Eligibles

Article II: Definitions

Applicability: Article II, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Sec. 113.2 Certification Rules

113.2.1 Rule of Three Scores

The Department of Human Resources shall certify to the appointing officer the names of eligibles with the three (3) highest scores on the list of eligibles for the position who are available for appointment.

113.2.2 Rule of Three or More Scores

The names of all eligibles standing at a specified number of scores with a minimum of at least those eligibles with three (3) scores shall be certified to each available position.

113.2.3 Rule of the List

The names of all eligibles on the eligible list shall be certified to each available position.

Sec. 113.3 Certification Date

The Certification Date is the date on which the Department of Human Resources certifies to the appointing officer the names of eligibles available for appointment in accordance with the established certification rule as provided under this Article II.

Sec. 113.4 Notice of Certification

Eligibles on the eligible list shall be simultaneously notified each time that the Department of Human Resources certifies their names to an appointing officer for a position as provided under this Article II.

Sec. 113.5 Notice of Inquiry

Upon receipt of the confidential certified list of names of eligibles available for appointment in accordance with the established certification rule, the appointing officer may issue a Notice of Inquiry to those eligibles for the purpose of:

Sec. 113.5 Notice of Inquiry (cont.)

1) Assessing the eligibles' interest in the specific position in the department; and/or

2) Requesting additional information or submissions from the eligibles as part of the selection process.

Sec. 113.6 Exhaustion of the List

113.6.1 Rule of Three Scores

An eligible list adopted under the Rule of Three Scores shall in all cases be exhausted when eligibles standing at fewer than three (3) scores are available. Use of the eligible list when there is fewer than the minimum certification available shall be at the discretion of the appointing officer.

113.6.2 Rule of Three or More Scores

An eligible list adopted under the Rule of Three or More Scores shall in all cases be exhausted when there are fewer than three (3) scores available. Use of the eligible list when there is fewer than the minimum certification available shall be at the discretion of the appointing officer.

113.6.3 Rule of the List

An eligible list adopted under the Rule of the List shall be exhausted when there are fewer than one third of the number of eligibles on the original list still available; provided, however, if the original list had nine (9) or fewer eligibles, at least three (3) eligibles must be available; for original lists with forty five (45) or more names, at least fifteen (15) eligibles must be available. In the event that application of the one-third formula specified above results in a fraction, the next highest number shall be used. Use of the list when there is fewer than the minimum certification available shall be at the discretion of the appointing officer.

Rule 113
Certification of Eligibles

Article III: Application of Certification Rules

Applicability: Article III, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Sec. 113.7 Certification Rules Applicable to Employees in all

113.7.1 Rule of Three Scores

1) Unless mutually agreed between the employee organization representing the class and the Human Resources Director to use a broader Certification Rule, the Rule of Three Scores shall be used exclusively.

2) The Department of Human Resources shall certify to the appointing officer the confidential list of candidate names with the three (3) highest scores on the list who are available for appointment to the position. Eligibles' information, including names on eligible lists shall not be made public, unless required by law.

3) Except as otherwise provided, when there are two (2) or more approved personnel requisitions on file for the same class, the number of scores certified shall be equal to the number of positions to be filled plus two (2) scores. An eligible list adopted under the Rule of Three Scores shall in all cases be exhausted when eligibles standing at fewer than three (3) scores are available. Use of the eligible list when there is fewer than the minimum certification available shall be at the discretion of the appointing officer.

4) If all eligibles at a score waive appointment or fail to respond within the time limits provided in these Rules, the appointing officer may request supplementary certification(s) from the next highest score(s).

113.7.2 Expansion of Certification Rules

1) Notwithstanding any other provisions of these Rules, the Human Resources Director is authorized to meet and confer with representatives of employee organizations to reach mutual agreement over the Certification Rule applicable to each of the classes covered by this Section. If the parties fail to reach mutual agreement, the Rule of Three Scores shall be used.

2) The agreed-upon Certification Rule shall be promulgated as a term of the examination announcement and the agreed-upon Certification Rule shall not be appealable to the Civil Service Commission.

Sec. 113.7 Certification Rules Applicable to Employees in all classes (cont.)

113.7.3 Rule of Three or More Scores

1) For a Single (1) Position

A confidential list of names of all eligibles standing at a specified number of scores with a minimum of at least those eligibles with three (3) scores shall be certified to each available position. Eligibles' information, including names on eligible lists shall not be made public, unless required by law.

2) When More Than One Position Available

Except as may otherwise be provided, when there are two or more approved personnel requisitions on file for the same class, the number of scores certified shall be equal to the number of positions to be filled plus the number of scores in the Certification Rule applicable to the eligible list being certified minus one.

3) When Eligible List Exhausted

An eligible list adopted under the Rule of Three or More Scores shall in all cases be exhausted when there are fewer than three (3) scores available. Use of the eligible list when there is fewer than the minimum certification available shall be at the discretion of the appointing officer.

4) Supplementary Certification

If all eligibles at a score waive appointment or fail to respond within the time limits provided in these Rules, the appointing officer may request supplementary certification(s) from the next highest score(s).

113.7.4 Rule of the List

1) The confidential list of names of all eligibles on the eligible list shall be certified to each available position.

2) When Eligible List is Exhausted

An eligible list adopted under the Rule of the List shall be exhausted when there are fewer than one third of the number of eligibles on the original list still available provided, however, if the original list had nine (9) or fewer eligibles, at least three (3) eligibles must be available; for original lists with forty five (45) or more names, at least fifteen (15) eligibles must be available. In the event that application of the one-third formula specified above results in a fraction, the next highest number shall be used. Use of the list when there is fewer than the minimum certification available shall be at the discretion of the appointing officer.

Sec. 113.8 Personnel Requisitions (cont.)

113.8.5 Tenure of Temporary Appointments (cont.)

3) Beginning on the effective date of this Rule, the Department of Human Resources shall keep records of the number of temporary employments extended as provided in this Rule. On July 30, 1977, and each July 30 thereafter, a list of extended temporary employments for the past fiscal year shall be made available for public inspection.

113.8.6 Flexible Staffing Personnel Requisitions

A personnel requisition for a permanent vacancy filled by an appointee in accordance with the flexible staffing authority of the Salary Ordinance shall also be valid for subsequent certification for appointment of the same eligible, when qualified, to the class designated on the personnel requisition.

Rule 113
Certification of Eligibles

Article V: Administration of Certifications

Applicability: Article V, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Sec. 113.9 Notice of Certification

For each available position, the Department of Human Resources shall certify to the appointing officer a confidential list of the names of all eligibles who are available for appointment in accordance with the established certification rule as provided under Article II of this Rule. Eligibles' information, including names on eligible lists shall not be made public, unless required by law.

The Department of Human Resources shall simultaneously notify each eligible of such certification to the hiring department(s). This Notice of Certification shall be informational only and shall not require a response from the eligibles.

Sec. 113.10 Notice of Inquiry

113.10.1 As provided under Article II of this Rule, an appointing officer may issue a Notice of Inquiry to eligibles available for appointment in accordance with the established certification rule for the purpose of assessing interest in a specific position in the department, and/or to obtain additional information or submissions as part of the selection process.

113.10.2 Eligibles are required to respond to a Notice of Inquiry within five (5) business days, unless the response period time limit is extended by the Human Resources Director.

113.10.3 If all eligibles at a score waive the opportunity or fail to respond to a Notice of Inquiry within the response period time limit, the hiring department may request supplementary certification from the next highest score(s) in accordance with Article III of this Rule.

Sec. 113.11 Certification Results

Departments are required to notify the Department of Human Resources of the results of a certification within sixty (60) calendar days after the date of the Notice of Certification. This deadline may be extended by the Human Resources Director. Upon notification of the selection of a reachable eligible, the Human Resources director shall post the appointee's name, department, classification and rank on the eligible list.