

<b>SPECIAL CIVIL SERVICE COMMISSION MEETING</b>		
<b>AGENDA</b>		
<b>2:00 PM</b>	<b>APRIL 25, 2023</b>	<b>Aurora Room and TEAMS</b> (Email <a href="mailto:civilservice@auroragov.org">civilservice@auroragov.org</a> for link)
<b>1) 2:00 PM CALL TO ORDER OF SPECIAL MEETING</b>		
<b>A. Adoption of Agenda as Written</b>		
<b>2) ITEMS FOR DISCUSSION and POSSIBLE VOTE</b>		
<b>A. Entry Level Rules</b>	Commission	
<b>3) PUBLIC COMMENT</b>		
<b>4) ADJOURNMENT</b>		

# AURORA CIVIL SERVICE COMMISSION DRAFT RULES AND REGULATIONS - APRIL 25, 2023

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(for future meeting, current rules remain in effect)

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(for future meeting, current rules remain in effect)

# **RULES & REGULATIONS**

## **OF THE**

### ***CIVIL SERVICE COMMISSION***

#### **AURORA, COLORADO**

The rules and regulations contained in this manual are intended to effectuate the purposes of the City of Aurora's Civil Service System. These rules are not intended to create any contractual rights for applicants or employees. These rules are subject to change at any time by formal action of the Civil Service Commission. All applicants for original appointment and all employees for promotion shall be subject to the same rules and regulations as all other applicants or employees for the same eligibility list. For a list of recently amended rules, [CLICK HERE](#).

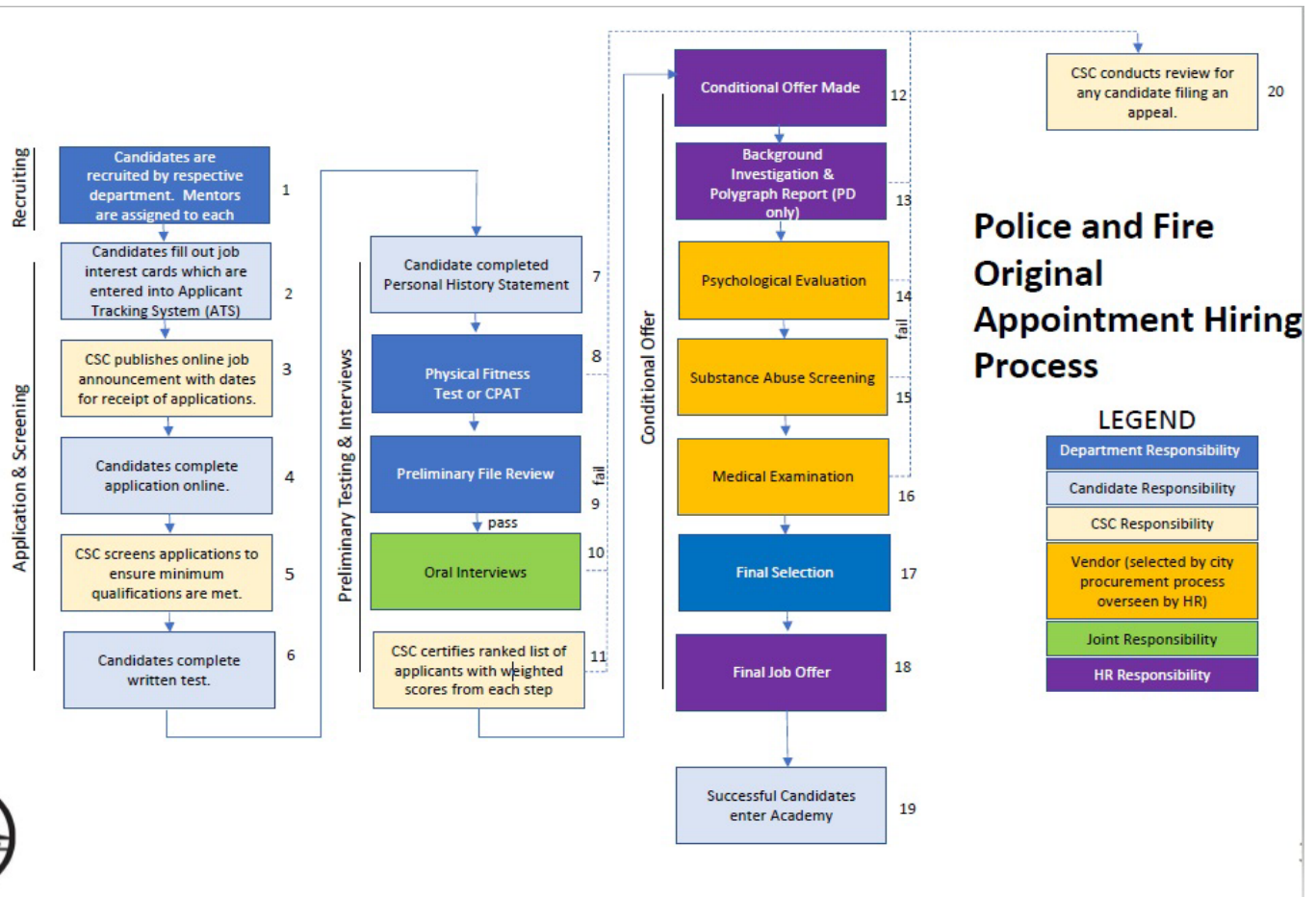
#### **SECTION I. GENERAL INTENT AND STRUCTURE OF THE CIVIL SERVICE COMMISSION.**

*Editor Note: This section of the draft Rules and Regulations is held for further discussion intended after the discussion and Commission approval of proposed revisions to Sections 2, 3 and 4. The current Section 1 remains in effect until such time as modified by the Civil Service Commission in a future public meeting.*

## SECTION II. ORIGINAL APPOINTMENTS: ENTRY-LEVEL, LATERAL, REINSTATEMENT, WORK FORCE REDUCTION.

**Section Summary:** Applicants for original appointment including Entry-Level, Lateral, and Reinstatement appointments to Civil Service positions of the Aurora Fire Rescue or Aurora Police Department shall be subject to qualification and examination procedures stated in the following paragraphs. All applicants who possess the minimum qualifications established by the Commission shall be allowed to participate in the initial examination process. This process seeks to provide the Aurora Fire Rescue, Aurora Police Department, and all Aurora citizens with the most qualified applicants irrespective of the applicant's race, creed, color, gender, age, national origin, sexual orientation, religion, or political opinions or affiliations.

The full process effective for the Academies beginning after July 1, 2023 is detailed in the flowchart below and following rules and regulations.



## *Application and Screening Section*

1. **JOB ANNOUNCEMENT.** Box #3 from flowchart:
  - a. The Civil Service Commission publishes the online job announcement with dates for receipt of applications based on the job descriptions, including application and testing deadlines, provided by the respective departments, and reviewed by Human Resources.
  - b. The Civil Service Commission shall then create a Certified Eligibility List for one or more Academies.
  
2. **SCREENING APPLICATIONS.** Box #5 from flowchart: Civil Service Commission screens applications to ensure minimum qualifications are met.
  - a. The Civil Service Commission shall determine the minimum qualifications for original appointment to include:
    - i. Entry-Level Police applicants shall be 21 years old by the projected end date of the Academy. Entry-level Fire applicants shall be 18 years old by the projected start date of the Academy. Proof of age shall be either a copy of a state, or municipality-issued original Birth Certificate, Passport of the United States of America, or evidence of Naturalization.
    - ii. Be a citizen of the United States of America or a person who is lawfully admitted for permanent residence in accordance with the Immigration and Nationality Act. Proof of citizenship shall be either a copy of a state or municipality-issued original Birth Certificate, Passport of the United States of America, or evidence of Naturalization.
    - iii. Have completed a minimum education of high school completion, or GED equivalency. Proof shall be a copy of the High School Diploma, copy of the GED Certificate, or successful completion letter from an accredited school's Principal or District Superintendent, or other documentation approved by the Commission. Candidates who have completed any credit hours from an accredited college/university must also include a copy of college transcripts from all post-secondary schools attended along with any of the accepted documentation above when requested. If home-schooled, documentation must meet the standards of the

state of matriculation. If the home-schooled candidate has been accepted in any accredited post-secondary institution, it shall be determined that they have met all the above education requirements.

- iv. Must have a valid driver's license and if not a Colorado driver's license, be able to obtain a Colorado driver's license by the start of the Academy.
  - v. Be able to perform minimum essential job functions of the recruit position.
- b. The Civil Service Commission shall determine automatic grounds for disqualification from the hiring process to include:
- i. Conviction of, or deferred judgment for, a crime which is a felony under state or federal law; or military conviction by a court-martial that is comparable to a felony conviction.
  - ii. Conviction of any crime or ordinance violation, which would bar the applicant from possessing a firearm or ammunition under Federal or Colorado law. (For Police Officer Applicants only.)
  - iii. Conviction of, deferred judgement for, or combination of any misdemeanor causing disqualification under POST standard 24-31-305. (For Police Officer Applicants only.)
  - iv. Illegal distribution of any controlled substances or drugs, including steroids, in the last (3) years. Frequency of behavior, quantity of drugs involved, and type are considered at time of background.
- c. The Commission shall notify any applicant whose application has been disqualified during the application screening process via the applicant tracking system (ATS) and shall identify the Commission Rule(s) for such disqualification.
- d. Applicants who have been disqualified due to factual errors in their applications may appeal their disqualification to the Civil Service Commission under the established appeal procedures.

3. **ENTRANCE EXAMINATION.** Box #6 from flowchart: Candidates complete written test.
- a. The Civil Service Commission shall collaborate with the departments and Human Resources to choose the written examination, the testing vendor, and the minimum passing score and deadlines for the examination period.
  - b. The Civil Service Commission shall receive the testing results and notify Human Resources of all applicants with passing scores.
  - c. Preference points, as determined by the Civil Service Commission, shall be applied to the applicant's passing written examination score in accordance with the following policies outlining these points:
    1. **Veteran's Preference points** shall be added to the final passing written examination score of any applicant who is eligible under the provisions of Section 15, Article XII of the Colorado State Constitution prior to final ranking.
    2. **Language Proficiency Preference points** shall be added in accordance to the policy outlining these points and qualifications.
    3. **Aurora Police Explorer Preference points** shall be added in accordance to the policy outlining these points and qualifications.
    4. **Aurora Fire Explorer Preference points** shall be added in accordance to the policy outlining these points and qualifications.
    5. **Colorado POST Certifiable Preference points** shall be added in accordance to the policy outlining these points and qualifications.
  - d. The Commission shall notify any applicant whose application has been disqualified during the entrance examination via the ATS.
  - e. Applicants who have been disqualified may appeal their disqualification to the Civil Service Commission under the established appeal procedures.

### *Preliminary Testing and Interview Section*

4. **PRELIMINARY FILE REVIEW.** Box #9 from flowchart:
  - a. Applicants who have been disqualified during the preliminary file reviews conducted by the respective department may appeal their disqualification to the Civil Service Commission under the established appeal procedures.
  
5. **ORAL INTERVIEWS.** Box #10 from flowchart: Department led interview panels administered by Human Resources.
  - a. At the discretion of the Civil Service Commission, Commissioners may elect to either score applicants as board members, serve as a non-scoring monitor on each interview panel, or decline participation.
  - b. The number and content of interview questions, number of interview panels and assessors for each panel shall be determined by the Commission, the applicable Department, and Human Resources.
  - c. Oral Interviews shall have a minimum combined passing score of 70%.
  - d. Human Resources shall notify any applicant whose application has been disqualified during the oral interview process via the ATS.
  - e. Applicants who have been disqualified may appeal their disqualification to the Civil Service Commission under the established appeal procedures.
  
6. **CERTIFIED ELIGIBILITY LIST.** Box #11 from flowchart: Civil Service Commission certifies ranked list of qualified entry-level applicants for original appointment.
  - a. Each entry-level applicant who successfully completes each step of the testing process to this point shall be given a position in rank order by final score on a certified eligibility list.
  - b. The applicant's position on the certified eligibility list shall be determined by a combination of entrance examination score, preference points, and the oral interview scores with relative scoring weights of each component of the final score determined by the Civil Service Commission in collaboration with the respective department and Human Resources.



- c. In the event a tie final score results, rank order priority shall be based on the date and time the application was received with the earlier taking precedence.
- d. The certified eligibility list shall be reviewed and signed by the Civil Service Commission. The list shall be published to the respective department and Human Resources.
- e. Civil Service shall notify applicants of their ranking on the eligibility list.
- f. Applicants on the certified eligibility list may request a deferment from the Civil Service Commission to a future Academy. Applicants shall provide the request in writing along with appropriate backup documentation detailing the reasons for the request.
- g. When considering the request for deferment, the Commission may consider any applicant testing results, number of recruits needed by the department for the academy, the validity of the reasons for the request, and any other information deemed of value to the Commission.
- h. If approved, the deferred applicant may be re-certified on the next certified eligibility list (following the deferral period) in a position corresponding to the ranking on the original certified eligibility list.

**Conditional Job Offer, Background Investigation, and Final Job Offer Section**

- 7. **POST CONDITIONAL JOB OFFER TESTING.** Box #12 through #16 from flowchart:
  - a. Background investigation and post conditional job offer examinations are determined and conducted by Human Resources.
  - b. Applicants who have been disqualified may appeal their disqualification to the Civil Service Commission under the established appeal procedures.
  
- 8. **FINAL SELECTION AND FINAL JOB OFFER.** Box #17 through #19 from flowchart:

- a. The respective department, with assistance from Human Resources, shall determine and administer the final selection process.
  - b. Remaining applicants shall receive a final job offer in the order in which they are certified on the eligibility list.
  - c. Applicants who have been disqualified may appeal their disqualification to the Civil Service Commission under the established appeal procedures.
9. **APPEAL PROCEDURE.** Box #20 from flowchart: Civil Service Commission conducts review for any applicant filing an appeal.
- a. Any applicant disqualified from the entry-level application process may file an appeal with the Civil Service Commission.
  - b. Applicants shall provide the appeal in writing along with appropriate backup documentation detailing the reasons for the appeal.
  - c. The appeal must be received by the Commission within seven (7) business days from the date of the notice of disqualification to the applicant.
  - d. A copy of the appeal shall be provided to Human Resources. Human Resources shall provide a summary of the testing results of the applicant and any additional information for the Commission to consider within (10) ten business days from the date the appeal is received by the Commission.
  - e. Commissioners having any conflict-of-interest concerns shall recuse themselves from the appeal process for that applicant. This shall include any Commissioner who participated in any part of that candidate's testing process.
  - f. The appeal shall be reviewed by a majority of remaining Commissioners within five (5) business days of receipt of the summary of testing results and any additional information provided by Human Resources.
  - g. The Commission may seek guidance on an appeal from the City Attorney's Office representative assigned to the Civil Service Commission.
  - h. A majority of Commissioners shall decide one of the following options to resolve the appeal;

- i. Additional or clarifying information is needed from either the applicant or Human Resources with deadlines for such information to be decided by the Commission based on the complexity of the information requested.
  - ii. To reinstate the applicant into the application process at the point of disqualification.
  - iii. To uphold the disqualification of the applicant from the testing process.
- i. A summary of the Commission's decision on the appeal shall be provided in writing to the applicant and Human Resources. The appeal decision of the Commission shall be final.

**10. REPORTING REQUIREMENTS.**

- a. The Civil Service Commission shall receive reports from Human Resources on disparate impact on minority candidates, if any, from assessments of minimum qualifications and disqualifications at each testing step.
- b. Human Resources shall be deemed to be the custodian of all applicant testing records including all applications, personal history statements, interview materials, background investigations, external vendor reports, and medical records.

**11. LATERAL ENTRY.**

- a. In accordance with the City Charter, Article III, Section 3-16, paragraph (10), the Civil Service Commission establishes the following conditions and regulations which shall apply to Lateral-entry appointment. The Civil Service Commission strongly encourages each Department to adhere to this following stipulation from Ordinance Number 89-88, "WHEREAS, lateral entry will also assist the Police and Fire Departments in implementing their affirmative action programs."
- b. At the time of application, unless otherwise noted, applicants for lateral-entry appointment to Civil Service fire and police positions shall;
  - i. Lateral Police applicants shall be 21 years old by the projected end date of the Academy for which they are applying. Lateral Fire applicants shall be 18 years old by the projected start date of the

Academy for which they are applying. Proof of age shall be either a copy of a state, or municipality-issued original Birth Certificate, Passport of the United States of America, or evidence of Naturalization.

- ii. Be a citizen of the United States of America or a person who is lawfully admitted for permanent residence in accordance with the Immigration and Nationality Act. Proof of citizenship shall be either a copy of a state or municipality-issued original Birth Certificate, Passport of the United States of America, or evidence of Naturalization.
  - iii. Have completed a minimum education of high school completion, or GED equivalency. Proof shall be a copy of the High School Diploma, copy of the GED Certificate, or successful completion letter from an accredited school's Principal or District Superintendent, or other documentation approved by the Commission.
  - iv. For Police Applicants only: Have three (3) years previous related experience in good standing within the four (4) year period immediately preceding the application. ~~Related experience shall consist of full-time paid employment as a Police Officer in a full service Police department.~~ (The previous sentence is suspended until 07/25/2025) For Fire Applicants only: Have three (3) years paid related experience in good standing within the four (4) year period at the time of application.
  - v. Be able to perform the essential functions of the position.
- c. Per City Charter, the Civil Service Commission shall establish an unranked pool of qualified individuals who meet the minimum qualifications. To establish this unranked pool of qualified individuals, the Civil Service Commission shall accept applications for Lateral-entry employment.
  - d. All applicants who meet the minimum qualifications established by the Civil Service Commission shall form the unranked pool of qualified individuals.
  - e. Qualified individuals in the unranked pool shall then be subject to appropriate testing by the Chiefs of the respective Departments, with assistance from Human Resources, which may include, but not necessarily consist of a medical, background, polygraph and psychological examinations. The Chiefs of the respective Departments may, at their

sole discretion, select qualified individuals from the remaining unranked pool of individuals.

- f. No person can remain on the lateral entry appointment list for more than two (2) years without reapplication.
- g. The Commission shall notify any applicant whose application has been disqualified for failing to meet the minimum qualifications via the ATS.
- h. The Chiefs of the respective Departments, with assistance from Human Resources, shall notify any applicant whose application has been disqualified as a result of testing and/or the review process.
- i. Human Resources shall be deemed to be the custodian of all lateral applicant testing records including all applications, personal history statements, interview materials, background investigations, external vendor reports, and medical records.

## **12. REINSTATEMENT.**

- a. Any former Civil Service member of the Fire or Police departments who successfully completed the probationary period as defined in Section 3-16 of City Charter and was in good standing at the time of resignation, (satisfactory performance reports and no pending disciplinary actions), may apply in writing to the Commission for reinstatement to the department within thirty-six (36) months from the effective date of resignation or retirement. Any member of the Civil Service who resigns or retires from the Fire or Police departments must meet all minimum qualifications for original applicants, to include education, at the time the former member submits his/her request for reinstatement. No applicant shall be reinstated without the specific approval and testing of the Commission. An applicant may be reinstated only once in a lifetime. The decision of the Commission shall be final. (Note: At the Commission's discretion, any officer may have the time limit extended to allow for continuity of City government, or in the event of contingencies, disasters, emergency staffing requirements, or military service obligations.)

## **13. REINSTATEMENT PROCEDURES.**

The Commission recognizes that there may be delays in the reinstatement process because of weather, availability of key personnel or examiners; however an effort

should be made to complete the reinstatement procedures within a reasonable time frame. The procedures for reinstatement are as follows:

- a. The applicant's written request for reinstatement must be accompanied by letters of favorable recommendation from the Deputy City Manager and the Chief of the department and must be received by the Commission within the eighteen-month period stated above.
- b. The Commission may conduct a personal interview with the Chief of the appropriate department, and review with him the applicant's official personnel file.
- c. The Commission may conduct a personal interview with the applicant.
- d. The applicant may be required to undergo any or all of the following examinations prior to reinstatement: polygraph, substance abuse screening, fitness test, full or partial medical, a background investigation, and any other examination deemed appropriate by the Commission. The applicant must meet the standards of entry-level applicants on all examinations, as required by the Commission.
- e. The applicant shall be notified in writing of the Commission's FINAL decision. A copy of the notification shall be forwarded to the Chief of the appropriate department. There shall be no further appeals to the Commission.
- f. If approval is granted by the Commission, reinstatement must become effective within 180 days of the Commission's approval for hire. No individual may be reinstated after this 180-day period. Such individual, when reinstated, shall retain the rank held at the time of resignation, except that in no case shall an individual be reinstated at any rank higher than Police Officer or Firefighter, Grade I, or Rescue Technician. The reinstated officer shall be eligible to test with the Civil Service Commission for the next higher rank in the first scheduled promotion testing following reinstatement, provided time and service requirements for testing are met. In the event an applicant declines reinstatement when it is offered, such applicant shall not be offered an opportunity for reinstatement again.
- g. Should there not be a vacancy at the time a reinstatement request is approved; the Chief of the appropriate department must notify the Commission in writing of the anticipated date of the first available Civil Service vacancy, which must be no later than 180 days following the Commission's approval for hire.

#### **14. WORK FORCE REDUCTION (LAYOFF).**

Work force reductions may apply to Civil Service members of the Fire and Police departments whose job position is removed or eliminated through any budgetary consideration upon review and approval of City Council and implementation by the City Manager. The respective department Chief shall notify the Commission of any work force reduction of Civil Service members. Any work force reduction of Civil Service members in either department must be in accordance with the City Manager's Work Force Reduction (Layoff) Plan and Layoff Rules outlined in the City of Aurora Personnel Policies and Procedures Manual, with the following exceptions:

- a. When the Civil Service work force in either department is reduced through budgetary consideration which has been reviewed and approved by City Council and implemented by the City Manager, the Civil Service member last certified for employment to such department shall be the first laid off. For purposes of this rule, Civil Service members on the same certified list shall be laid off in reverse order of their original certification for employment, except members not eligible for veteran's preference under Article XII, Section 15 of the Colorado Constitution shall be separated before those so entitled.
- b. When the Civil Service work force in such department is increased, Civil Service members laid off shall be reinstated in the order of their original certification for employment in accordance with paragraph 79, Reinstatement Procedures for Work Force Reductions, provided the member has notified the Civil Service Commission in writing of his/her desire to be reinstated.

#### **15. APPEAL PROCEDURES FOR WORK FORCE REDUCTION.**

Civil Service members of the Fire and Police departments who wish to have a hearing before the Civil Service Commission to appeal their work force reduction (layoff) must submit a written request to the Commission no later than seven (7) business days following the effective date of the work force reduction. The request for hearing before the Commission must include a summary of the reasons for the appeal based on the following considerations. Hearings on such appeals shall be scheduled in accordance with the practices of the Commission. The Commission shall base its decision on the following considerations:

- a. Is there evidence that the City Manager's expressed reasons for affecting the lay-off are not the actual reasons?
- b. Were there procedural defects in executing the layoff, or in granting retention rights, which were detrimental to the employee?

- c. Was the layoff affected in an arbitrary and unreasonable fashion?

16. **REINSTATEMENT PROCEDURES FOR WORK FORCE REDUCTION.**

A former Civil Service member who is terminated because of a work force reduction may be reinstated by the Commission provided the member meets all minimum medical and fitness qualifications of the position to which the member is seeking reinstatement.

- a. Upon receiving written notification from the Chief of the appropriate department, accompanied by approval from the City Manager, that the department's Civil Service work force shall be increased, the Commission shall send such notification by registered mail to the Civil Service member's last known official residence address on file with the City of Aurora Human Resources Department. Former Civil Service members who were terminated under a work force reduction shall be responsible for ensuring their current residence addresses are on file.
- b. The former Civil Service member must express a desire to be reinstated to the Commission in writing within ten (10) business days from the date of receipt of the Commission's notice that the department's Civil Service work force shall be increased. Former Civil Service members who do not respond during the specified time period shall be ineligible for reinstatement, and no further consideration shall be given, unless otherwise directed by the Commission. If the member was serving during the original appointment probation period when laid off, the member shall complete the remaining portion of such probation period.
- c. The applicant may be required to undergo any or all of the following examinations: polygraph, substance abuse screening, fitness, full or partial medical, background investigation, and any other examination deemed appropriate by the Commission, prior to reinstatement.
- d. The Commission may also conduct a personal interview with the applicant.
- e. The applicant shall be notified in writing of the Commission's FINAL decision. A copy of the notification shall be forwarded to the Chief of the appropriate department. There shall be no further appeals to the Commission.



- f. Upon Commission approval, reinstatement shall be effective on the date established in the department's notification letter pertaining to an increase in the Civil Service work force, or a subsequent date agreed to by the department, the Commission, and the member.

**17. SERVICE IN THE ARMED FORCES.**

- a. A Civil Service member of either department who enters upon active duty or in active duty for training in the Armed Forces of the United States in response to an order or call to active duty shall be entitled to reemployment rights and may be reinstated to the department in accordance with appropriate federal statutory guidelines. If the probation period following an original appointment was interrupted by service in the Armed Forces, the Civil Service member, upon reinstatement, shall complete the remaining portion of such probation period before permanent appointment. The Civil Service member must request reinstatement in accordance with appropriate federal statutory guidelines. The request must include a copy of the member's military discharge, DD Form 214, and a copy of the official notification letter ordering the member to active duty.