

# **City of Springfield, Illinois**

## **RULES OF THE SPRINGFIELD CIVIL SERVICE COMMISSION**

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**RULES OF THE  
SPRINGFIELD  
CIVIL SERVICE COMMISSION  
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## GLOSSARY OF TERMS

- A. **Appointing Authority.** The Mayor, Treasurer, City Clerk.
- B. **Appointment.** The designation of a person, by due authority, to become an employee in a position and his/her induction into employment in such position.
- C. **Certified Employee.** One who has successfully completed the probationary period in the position to which appointed.
- D. **Chapter 36.** Refers to Chapter 36 - Employment Policies, of the 1988 Springfield City Code of Ordinances, as amended.
- E. **City Council.** When used alone, means the Mayor and the Aldermen of the City of Springfield.
- F. **City Service.** All positions that are subject to controls and regulations by the City of Springfield as a municipal corporation, or any of its offices or other agencies as such.
- G. **Class, Classification or Class of Position.** A group of positions which are alike enough in duties and responsibilities to be called by the same descriptive title, to be given the same pay scale under similar conditions, and to require substantially the same qualifications.
- H. **Classified Service.** All positions of employment in the City except those positions wholly exempt by the provisions of Chapter 36 and those positions exempted from Jurisdiction A, in accordance with the rules adopted under the provisions of Chapter 36.
- I. **Commission.** The Springfield Civil Service Commission.
- J. **Compensation.** Pay rate of an individual position.
- K. **Compensation (pay) Plan.** The official manual of class specifications consisting of an index to the class specifications and rules concerning administration of the plan.
- L. **Demotion.** The assignment of an employee from one class of position to another which has a lower pay grade.
- M. **Department.** A designated division of the offices of the government of the City of Springfield.
- N. **Discharged or Removed.** Any case where an employee is separated from his/her position for cause or in the case of probationary employees separated for any reason.
- O. **Eligible Candidate.** A person whose name has been placed on an employment, reemployment, or promotional list for a given class, which is still valid and who has not been appointed to a position in the class and has not been removed from the list.
- P. **Eligibility List.** Any of the lists of names of persons who have been found qualified through suitable tests, for employment in positions in the classified service, and includes employment lists, reemployment lists and promotional lists.

- Q. **Employee.** Any person employed by the City of Springfield pursuant to the provisions of Chapter 36.
- R. **Examination.** The process of testing, evaluating, or investigating the fitness and qualifications of applicants and employees.
- S. **Grade.** A measure of value for all positions or classes of positions in the City service that are determined to be of the same level with respect to the difficulty and responsibility of their duties, and for which the same rate or schedule of compensation is provided in the Compensation Plan.
- T. **Layoff.** Involuntary, non-disciplinary separation from service because of shortage of funds or materials, lack of work or abolishment of position for reasons beyond the control of an employee.
- U. **Promotion.** The assignment of an employee from one class of position to another which has a higher pay grade.
- V. **Promotional list.** A list of names of persons arranged in order of merit as provided by these rules who have occupied positions in the classified service, who have been found qualified for promotion to a higher position.
- W. **Public Notice.** Any publication required by law and a written notice placed upon a bulletin board or other prominent place located in or near the city offices in a place accessible to the public during business hours.
- X. **Reemployment List.** A list of names of persons arranged in the order as provided by these rules who have occupied positions in the classified service and who have separated from the classified service.
- Y. **Suspension.** An involuntary unpaid leave of absence for disciplinary purposes or pending investigation of charges made against an employee.
- Z. **Unclassified Service.** All those positions in the City service specifically exempted from the Civil Service under the provisions of The Act to Regulate the Civil Service of Cities or City ordinances.

## **Section I THE SPRINGFIELD CIVIL SERVICE COMMISSION**

### **RULE 1.1. CREATION OF CIVIL SERVICE COMMISSION**

The Springfield Civil Service Commission is coded as Ordinance No. 1-1-82, Article IV of the Springfield Code of Ordinances, the Employment Policies. The Springfield Civil Service System shall be administered by the Civil Service Commission pursuant to appropriate ordinances of the City of Springfield and the Civil Service in Cities Act, 65 ILCS 5/10-1 *et. seq.*, of the Illinois Compiled Statutes.

### **RULE 1.2. COMPOSITION OF COMMISSION**

The Commission shall consist of seven (7) members whose term, selection, salary, and appointment shall be as prescribed by City ordinances.

### **RULE 1.3. MEETINGS - OPEN MEETINGS ACT**

All meetings shall be open to the public, unless closed, in accordance with the Open Meetings Act, 5 ILCS 120/1 *et seq.*

- A. Regular. The Commission shall determine and make public the time and place of regular monthly meetings for each calendar year.
- B. Special. The Commission may conduct special meetings in addition to those regularly scheduled. Such meetings may be scheduled at the direction of the Commission. At special meetings, the Commission may conduct other business in addition to that for which the meeting was called, to the extent allowed under the Open Meetings Act.

### **RULE 1.4. QUORUM**

Four members shall constitute a quorum for the transaction of business. Any meeting shall be adjourned in the absence of a quorum. When a quorum is present, action may be taken when approved by a majority vote of the members present.

### **RULE 1.5. ORGANIZATION OF COMMISSION**

The Commission shall hold elections during the first meeting in January of each year to select from among its members, a Chairman and Vice-Chairman to serve a term of one (1) year each.

### **RULE 1.6. DUTIES AND RESPONSIBILITIES OF THE COMMISSION**

The duties and responsibilities of the Commission shall be:

- A. To determine the order of business for the conduct of its meetings;
- B. To adopt, amend, or repeal rules and regulations covering those areas of personnel administration and civil service procedures properly within the jurisdiction of the

- Commission and to ascertain that the rules and regulations are properly administered;
- C. To approve the rules for the conduct of Jurisdictions A and B, Articles III, V and VI of Ch. 36 of the City Code, the Employment Policies;
  - D. To administer examinations to applicants for positions in the classified service;
  - E. To hear any employee in the classified service on any matter affecting his/her employment which falls within the jurisdiction of the Commission; and
  - F. To provide for the regulation and/or investigation of any other matter pertaining to personnel management not in contradiction with the provisions of the City Code and Illinois law.

**RULE 1.7. APPOINTMENT AND DUTIES OF CHIEF EXAMINER**

The Chief Examiner shall be selected and appointed by the Mayor. His/her duties shall be:

- A. To superintend any examination, under the direction of the Commission;
- B. To serve as ex-officio secretary of the Commission with duties and responsibilities including:
  - 1. To provide notice to Commission members and the public as required by these rules or by the Open Meetings Act;
  - 2. To keep permanent minutes of all meetings of the Commission, recording the time and place of each meeting of the Commission, the names of the Commission members present, all official acts of the Commission, the votes given by Commission members except when the action is unanimous and, when requested, a Commission member's dissent with his/her reasons. The minutes shall be prepared and presented to the Commission for approval at the next regular meeting. The minutes, or a true copy thereof, certified by the Chairman and the Secretary, shall be open to public inspection;
  - 3. To serve as custodian of all records, documents and rosters as are dictated by applicable state and federal laws and guidelines and to keep such additional records as the Commission deems necessary for the accomplishment of Civil Service business. Such records shall be made available for public inspection and copying during its business hours as provided by applicable State statutes and these Rules;
  - 4. To execute all subpoenas and procure court reporters, in conjunction with hearings; and
  - 5. To prepare the annual report for the approval of the Commission and to present it to the City Council;
- C. To perform other such functions as may be necessary to facilitate the business of the Commission.

**RULE 1.8. STATEMENT OF EQUAL EMPLOYMENT OPPORTUNITY**

The Springfield Civil Service Commission is committed to a policy of acting affirmatively to attract and utilize the talents of all citizens. No Civil Service Commission member or agent of the City shall discriminate against any employee or applicant for employment on the basis of sex, race, color, religious belief, national origin, political affiliation, marital status, age or disability unrelated to a person's ability to perform the duties of a particular job or position, except where a bona fide occupational qualification exists.

**RULE 1.9. COMPLAINTS**

The Appointing Authority, any employee, or taxpayer who feels aggrieved by the action of any City employee or of the City of Springfield may appear before the Commission at any of its regular meetings, after first having filed a written complaint prior to the meeting, and shall have the right to be heard at reasonable length at the time designated by the Commission on any matter involving the administration and enforcement of the Civil Service law and the rules adopted in accordance therewith. The provisions of this rule shall not apply to proceedings subject to the hearing provision.

**RULE 1.10. INVESTIGATIONS**

The Commission may, upon its own initiative, make such inquiries and investigations as it may deem to be warranted regarding the administration and effect of the provisions of Civil Service law and of the ordinances and rules adopted in accordance therewith, and make such recommendations to the City Council as in its judgment may be warranted in the premises.

**RULE 1.11. AMENDMENTS TO THE RULES**

The Commission may amend these rules as allowed by City ordinance. Any interested person may petition the Commission requesting the adoption, amendment, or repeal of a rule. Such petition shall be submitted in writing. If the petition is for the adoption or amendment of a rule, a draft of the proposed adopted or amended rule shall be attached to the petition.

**Section II GENERAL PROVISIONS**

**RULE 2.1. ADDRESSES**

The Commission shall have no duty to update its records unless the change is requested by the applicant or employee in writing.

- A. Applicants for Civil Service positions shall promptly report, in writing, any change of name or address, or other significant employment information to the Commission.
- B. Employees shall promptly report, in writing, to their department, any change of name or address or other significant employment information which shall be forwarded to the Office of Human Resources.



- C. Failure of an applicant or employee to respond within ten (10) calendar days to a notice sent by the Commission may result in denial of admission to an examination or in removal of the applicant from the Eligibility List.

**RULE 2.2. SERVICE OF NOTICE**

- A. Service of charges for which suspension or discharge is sought shall be made by hand delivery of the notice to the employee in person, or by either certified or registered mail to the person at the last known address on file with the Commission. Service shall be deemed made as follows: date received by the employee in person; date received by mail; or date service by mail is returned to the Commission because of insufficient address, refusal to accept or otherwise.
- B. Service of other notices shall be made either by first class mail to the person at the last known address on file with the Commission or by hand delivery at the option of the Commission. Service shall be deemed complete three (3) days after the date mailed.

**RULE 2.3. POLITICAL OR RELIGIOUS BELIEF**

No question in any test or form of application or other proceedings shall be so framed as to elicit information concerning, nor shall any attempt be made to ascertain the political or religious opinions or affiliations of any applicant. Such disclosure or attempt at disclosure is hereby forbidden and no discrimination shall be exercised, threatened, or promised against or in favor of any applicant, because of his/her political or religious opinions or affiliations.

**RULE 2.4. POLITICAL ACTIVITY**

- A. No person in the classified service shall be under any obligation to:
  - 1. Contribute to any fund or render any political service or be removed or otherwise prejudiced for refusing to do so;
  - 2. Solicit contributions for nor be solicited to contribute to any political party or campaign; and
  - 3. Perform any act with respect to political activity or use of political influence which is prohibited by the Civil Service law;
- B. These prohibitions shall not be construed to prohibit or prevent any classified employee from becoming or continuing to be a member of a political club or organization or from attending political meetings, from enjoying entire freedom from all interference in casting his/her vote, from expressing privately or publicly his/her opinion on all political questions or from seeking or accepting election or appointment to public office unless in violation of Ch. 36 of the City Code.

**RULE 2.5. PROBATIONARY PERIOD**

Upon original appointment, all classified service employees shall serve a 12-month probationary

period before attaining certified status. Employees who receive a promotion shall serve a six-month probationary period. Probationary periods may run concurrently. If there is an absence of 30 days or more during the probationary period, the probationary period shall be extended by the period of absence.

**RULE 2.6. TENURE**

Every employee who is legally employed in accordance with the provisions of the Civil Service System and these rules and who successfully completed the probationary period shall have tenure of employment during satisfactory service.

**RULE 2.7. LAYOFFS**

Whenever there shall be no further need for employment in any position because of shortage of work or funds, the abolition of a position, or because of changes in organization, any employee in the classified service may be laid off without pay, despite any provision of the rules concerning tenure. Employees who are laid off shall have their names placed on the appropriate reemployment list and shall be entitled to reappointment to the same classification provided they meet minimum qualifications, if such positions are refilled during the period of their eligibility on a reemployment list. This rule does not apply to Jurisdictions C and D as described in Article I, Ch. 36.03 of the City Code.

- A. Reemployment Lists. Reemployment Lists shall consist of the names of employees who have acquired certified Civil Service status and who are laid off because of shortage of work or funds, the abolition of a position, or because of changes in organization, which do not relate to circumstances within their control. This rule does not apply to Jurisdictions C and D as described in Article I, Section 3 of the Employment Policies.
  - 1. Reemployment lists shall supersede entry-level or promotional lists for a particular position;
  - 2. Qualified employees seeking placement on such lists must so indicate to the Commission's office at the time of layoff;
  - 3. The order of names on such lists shall be based on length of service in the same or similar position and on the employee's demonstrated relative efficiency;
  - 4. Such persons may remain on the reemployment list for a period of time not to exceed one (1) year; union recall lists will expire per the appropriate contract language;
  - 5. The Commission shall be the final judge of the eligibility of an employee for reemployment to a specific position based upon past work record and appropriateness of experience; and
  - 6. The provision of this sub-section shall not apply to seasonal, temporary or probationary employees.
- B. Tie Breaking. Employees who are laid off and are "tied" on the reemployment list

shall be rehired in accordance with Rule 2.7.A. above, and if the tie shall not then be broken, they shall be ranked by the results of a lottery.

**RULE 2.8. DRUG SCREENING**

Drug and Alcohol testing may be administered as provided by City policy and/or applicable law(s).

**Section III APPLICATIONS**

**RULE 3.1. APPLICATION REQUIREMENTS**

Only persons filing timely applications on forms approved by the Commission shall be examined for positions in the Civil Service.

A. Applicants shall furnish information covering personal and employment history, education and training, experience and other pertinent facts relating to employment and allowable by law as the Commission shall prescribe, and such applicants shall sign or e-sign the applications certifying that the information contained therein is true.

B. All persons applying for entry-level police and fire positions must provide a copy of the following documents during the designated registration period:

- Completed and signed application
- Birth Certificate/Birth Record
- Candidate Physical Ability Card (CPAT) for Fire Entry only
- High School Diploma or GED Certificate
- Veteran Military Release Form DD-214 (if applicable)
- College Transcripts (if applicable)

C. Applicants shall also sign pertinent releases including but not limited to employment references and police records, allowing the Commission or its agents to verify and investigate information submitted upon the application.

D. Applicants may be required to be fingerprinted, photographed, etc. or to submit proof of age, citizenship, education, training and military service at the time of examination application or examination on appointment.

E. Applicants failing to provide the required documents during the designated registration shall not be permitted to participate in the examination process.

**RULE 3.2. RULE 3.2. REJECTION OF APPLICANTS PRIOR TO TESTING**

A. An applicant may be refused the right to take an entry-level or promotional examination if he/she:

1. Made any false statement, certificate, mark, rating, or report with regard to any test, certification of appointment made under any provision of these rules, or in

any manner has committed or attempted to commit any fraud preventing the impartial execution of these rules, and the function of the Civil Service;

2. Directly or indirectly gave, rendered, paid, offered, solicited, or accepted any money, service, or other valuable consideration for or on account of any appointment, proposed appointment, promotion or proposed promotion or made an attempt to gain any advantage in a position;
  3. Defeated, deceived or obstructed any person, or any person's right to take an examination, or has furnished to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment with the City of Springfield;
  4. Indicated on the face of the application that he/she does not possess the minimum qualifications for the position for which appointment is sought;
  5. Is unable to perform the essential functions of the job with or without reasonable accommodation; or
  6. Failed to submit the pertinent or required information requested within the required deadlines.
- B. Any person discharged from City employment may not seek re-employment with the City in a classified service position for a period of two (2) years from the final date of discharge.

### **RULE 3.3. AGE REQUIREMENTS**

- A. All persons applying through the competitive examination process for an entry-level fire fighter position must have reached the minimum age requirement of twenty-one (21) years of age when taking the written exam.
- B. All persons applying through the competitive examination process for an entry-level police officer position must have reached the minimum age requirement of twenty (20) years of age and have successfully completed sixty (60) semester hours of law enforcement studies at an accredited college or university or be twenty-one (21) years of age when taking the written exam.
- C. All persons applying through the competitive examination process for an electrical apprentice or fireman and oiler position must have reached the minimum age requirement to obtain a Commercial Driver's License (CDL) as determined by the Illinois Secretary of State.
- D. All persons applying through the competitive examination process must not exceed the maximum age limit as determined by Illinois State Statute.

## **Section IV EXAMINATIONS FOR PURPOSES OF HIRING AND PROMOTION**

### **RULE 4.1. EXAMINATIONS**

Examinations for positions in the Civil Service shall be impartial and shall relate to those matters that will most fairly test the relative capacity of the persons examined to discharge the duties of the position to which appointment is sought.

#### **A. Entry-level Examinations**

1. Fireman and Oiler
2. Electrical Apprentice-in conjunction with the IBEW (International Brotherhood of Electrical Workers) and JATC (Joint Apprentice Training Committee)
3. Patrol Officer
4. Firefighter

#### **B. Promotional Examinations**

1. Fire Driver Engineer
2. Fire Captain
3. Fire Battalion Chief
4. Police Sergeant
5. Police Lieutenant

- C. Examinations shall be competitive in nature. Except as provided in subsection 4.3A, 4.3B1 and 2, and 4.3.C1 and 2 below, the eligibility list for the entry-level position of patrol officer shall be ordered in fixed banding groups where the test scores within a certain range (band) whose differences are not considered statistically significant due to the test measurement error and scores within the band shall be considered the same. Said determination shall be made by an independent organization having the knowledge and skill to determine the bandwidth for the eligibility list. The width of the bands shall be determined using a procedure that is consistent with professional practice and sound psychometric principles. The fixed band does not slide downward until everyone within the band is selected except for those candidate(s) who are approved by the Civil Service Commission for a pass-over pursuant to Civil Service Rule 5.11 or a candidate is removed from the band/eligibility list for failing to complete the hiring process and/or upon a determination that the result of the background investigation, psychological examination, drug screening, and/or medical examination is unsatisfactory. The selection of candidates from within each band shall be made by the Chief of the Police Department. In making selections from within the band, the Chief shall consider but is not limited to the following factors (1) the needs of the Department; (2) prior employment experience of a candidate; (3)

special skills and training such as but not limited to military experience and prior public safety training; (4) prior experience in public safety employment; (5) formal community college and/or university education or credits received for coursework; (6) ability to interact with persons of diverse backgrounds; and (7) increase racial, ethnic, and gender diversity and increase the number persons from different backgrounds and provide diversity within the age range of the candidates. Patrol officer candidates will also be required to satisfactorily complete other position-related examinations including, but not limited to, a background investigation, psychological examination, drug screening and/or medical examination. Banding of test scores shall be made effective for any entry-level patrol officer eligibility list that is certified after the date this rule is passed by the Civil Service Commission. All other entry-level eligibility lists for positions other than patrol officer shall be rank-ordered based on the performance of the candidate and the highest-ranked candidate on an entry-level eligibility list, who also satisfactorily completes the other position-related examinations including, but not limited to, a background investigation, psychological examination, drug screening and/or medical and agility examination, earns the right to appointment to the next position (or vacancy) to be filled.

1. The highest-rated eligible candidate on a lateral list who satisfactorily completes the background, psychological, drug screening and/or medical and agility examination, or other position-related examinations may be hired prior to the next eligible candidate on the entry-level eligibility list for Police Patrol Officer in accordance with the provisions of the Rules and the appropriate contract language governing lateral-entry hires.
- D. Advancement to a promotional position may be determined by competitive examination, which shall be open to employees eligible for promotion to a particular position. Promotions shall be made from promotional lists in the manner prescribed by state statutes, such lists to be compiled on the basis of fair examination and work performance.
- E. The Commission shall identify all examinations as entry, lateral or promotional and shall effectuate them accordingly.
- F. Except for eligibility lists for the Police and Fire Departments, which are addressed separately in Section V., eligibility lists that are certified by the Civil Service Commission shall remain in force for two (2) years from the date of certification unless the lists are depleted through offers of employment, individual disqualification or are voided by the Commission as provided herein. The duration of such lists may be extended for an additional year each by action of the Commission.

#### **RULE 4.2. NATURE OF EXAMINATIONS**

The Commission, in conjunction with the Chief Examiner and the Office of Human Resources, is vested with discretion in preparing or selecting examinations and may give and act upon the results of any form of examination that falls within the realms of accepted testing and employment practices. The Commission's choice of test design shall be final.

- A. Examination Preparation. The test for each examination shall be prepared under the direction of the Chief Examiner and the Commission and shall be considered confidential. The Chief Examiner shall consult with the department heads concerning the requirements of positions to be filled.
- B. Examination Reading List. A current list of reading materials for police and fire promotional examinations shall be maintained by the Chief Examiner or his/her designee and updated periodically, which shall be posted on the Commission bulletin board.
- C. Scope of Examinations.
  - 1. The Commission may use one or any combination of the following methods of testing:
    - a. Investigation of education and training;
    - b. Investigation of experience and background including character;
    - c. Tests of knowledge, skills and/or ability;
    - d. Tests of manual skill or actual job samples;
    - e. Tests of physical fitness, agility or ability;
    - f. Test of psychological fitness in entry-level examinations only;
    - g. Drug screening, where applicable;
    - h. Medical examination, where applicable.
  - 2. Any test, inquiry, or procedure utilized to create an eligibility list, and that in the Commission's judgment is likely to distinguish those qualified for entrance into or promotion within the Civil Service, shall be considered an examination.
- D. Examination Standards. The Commission, in conjunction with the Chief Examiner and the Office of Human Resources, is solely responsible (prior to exam administration) for examination standards regarding:
  - 1. Test procedures and selection;
  - 2. Minimum passing points for all tests or parts thereof in accordance with applicable law(s);
  - 3. Designation of weights when indicated; and
  - 4. Overall test methodology.
- E. Medical Standards. In accordance with State statutes, the Commission may set medical, physical, or health standards that are clearly job-related, making reasonable

accommodation for persons with disabilities.

- F. Criminal Record. Persons with a record of arrests or misdemeanor convictions may be disqualified from taking examinations as set forth in 65 ILCS 5/10-1-7(c) and as provided by City Ordinance. Arrests or certain misdemeanor convictions may disqualify applicants for a position on the police and/or fire department.

**RULE 4.3. VETERAN'S PREFERENCE IN EXAMINATIONS AND PROMOTIONS AND RESIDENCY PREFERENCE FOR ORIGINAL APPOINTMENT/ENTRY-LEVEL POSITIONS**

- A. Qualified persons who have passed an examination for original or promotional appointment and who have been members of the Armed Forces of the United States shall be granted preference in exams as provided by 65 ILCS 5/10-1-12 and 65 ILCS 5/10-1-16 and Chapter 36, Section 36.35(f) of the 1988 Springfield City Code of Ordinances, as amended. For purposes of awarding veteran's preference points pursuant to 65 ILCS 5/10-1-16, the term "active military or naval service of the United States" shall include any periods of service characterized as "Active Duty," "AD" or "Active Service" on the Form DD214. Such DD214 shall be considered prima facie evidence of service, and said service need not be consecutive as long as such service is at least one (1) year.
- B. Qualified persons who have passed an examination for entry-level positions such as but not limited to police and fire entry-level testing, electrical apprentice, and fireman and oiler testing, shall be granted residency preference points if the following condition is met:
1. The legal residence of the candidate must be an address that is currently within the Springfield corporate limits and has been the candidate's legal residence for at least nine (9) consecutive months as defined by the Chief Examiner in the application packet. Residency preference points shall be made effective and apply to any entry-level eligibility list that is certified after the date this rule is passed by the Civil Service Commission. For any written examination taken prior to the certification of an eligibility list that is certified after the date this rule is passed, proof of residency shall be provided within thirty (30) days after the passage of this rule, and proof of residency may include but is not limited to a prior utility and/or telephone bill in the candidate's name, rental agreement in the candidate's name or property tax bill in the candidate's name. Thereafter, proof of residency must be provided prior to taking the written examination for the original appointment, which may include but is not limited to a prior utility and/or telephone bill in the candidate's name, rental agreement in the candidate's name or property tax bill in the candidate's name.
  2. For entry-level positions, the Civil Service Commission shall add five (5) points to the final examination grade of any candidate who has met the criteria outlined above.
- C. Qualified persons who have passed the examination for the position of entry-level firefighter shall be granted preference points if the following conditions are met:



1. One (1) preference point for each year of continuous active membership in Fire Explorer Post 300, as certified by the Fire Chief and Fire Post advisors. The limit on preference points shall be three (3) points for fire entry-level positions who meet these criteria.
2. For entry-level positions, the Civil Service Commission shall add up to three points to the final examination grade of any candidate who has met the criteria outlined above.

**RULE 4.4. CANCELLATION AND POSTPONEMENT OF EXAMINATIONS**

- A. The Commission may cancel or postpone any examination for good cause.
- B. In the event of an examination cancellation, applicants will be notified of their status or of an alternate testing date.

**RULE 4.5. EXAMINATION MODIFICATION - SEVERABILITY**

In the event a question or questions on an examination that has already been held and scored is determined to be in error or invalid, the Commission need not invalidate the balance of the examination or selection procedure but may invalidate the question or questions only at its discretion.

**RULE 4.6. ACCEPTANCE OF EXAMINATION BY COMMISSION**

No examination procedure shall be deemed complete until all scoring has been accomplished and the results accepted by the Commission.

- A. The Chief Examiner shall provide a full oral report of every selection procedure to the Commission, pointing out noteworthy statistics and making subsequent recommendation prior to certification of the particular examination or eligibility list. Such summary reports shall include:
  1. Method of scoring;
  2. Recommended passing points;
  3. Interview criteria;
  4. Report of score distribution;
  5. Any unusual circumstances associated with the testing procedure; and
  6. Such other information as may be appropriate and useful to the Commission in their evaluation of examinations.
- B. The Commission may, for good cause shown after reviewing the results of an examination, reject it and order another examination held.

**RULE 4.7. SUPERVISION OF EXAMINATIONS**

All examinations shall be under the direction of the Chief Examiner or his/her designee.

**RULE 4.8. CONDUCT OF APPLICANTS DURING EXAMINATIONS**

- A. The Commission, through its Chief Examiner, reserves the right to expel from the testing area any applicant for inappropriate behavior during examinations.
- B. Any individual expelled from a test area shall not be allowed to complete the examination process but may make timely reapplication for subsequent lists of eligibility for the position being sought.

**RULE 4.9. CONFIDENTIALITY OF EXAMINATIONS AND TEST SCORES**

All examinations, examination papers, and other related material shall become the property of the Commission and shall be confidential, and the grading thereof by the Commission shall be final and conclusive.

**RULE 4.10. NOTIFICATION OF EXAMINATION RESULTS**

As soon as practicable but within forty-five (45) days after the completion of an examination, candidates shall be notified of their examination results in writing, pursuant to Rule 2.2.B.

**RULE 4.11. NOTICE OF ENTRY-LEVEL EXAMINATION**

Public notice of an examination for an entry-level position shall be made a minimum of thirty (30) days prior to the date an examination is to be conducted.

- A. The notice shall describe the position for which the examination is being held and shall contain:
  - 1. The title of subject position;
  - 2. The basic duties of said position;
  - 3. The minimum qualifications of education and/or experience required;
  - 4. Current residency requirements if applicable;
  - 5. Deadline for and place of application;
  - 6. Any license or certificates required;
  - 7. Any special information or conditions of employment essential to the job.
- B. Such notices shall be posted in the Civil Service office, on such other official bulletin boards and in such other locations that the Commission may designate.
- C. Additional or specialized recruiting may be accomplished utilizing newspapers, journals, bulletins, press releases, radio, etc., by the Commission or Office of Human Resources or individual departments. Any such recruiting shall be coordinated through the Office of Human Resources to control deadlines and other legal

requirements.

**RULE 4.12. BACKGROUND INVESTIGATION/PSYCHOLOGICAL SCREENING**

Copies of a Personal History Questionnaire, background investigation or psychological screening shall not be circulated to a candidate or employee nor will they be released unless required pursuant to court action.

**RULE 4.13. INSPECTION OF EXAMINATIONS BY PROMOTIONAL CANDIDATES**

All examinations shall be confidential, but each candidate shall have the right to inspect his/her own test except where the validity of the test would be jeopardized thereby. Inspections of an examination must take place no later than seven (7) calendar days after the date the examination was administered.

- A. Candidates may not copy questions or publish the test in any manner.
- B. The Commission reserves the right to supervise an examination inspection.

**RULE 4.14. PROTEST OF EXAMINATIONS BY PROMOTIONAL APPLICANTS**

An applicant wishing to protest an examination must file a written Notice of Protest with the Commission.

- A. The Notice of Protest for Promotional examinations must be filed within ten (10) calendar days after the employee receives the results of his/her written score or placement on the list.
- B. The notice shall contain:
  - 1. The name, address, age, employer, and present position of the petitioner;
  - 2. The date, time, place, and identification of the subject examination;
  - 3. A clear and concise listing of all grievances, complaints, irregularities, and other matters that form the basis of the petitioner's request;
  - 4. A statement of the action the petitioner urges the Commission to take.
- C. At the next regular or a special meeting after receipt of the Notice of Protest, the Commission shall consider the petition, consider any pertinent information the petitioner may wish to present, and consider any facts or statements of the Chief Examiner, testing company, and/or Subject Matter Experts (SME's). The Commission shall have the power to render such decision as is just in response to the Notice of Protest.

## **RULE 4.15. PROMOTIONAL EXAMINATION ELIGIBILITY REQUIREMENTS**

- A. Eligibility to take police and fire promotional examinations shall be limited to those individuals in good standing who meet the minimum years of service requirement with the respective department on the date the examination is administered.
- B. Minimum requirements are as follows:
  - 1. Police Sergeant - Police Patrol Officers who have a minimum of seven (7) years of continuous service on the department (including probationary period) from the date of current appointment;
  - 2. Police Lieutenant - Police Sergeants who have a minimum of one (1) year continuous service in rank and eight (8) years continuous service on the department (including probationary period) from date of current appointment;
  - 3. Fire Driver Engineer- Fire Fighters who have a minimum of three (3) years continuous service on the department (including probationary period) from date of current appointment;
  - 4. Fire Captain - Driver Engineers who have a minimum of one (1) year continuous service in rank and five (5) years continuous service on the department (including probationary period) from date of current appointment or all firefighters who are on the Driver Engineer Eligibility list and have attained ten (10) years of seniority;
  - 5. Fire Battalion Chief - Fire Captains who have a minimum of one (1) year continuous service in rank and eight (8) years continuous service on the department (including probationary period) from the date of current appointment.

## **Section V ELIGIBILITY LISTS**

### **RULE 5.1. LISTS GENERAL**

The Commission shall maintain, as the need arises, lists of eligible candidates for all entry-level positions and promotions within the classified service in the Police Department, Fire Department and City, Water, Light and Power in accordance with the provision of these rules. Each list shall consist of the names of all eligible candidates in order of scorings on the examinations and as determined by the appropriate selection procedure of the Commission.

### **RULE 5.2. KINDS OF ELIGIBILITY LISTS**

- A. Entry-level Eligibility Lists shall consist of the names of all eligible candidates in accordance with these Rules;
- B. Promotional Lists shall consist of the names of Civil Service employees certified as eligible for promotion to a particular position in accordance with these Rules.

**RULE 5.3. TIE BREAKING OF EQUALLY-RATED CANDIDATES**

- A. Eligible candidates whose positions on an entry-level list are tied shall be ranked according to the results of a lottery.
- B. Eligible candidates whose positions on a promotional list are tied shall be ranked by the order of seniority in current Civil Service rank, and if the tie shall not then be broken, they shall be ranked by the results of a lottery.
- C. Seniority may be based on the Chief's ranking interview for entry-level candidates.
- D. A public lottery may be held in order to break ties in entry-level seniority ranking.
- E. Lateral candidates who start employment on the same date and for the same position as an entry-level candidate shall receive the highest seniority ranking. If there are multiple lateral hires, they will be ranked according to the highest final score.

**RULE 5.4. APPEALS AND CORRECTIONS OF ELIGIBILITY PLACEMENT**

- A. Eligible candidates must appeal to the Commission in writing within ten (10) calendar days of posting or publication of placement results on a promotional, entry or reemployment list to seek any correction thereof.
- B. The Commission shall examine the appeal at a special meeting or its next regular meeting. If manifest error is discovered in placement, scoring, or computation of results, the Commission shall make the required correction and place the name of the person or persons in the corrected position on the list of eligible candidates.
- C. No correction in and of itself made by the Commission shall invalidate any appointment previously made from such list.
- D. The Commission's records will be presumed correct, and it shall be the applicant's burden to show errors to the Commission.
- E. Applicants shall be notified of any change in their placement on the eligibility list.

**RULE 5.5. DURATION OF POLICE ENTRY AND PROMOTIONAL LISTS**

- A. Entry-level eligibility list shall remain in force for one (1) year from the date of certification unless the list are depleted through offers of employment, individual disqualification or are voided by the Commission as provided herein. Duration of the lateral eligibility list shall be set by the Police Chief.
- B. Promotional lists shall remain in force for two (2) years from the date of certification unless the lists are depleted through offers of employment, individual disqualification, or are voided by the Commission as provided herein.
- C. The duration of entry-level lists may be extended for periods of three (3) months at a time, up to a total of two (2) years by action of the Commission, and the duration of promotional lists may be extended once for a period of six (6) months or one (1) year

by action of the Commission.

- D. Any of the circumstances described in Rule 5.5.A., B. or C. above shall be reflected in the minutes of the Commission.

**RULE 5.6. DURATION OF FIRE ENTRY AND PROMOTIONAL LISTS**

- A. Entry list shall remain in force for one (1) year from the date of certification unless the list is depleted through offers of employment, individual disqualification or are voided by the Commission as provided herein.
- B. With the exception for the promotional list for the position of Driver Engineer, promotional lists shall remain in force for two (2) years from the date of certification unless the lists are depleted through offers of employment, individual disqualification or are voided by the Commission as provided herein.
- C. The duration of entry-level list may be extended for periods of three (3) months at a time, up to a total of one (1) year, by action of the Commission. An entry-level list cannot exceed a maximum of two (2) years after the certification/effective date of the list.
- D. Any of the circumstances described in Rule 5.6.A., B. or C. above shall be reflected in the minutes of the Commission.

**RULE 5.7. DURATION OF ELECTRICAL APPRENTICE AND FIREMAN AND OILER LISTS**

- A. Entry-level eligibility lists shall remain in force for two (2) years from the date of certification unless the lists are depleted through offers of employment, individual disqualification or are voided by the Commission as provided herein.
- B. The duration of entry-level lists may be extended for periods of three (3) months at a time, up to a total of two (2) years, by action of the Commission.
- C. Any of the circumstances described in Rule 5.7.A. or B. above shall be reflected in the minutes of the Commission.

**RULE 5.8. ENTRY-LEVEL ELIGIBILITY LIST**

- A. An entry-level eligibility list shall be created once the Commission receives the results of the written examination, physical ability examination, and oral assessment.
- B. Thereafter, background checks, psychological, fitness, medical, and other position-related examinations shall be administered following notification by the Appointing Authority that there is a vacancy or vacancies to be filled.

**RULE 5.9. REMOVAL FROM ENTRY-LEVEL ELIGIBILITY LIST**

The Commission shall remove the name of any eligible candidate or applicant from the Entry-level Eligibility List upon its determination that the result of the background, psychological,

medical or other position-related examination is unsatisfactory. Failure to complete any examination as scheduled shall result in removal from the Entry Eligibility List.

**RULE 5.10. FAILURE TO RESPOND**

An eligible candidate shall be considered unable to be reached and removed from the Entry-level Eligibility List when any mailed or e-mailed communication to the address of record is returned, or no reply is received within ten (10) days.

**RULE 5.11. NOTICE OF RESULTS OF ELIGIBILITY FOR APPOINTMENT**

All applicants competing for placement on any eligibility list shall receive written notice of their position thereon, or of their failure to attain such placement, or notice of their removal from the list in accordance with Rule 2.2.B.

**RULE 5.12. EFFECT OF DECLINES ON LIST PLACEMENT**

When an eligible candidate on an entry-level list declines an offer of employment any time after the conditional offer is made from such list for the first time, he/she shall not be stricken but shall remain on the list in his/her original position. The second decline shall cause the eligible candidate to be stricken from said list.

**RULE 5.13. SENIORITY POINTS**

- A. Candidates for promotional examinations shall be given credit for length of continuous service. Seniority points shall be added to the final earned by achieving a minimum passing score as set by the Civil Service Commission, and such candidate has been placed on the appropriate eligibility register.
- B. Such points shall be added for the police department at the rate of one-half (1/2) point per year of service up to twenty (20) years with a ten (10) point maximum on a promotional exam.
- C. Fire Department employees shall receive seniority points based on appropriate contract language.

**RULE 5.14. ASCERTAINED MERIT POINTS**

Candidates for promotional examinations may be given credit for education, training, and certifications in subject areas applicable to either Police or Fire Service as outlined by the respective department prior to a promotional exam. Ascertained merit points may be added to the final earned score after achieving a minimum passing score as set by the Civil Service Commission.

## **Section VI DISCIPLINARY ACTION**

### **RULE 6.1. CAUSE FOR SUSPENSION OR DISCHARGE OF A CERTIFIED EMPLOYEE**

Cause for discharge consists of some substantial shortcoming that renders the employee's continuance in his/her position in some way detrimental to the efficiency of the City services and that the law recognizes as good cause for him/her no longer holding the position. Cause for discharge or suspension may include but is not limited to the following:

- A. Incompetence or inefficiency in the performance of duty;
- B. Negligent performance of duty;
- C. Offensive or profane conduct in the treatment of fellow employees, or the public;
- D. Inability to perform the essential functions of his/her classification;
- E. Violating any lawful regulation, department rules, orders, regulations or City Ordinances;
- F. Failure to obey any reasonable direction or order given by a superior, when such violation or failure to obey amounts to insubordination or serious breach of discipline;
- G. Committing a criminal offense involving moral turpitude;
- H. Destruction, defacement, misuse or waste of public property;
- I. The use of alcoholic beverages or other intoxicating or controlled substances on the job, or reporting to work under the influence of such substances;
- J. Habitual absence or tardiness;
- K. Willful evasion of debts or taxes as set by law;
- L. Receiving and keeping for private or personal use, any fee, gift service or consideration that is offered with the expectation of receiving special privileges;
- M. Engaging in an outside business, trade or occupation during normal business hours, or involvement in same without approval of the department head, that could constitute a conflict of interest with City employment;
- N. Engaging in political activity during working hours calculated to favor or improve the chances of a political party or of a person seeking or attempting to hold a political office;
- O. Using or attempting to use political influence or the influence of any office or employee in securing promotion, transfer, increased pay or other personal gain;
- P. Falsification or misrepresentation of fact on or in conjunction with any personnel, departmental or public records;



- Q. Any action or omission of such a nature as to cause extreme public disrespect or loss of job-related public trust;
- R. Sleeping on the job;
- S. Unauthorized possession of firearms or other weapons on or in City property or in the course of duty;
- T. Failure to wear assigned safety equipment or failure to abide by safety rules and policies;
- U. Engaging in any type of sexual harassment or discriminatory conduct;
- V. Unauthorized or improper disclosure of confidential information;
- W. Job abandonment;

**RULE 6.2. DISCHARGE OF A PROBATIONARY EMPLOYEE**

Probationary employees may be summarily dismissed and are not entitled to the protection afforded to certified employees.

**RULE 6.3. DEMOTION**

If a certified employee is demoted and assigned from one class of position to another that has a lower pay grade, the employee has the right to request a hearing on said demotion in writing within ten (10) calendar days of service of demotion. If no written request is made within ten (10) calendar days of receipt of demotion, the employee's right to a hearing shall be deemed waived.

**RULE 6.4. DISCHARGE OR SUSPENSION OF A CERTIFIED EMPLOYEE**

Civil Service employees may be discharged or suspended in accordance with the provisions of these rules.

- A. The power to discharge or suspend rests with the Appointing Authority or designee subject to the hearing provisions herein.
- B. A copy of the charges that form the basis for discharge or suspension shall be served upon the employee in accordance with Rule 2.2.A.
- C. An employee who is served with notice of charges that form the basis for discharge, a suspension of more than five (5) days or suspension within six (6) months of a previous suspension, has a right to request a hearing on the action, in writing, within ten (10) calendar days of service of charges. If no written request is made within ten (10) calendar days of receipt of charges, the employee's right to a hearing shall be deemed waived.
- D. Notice of the time and place of said hearing shall be served upon the employee by regular first class mail. Notice to counsel shall be notice to the client. Such notice to an employee not represented by legal counsel shall be sent to the employee's address

on file with the Commission.

- E. When an employee is served with charges for suspension, the City may, in its discretion, allow the employee to continue working until the time for the employee to request a hearing expires or until the conclusion of a hearing by the Commission on the charges. In that case, if after hearing, the Commission orders a period of suspension, the employee shall then begin serving that period of suspension without pay.

## **Section VI FORMAL HEARING BEFORE THE COMMISSION**

### **RULE 7.1. PERSONNEL FILE**

In any disciplinary hearing, the personnel file of the employee is relevant for the purposes of mitigation or aggravation of a penalty in the event the employee is found guilty of the disciplinary charge.

### **RULE 7.2. CHAIRMAN**

The Chairman or his/her designee shall conduct the hearing. If no such designation is made, the Vice-Chairman shall, in the Chairman's absence, serve as the Chairman's designee.

### **RULE 7.3. DISCOVERY**

Any party may make the following discovery requests:

- A. Request for list of persons having knowledge. Upon request, either party must furnish to the other party a list of the names and addresses of the persons having knowledge of relevant facts.
- B. Motion to Produce. Any party, or his/her attorney, shall have the right, upon timely motion, to produce any relevant documents in the possession of or under the control of any other party.

### **RULE 7.4. SUBPOENAS**

- A. Supreme Court Rule 237, which provides for compelling the appearances of witnesses at trial, shall be followed.
- B. The Chief Examiner, or his/her designee, shall upon application by any party, and upon a showing of relevancy and the scope of the evidence sought, issue subpoenas requiring the attendance and testimony of witnesses.
- C. The Commission may invoke the aid of Circuit Court of Sangamon County to issue an appropriate order of compliance in the event any individual refuses to obey a subpoena or refuses to be sworn or to testify.

**RULE 7.5. RULES OF EVIDENCE**

The rules of evidence and privilege as applied in civil cases in the circuit courts of this State shall be followed. However, evidence not admissible under such rules of evidence may be admitted (except where precluded by statute) if it is a type of evidence commonly relied upon by reasonable prudent persons in the conduct of their affairs.

**RULE 7.6. RECORD OF HEARINGS**

The proceedings of any hearing shall be taken by a certified court reporter. The record shall include the request for hearing, notice of hearing, motions, exhibits, and briefs, transcripts of testimony and arguments, or other documents submitted by the parties and any decision by the Commission.

**RULE 7.7. FAILURE TO APPEAR**

- A. Failure of a party to appear on the date set for a hearing may constitute grounds for dismissal of the hearing.
- B. If the party does not give at least a twenty-four (24) hour notice, he/she will be responsible for reimbursing the Civil Service Commission for all costs associated with the hearing.

**RULE 7.8. CONTINUANCE OF HEARING**

A hearing may be continued for due cause by the Commission upon its own motion or upon motion of any party to the proceeding. Notice of any motion for continuance shall be given in writing to all parties to the hearing in no less than three (3) business days prior to the previously scheduled hearing date (in the absence of a bona fide emergency). All parties involved in a hearing shall avoid undue delay caused by repetitive continuances so that the subject matter of the hearing may be resolved expeditiously.