

RULE VII⁽²⁸⁾
APPOINTMENTS

Appointments to all positions in the classified service that are not filled by transfer or reduction, as provided by the Civil Service Laws and the Rules of the Commission, shall be made only from those persons whose names take rank order on an eligible list, in accordance with the Civil Service Laws, the Rules of the Commission, Collective Bargaining Agreement, City Charter or ordinance, as applicable.

1. NAMES TO BE CONSIDERED FOR APPOINTMENT

The appointing authority shall appoint from among the top 25% or the top ten (10) candidates (whichever is greater) standing highest on the eligible list for the class or grade to which said position is classified. (124.27).

2. PREFERENCE TO CERTAIN APPLICANTS

A. PREFERENCE TO PERSONS FOR MILITARY SERVICE (This does not apply to applicants for employment in the classified service of the City of Fairfield as per Ordinance 213-81).

Every person who has been honorably discharged from the armed forces of the United States as defined in the Ohio Revised Code, who is a resident of this state, and whose name appears on an eligibility list for a position, shall be entitled to preference in original appointments to any such competitive position in the civil service of the state and its civil divisions over all other persons eligible for such appointments and standing on the relevant eligible list with a rating equal to that of the person qualifying for veteran's preference.

3. PERSONS TO BE APPOINTED

Upon receipt from the Commission of such list of eligibles for a position, the appointing authority shall fill such position by appointment of one of the top 25% or top ten (10) persons (whichever is greater) whose names take rank order on the Eligibility List and shall forthwith report to the Commission the name of such appointee, the title of the position, the duties and responsibilities of same, the salary or compensation thereof and such other information as the Commission may require in order to keep its roster. (124.27)

4. PROBATIONARY PERIOD: PROBATIONARY REMOVAL OR REDUCTION

Unless otherwise determined by the Commission, the probationary period of each position in the classified service shall be for a period of six (6) months, except as otherwise provided by applicable Collective Bargaining Agreement or City Charter or ordinance, and no appointment or promotion is final until the appointee has satisfactorily served his probationary period.¹¹

If the service of the probationary employee is unsatisfactory, he may be removed or reduced at any time during his probationary period.. If the appointing authority's decision is to remove the appointee, the communication to the Commission shall indicate the removal.

5. RESTRICTION AS TO AGE AND PHYSICAL REQUIREMENT OR OTHER REQUIREMENT

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

6. TEMPORARY APPOINTMENTS (124.30)

Positions in the classified service may be filled without competition as follows:

A. TEMPORARY APPOINTMENTS²⁷

In case of an emergency, a temporary appointment may be made without regard to the Civil Service rules, but in no case to continue longer than one hundred twenty (120) days, and in no case shall successive emergency appointments be made.

B. APPOINTMENTS FOR LEAVE OF ABSENCE, SICKNESS OR DISABILITY OF REGULAR EMPLOYEES (124.30A1)¹³

An appointing authority may appoint persons without regard to the Civil Service rules when necessary by reason of leave of absence, sickness or disability of regular officers or employees. Such appointments shall continue only during the period of such leave of absence, sickness or disability. Such service shall not be counted as a part of the probationary service in case of subsequent appointment to a permanent position.

Persons who receive interim, temporary or intermittent appointments are in the unclassified civil service and serve at the pleasure of their appointing authority.

7. MERIT PROMOTION PROCESS (124.31)

Vacancies in positions in the classified service shall be filled insofar as practicable by promotions. Promotional appointments shall be made on the basis of merit, conduct and capacity in office as stated in the Ohio Revised Code. The following provisions will be used in the absence of any applicable Collective Bargaining Agreement or City Charter or ordinance mandates. Multiple promotions at the same time may be made from same Promotional Process as hereinafter described.

A. PROCESS

1. Qualifier for entering Promotional Process
 - a. Applicants must have completed probationary period and evaluations must exhibit a grade of satisfactory or better for up to last three (3) years.
2. Those entering Process can achieve a possible total point value of 80 which will be accumulated from three different areas as follows:
 - a. Attendance – score derived from a process known as the Bradford Factor which will generate scores ranging from 0 to 25 encompassing the last, up to, five (5) years.
 - b. Structured Oral Interview – establishing 10 questions (open ended or situational), each of which contributes up to an established 5 points (total of 50 points) averaged from a panel of 3 or 4 persons, one of which needs to be unaffected by outcome of process (objective).
 - c. Complete File Review/Experience with Fairfield – establishing a point value up to 5.
 - (1) One (1) point – gained experience but has one or more unfavorable situations in file.
 - (2) Three (3) points – satisfactory work and has nothing unfavorable in file.
 - (3) Five (5) points – shows exemplary work history and possible initiative examples.
3. Civil Service Commission will review and approve calculations determining the candidates earning the three highest scores.
4. Administration may choose from approved list of candidates achieving the three highest point values.

B. PERFORMANCE EVALUATIONS

City and School District employees working in the classified service shall have their performance rated or evaluated once during the probationary period and once during each calendar or anniversary year. The first performance evaluation shall not be later than the conclusion of the first half of the probationary period. Forms for such ratings shall be approved by the Commission and said forms shall be filed with the Commission. All departments shall use this performance evaluation measure as a tool of supervision, discipline and training.

a. REVIEW OF RATING WITHIN AGENCY

An employee's performance evaluation shall be reviewed and discussed by the supervisor with the employee he/she rates. The employee shall sign the form as evidence that such a review was conducted and shall receive a copy of the evaluation. Each agency shall establish procedures for review or modification of a rating, and for appeal by the employee to a higher level within the agency of a rating which he feels is unwarranted.¹⁴

b. REVIEW BY THE CIVIL SERVICE COMMISSION

Upon an employee's written request, the Commission may review the performance evaluation of an employee only to determine whether the procedure by which the performance evaluation was prepared and reviewed was in accordance with the internal procedures of the City or School District, Civil Service law and the Rules of the Commission. An employee shall not be entitled to such a review until he has exhausted all available internal review procedures of the City or School District. An employee must request a review within thirty (30) days after the internal review procedures have been completed.¹⁵

- (1) The Commission may review a performance evaluation for procedural defects, whether or not an employee has requested such, when the Commission has reason to believe that a review is justified.
- (2) The Commission shall take no action on a review of a performance evaluation without notifying the Appointing Authority and allowing the Appointing Authority to be heard and/or present evidence regarding the procedure by which the performance evaluation was prepared and reviewed.
- (3) Following the completion of the review, the Commission may order:
 1. that the evaluation stand unaltered; or,
 2. that the evaluation be performed again, in part or completely.
- (4) The Commission shall not order that a performance evaluation be performed again, in part or completely, unless the employee establishes by preponderance of the evidence that the City or School District failed to substantially comply with Civil Service law, these Rules or with the internal procedures of the City or School District in completing or reviewing the performance evaluation.

8. TEMPORARY PROMOTIONS TO A HIGHER CLASS OR GRADE

An interim or temporary promotion to a higher class or grade without examination made necessary by reason of the absence of a regular employee may be authorized by the Commission upon the written request of an Appointing Authority setting forth full information with the request. All such temporary promotions shall continue only during such period of temporary absence and shall be recorded in the minutes of the Commission. Such temporary promotions shall be made, insofar as practicable, from the class or grade positions immediately below the class or grade in which the temporary vacancy exists.