

ITEM 6 D

Name: Adriana Garcia		Date of Disqualification: 11/23/2015		Date Appeal Filed: 11/23/2015	
Position Applying for: Senior Deputy Court Clerk		Current City Employee: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Position/Grade: GS 51		Was the Appeal Filed in Timely Manner: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Reason for Disqualification: Lacks Minimum Requirements		Date of Examination: December 2, 2015 Conditional Exam: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A		Disqualified by: <input type="checkbox"/> Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> In Person	
<p>Rule or Ordinance Under Which Disqualified: Rule 5, Section 1(a): The Human Resources Director, subject to appeal to the Commission, will refuse to examine an applicant, or after examination to certify him or her as eligible and will remove his or her name from the eligible list for any of the following reasons, in each case to be fully documented: (a) He is found to lack any of the minimum requirements established in the classification for the position and grade for which he applies. Application Policy: The Human Resources Director will refuse to examine an applicant, or after examination to certify him or her as eligible and will remove the name from the eligible list, for any of the following reasons, in each case to be fully documented: (a) Lacks Minimum Qualifications: The applicant lacks the minimum qualifications established in the classification for the position; 1) Applicants lacking three (3) months or less of the required job related work experience at the time of list promulgation may be placed on the eligible list. However, applicants lacking the required experience will not be certified for appointment until after it is determined by the Human Resources Director that they have met the minimum experience required. Applicants may be asked to provide additional details concerning current or past work experience.</p>					
Minimum Qualifications			Deficits		
Education A High School diploma or GED.			Bachelor degree Criminal Justice None		
Experience Five (5) years of experience in the preparation or processing of legal or government records, including two (2) years of experience in court environment.			3 months of experience in the preparation or processing of legal or government records and 1 year experience in a court environment.		
Comments Adriana Garcia does not meet the minimum qualifications for the position. Ms. Garcia received 2 years credit experience for her Bachelor's degree in Criminal Justice in accordance with the City's Equivalency Guidelines 2.6. However, she still lacks three (3) months of experience in the preparation or processing of legal or government records and one (1) year experience in a court environment. It is the City's practice to substitute relevant education with required general experience not specific experience (in this case, court environment experience is the specific experience). Therefore, she is not qualified for this position.			Non-Qualifying Education/Experience: Experience: Position Sales Associate 2 10 Team Leader 3 0		
Prepared by: Maricruz Shark			Reviewed by:		

CSC Appeal Fact Sheet

Recruitment Title: Senior Deputy Court Clerk

Recruiting Department: Municipal Clerk

Total Applications Received: 89

Total # of Applicants Failed Minimum Qualifications: 63

Failed for Lack of Education: 0

Failed for Lack of Experience: 62

Failed for Lack of Education and Experience: 0

Failed for other: 1

Total # Failed the Exam: 9

No-Show to Exam: 6

of Applicants who met the minimum qualifications for
the position and passed examination: 11

Appeal Form

To Whom It May Concern:

I, Adriana Garcia, hereby appeal my disqualification to take the examination for: Senior Deputy Court Clerk [Examination Title]

Date notified of disqualification: 11/23/2015

Disqualified Under CIVIL SERVICE RULE (C.S.C.) and/or HUMAN RESOURCES (HR) POLICY:
Check all boxes that are applicable.

Lacks Minimum Qualification – Rule 5.1.(a) <input checked="" type="checkbox"/>	Convicted of a felony, or a misdemeanor – Rule 5.1.(b) <input type="checkbox"/>
Human Resources Policy: Dismissed from Public Service <input type="checkbox"/>	Dismissed from City Employment <input type="checkbox"/>
OTHER <input type="checkbox"/> _____ (write specific C.S.C. Rule or HR Policy you are appealing)	

C.S.C. Rule 5.1.(a) Applicant Does Not Meet Minimum Qualification	YES	NO
Do you meet the educational requirements as stated in the job specification for this position?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Can you provide official proof of Education or other requirements, official transcripts, original or certified copies of diplomas?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do you meet the minimum required experience as stated in the job specification for this position?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Did you list your education and/or experience on your application?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Detail your qualifying experience (use additional paper if necessary)

Currently working at the Municipal Court as a Deputy Court Clerk I. Previously assigned to Court 4

11 months of experience in Court Administration

Bachelor's Degree in Criminal Justice from New Mexico State University

3 years of clerical experience

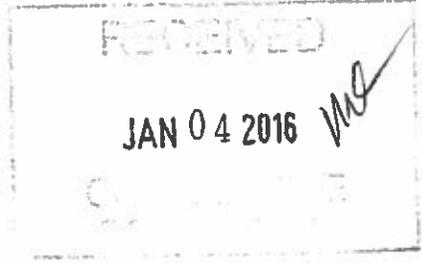
2.5 years of experience in processing government records

C.S.C. Rule 5.1.(b) Conviction of Felony or Misdemeanor	YES	NO
Is your conviction job related to the position sought?	<input type="checkbox"/>	<input type="checkbox"/>
Will the conviction hinder your ability to perform the duties of this position?	<input type="checkbox"/>	<input type="checkbox"/>

Please detail why your conviction will not affect your job performance. Please submit any supporting documentation regarding this issue.

HR Policy: Dismissed from Public Service HR Policy: Dismissed from City Employment	YES	NO
Are the circumstances of your dismissal related to the duties of the position being sought?	<input type="checkbox"/>	<input type="checkbox"/>
Please detail the circumstances involving your dismissal from public service. Please provide any supporting documentation regarding this issue.		
Other _____ (cite specific Rule or HR Policy you are appealing).		
Please explain what you are appealing		

Name: Adriana Garcia	Address:	City/State/Zip :
Telephone	Person ID #: (Neogov)	
Applicant Signature:		Date: 11/23/2015
Please note: In accordance with the <u>Texas Public Information Act</u> , information from your application and/or résumé is subject to release to the public.		
The electronic transmission of this appeal form via e-mail will constitute a signature:		
Check signifies electronic signature <input checked="" type="checkbox"/>		





Senior Deputy Court Clerk

Class Code:
19150 GS 51

CITY OF EL PASO
Established Date: Sep 2, 2006
Revision Date: Jul 29, 2012

SALARY RANGE

\$14.65 - \$22.57 Hourly
\$1,171.92 - \$1,805.64 Biweekly
\$2,539.15 - \$3,912.22 Monthly
\$30,469.82 - \$46,946.66 Annually

FLSA:
Non-Exempt

MINIMUM QUALIFICATIONS:

Education and Experience: A High School diploma or GED, and five (5) years experience in the preparation or processing of legal or government records, including two (2) years of experience in court environment.

Licenses and Certificates: None.

GENERAL PURPOSE:

Under direction, perform responsible clerical duties related to court operations in maintaining court calendars, docketing and processing court records.

TYPICAL DUTIES:

Maintain court calendars and perform related clerical duties. Involves: Image, Organize and prepare legal documents and administrative details of cases for court proceedings, open and update case files, maintain court calendars by adding, deleting or rescheduling arraignments, trials or special hearings. Review, verify and update court records related to completion of required community service or educational classes or payment arrangements. Set up payment schedules and issue commitments for failure to comply with sentencing requirements. Provide written and oral instructions to defendants regarding the disposition of each citation including community service, deferred adjudication and alcohol/tobacco courses. Receive, date stamp and process incoming actions such as motions, complaints, petitions, appeals, citations, warrants, expunctions, deferrals and or proof of compliance with court orders. Participate in courtroom proceedings by calling defendants to approach the bench, swearing-in juries or witnesses, opening court sessions and maintaining exhibits in correct order. Record trial arrangements and court hearings. Type charges of court for jury trials explaining to jurors the nature of the charges and guidelines for juror findings. Match warrants and commitments to initiate the arrest process for defendants not present in court.

Docket cases for trial and enter the final disposition of the case in the automated case management system. Involves: Review and verify court records to ensure full information including type of violation, arresting officer, correct numbering sequence and attorney. Prepare notations or comments pertaining to docket to include all information not on printed docket. Prepare letters of disposition in response to ORR. Notify DPS of corrections in convictions.

Answer questions and furnish accurate information concerning court matters to defendants, their attorneys, prosecutors, law enforcement personnel and other interested parties including criminal justice or chemical dependency agencies and City inspectors. Involves: Explain court procedures, pre-sentence activities, notification of remand to community service, substance abuse training or defensive driving and advise of failure to appear in person or by phone. Maintain pending file of defendants who must return to

court to furnish additional documentation such as proof of insurance or vehicle registration and issue notifications of final disposition. Notarize complaints, maintain motions and correspondence by verifying the origin and nature of the request and inform judge and prosecutor of the history and current status of the request.

Perform other duties as required. Involves: Perform duties of co-workers or subordinates to ensure continuity of operations during absences. Compile statistics and prepare periodic reports. Prepare routine correspondence.

KNOWLEDGE, SKILLS, AND ABILITIES:

- Application of considerable knowledge of modern office practices and procedures, business English, spelling and legal terminology.
- Application of good knowledge of the criminal justice system, court processes and procedures.
- Application of good knowledge of computer hardware and specialized case management software pertinent to municipal court operations.
- Application of good knowledge of supervisory techniques and customer service/public relations practices and procedures.
- Read and interpret oral, written or legal information to answer questions or solve practical problems.
- Proof, record, extract, organize and summarize data from manual or automated sources; process a high volume of work with attention to detail and established deadlines; prepare and maintain detailed records in an automated environment and in compliance with deadlines.
- Establish and maintain effective working relationships with officials, judges, supervisors, law enforcement officers, attorneys, employees and the general public.
- Clear, concise oral and written communication.
- Skill in the safe operation of common office equipment including personal computers.

OTHER JOB CHARACTERISTICS:

- Subject to recall and working flexible or extended hours including weekends or holidays.

CLASSIFICATION STATUS:

(CC 09/03/06), (HR 07/04/10), (CC 07/29/12)

As provided under Classification and Compensation Ordinance 8064, Section 2.2, General purpose and typical duties summarized are only illustrative of work customarily assigned and performed. Typical requirements shown may be more specifically defined by additional job analysis. Equivalencies for education or experience shown may be more specifically defined by CSC approved guidelines.

19150-1115 - Senior Deputy Court Clerk

Contact Information -- Person ID:

Name: Adriana J Garcia Address: US
 Home Phone: Alternate Phone:
 Email: Former Last Name:
 Month and Day of Birth:

Personal Information

Driver's License: Yes, New Mexico
 Can you, after employment, submit proof of your legal right to work in the United States? Yes
 What is your highest level of education? Bachelor's Degree

Preferences

Preferred Salary: \$13.00 per hour; \$30,000.00 per year
 Are you willing to relocate? Yes
 Types of positions you will accept: Regular
 Types of work you will accept: Full Time
 Types of shifts you will accept: Day , Evening

Objective

To obtain a career within the Criminal Justice system to showcase my skills and education.

Education

College Did you graduate: Yes
 New Mexico State University College Major/Minor: Major: Criminal Justice Minor: Sociology
 www.nmsu.edu Units Completed: 10 Semester
 5/2006 - 7/2011 Degree Received: Bachelor's
 Las Cruces, New Mexico

Work Experience

Deputy Court Clerk I Hours worked per week: 40
 12/2014 - Present Monthly Salary: \$1,300.00
 # of Employees Supervised: 0
 City of El Paso Municipal Court Name of Supervisor: - Customer
 810 E. Overland Service Supervisor
 El Paso, Texas 79901 May we contact this employer? Yes
 915-212-0215

Duties

Filing motions, waivers and other attorney paperwork, recalling warrants as ordered by the judge, printing and sorting of notices for court, assisting with payment plans and parking hearings as needed, customer service in person and by phone, aiding in filling sessions for various courts, updating records for defendants declining court or defensive driving, records management for section paperwork.

Customer Relations Clerk Hours worked per week: 40
 3/2013 - 12/2014 Monthly Salary: \$1,200.00
 # of Employees Supervised: 0
 City of El Paso Animal Services Name of Supervisor: :h - Customer
 www.elpasotexas.gov Relations Representative

5001 Fred Wilson
El Paso, Texas 79906
(915) 842-1000

May we contact this employer? Yes

Duties

Customer service, cashiering, data entry, filing documents, researching information, answering to customers questions and concerns, creating complaint records, inventory, preparing and issuing licenses.

Reason for Leaving

Promoted to Municipal Court as Deputy Court Clerk

Sales Associate

5/2010 - 3/2013

Academy Sports and Outdoors

Hours worked per week: 25

Monthly Salary: \$800.00

of Employees Supervised: 2

Name of Supervisor:

- Manager

May we contact this employer? Yes

Duties

Customer Service, product inventory, ordering merchandise, zoning, pricing merchandise, merchandising, filing data, employee training.

Reason for Leaving

Looking for a new job with greater responsibilities

Team Leader

5/2007 - 5/2010

Peter Piper Pizza

Hours worked per week: 40

Monthly Salary: \$600.00

of Employees Supervised: 4

Name of Supervisor:

- General

Manager

May we contact this employer? Yes

Duties

Customer Service, new employee training, data entry, inventory, verifying nightly totals, acting supervisor when managers were not available,

Reason for Leaving

Finishing school

Certificates and Licenses

Type: Bachelor of Criminal Justice

Number:

Issued by:

Date Issued: 7 /2011 Date Expires:

Skills

Office Skills

Typing: 61

Data Entry: 8000

Other Skills

Experience with Microsoft Office Skilled - 10
years and 0 months

Languages

Spanish - Speak, Read, Write

Additional Information

References

Professional
Limas, Richard

Personal
Chavez, Cesar

Professional
Ramos, Diane

Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
Resume 11132015.pdf	Resume 11132015.pdf	Resume	Job Seeker
BACHELORS CERTIFICATE.pdf	BACHELORS CERTIFICATE.pdf	Proof of Education	Job Seeker

By the authority of the Board of Regents of the

New Mexico State University

and upon recommendation of the Faculty

Adriana Jessica Garcia

has been admitted to the degree of

Bachelor of Criminal Justice

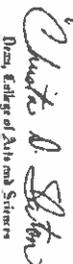
and is entitled to all rights and honors thereto pertaining.

Witness the Seal of the University and the signatures of its Officers
this month of August, 2011, at Las Cruces, New Mexico.

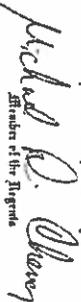

David J. Brown
Chancellor

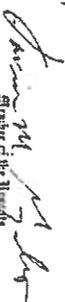

David J. Brown
Chancellor


Charles A. Wiley
Secretary / Treasurer of the Regents


Charles A. Wiley
Secretary / Treasurer of the Regents


Michael R. Deery
President of the University


Michael R. Deery
President of the University


Michael R. Deery
President of the University


Michael R. Deery
President of the University



Equivalency Guidelines

Chapter 1 - General

1-1. Purpose

The following guidelines shall be used to evaluate an applicant's education and experience qualifications. The intent of the equivalency guidelines is to promote an efficient recruitment process that allows applicants to fairly compete for Civil Service Positions for the City of El Paso, and to allow for promotional opportunities for City employees as provided herein.

1-2. Evaluating Applicants

Human Resources (HR) when evaluating applications will utilize the qualifications of each applicant in the most beneficial method possible. Applicants must provide official documentation in order to be awarded credit towards the minimum qualifications.

Chapter 2 - Equivalencies

Section I - Education

2-1. Educational Requirements

The requirements for education listed on the official job specification is determined by the Human Resources Department in consultation with Subject Matter Experts and/or appointing authority.

2-2. Educational Equivalencies

The required education on the official job specification is the minimum educational requirement for the position, except as provided otherwise herein. Applicants seeking a position that requires an associates degree, bachelor's degree or higher must have a relevant degree from an accredited college or university to qualify for the position. Work experience will not substitute for advanced education (post high school) except as noted in Section 2-14 for the Current City Employee.

2-3. Denial of Educational Equivalencies

Non-relevant education will not be accepted in lieu of the required accredited academic degree in the following cases listed below.

- a) For classes requiring a degree under applicable federal, state, or local law, statutes and ordinances; or when a degree is required to qualify for a major funding source.
- b) For classes with generally accepted professional status (for example, Accountant or Librarian).
- c) For classes that require a degree in the hard or applied sciences (for example, Engineering, Architecture, Geology or Chemistry).

2-4. Master's Degree

An applicant with a relevant Master's Degree would be considered to have met the standards for a Bachelor's Degree in that discipline.

Section II - Experience

2-5. Experience Requirements

The requirements for experience listed on the official job specification is determined by the Human Resources Department and in consultation with the Subject Matter Experts (SME) and/or appointing authority.

2-6. Experience Equivalencies

Applicants may substitute relevant education in lieu of the required experience when degrees or college credit hours have been determined to be job related. See Table I for more details.

- Master's Degree or additional job related schooling may substitute for up to half (1/2) of the required experience, but, no greater than two (2) years.
- Non-specialized schooling may substitute at the rate of one additional year of education for one year of the required experience, up to half (1/2), but, no greater than two (2) years.

In the case of classes requiring general clerical or general work experience, any additional education will be considered job related.

Section III - Other Equivalencies

2-7. Continuing Education Units

Job related continuing education units (CEUs) from training courses, technical schools, vocational or trades school will be awarded applicable credit provided transcripts or certificates clearly designate one of the following:

- Number of CEUs earned.
- Number of contact hours, or classroom hours of each course.

A maximum of six months credit for education will be awarded to applicants with relevant CEU equivalencies. A maximum of six months credit for experience will be awarded to applicants with relevant CEU equivalencies. See the glossary of terms for more information about CEU credit.

2-8. Comparing CEU and College Credit hours

CEUs are not equivalent to college credit hours. One (1.0) college credit has sixteen (16) classroom hours and one (1.0) CEU has ten (10) classroom hours. Therefore, only a percentage of credit will be awarded when an applicant wants to use CEU credits to substitute for college credits or experience. See Table II for more details.

2-9. Military Training

Military training will be credited if official documentation of course title, course content and contact hours are presented. Where military titles, terminology or contact hours are unclear, the applicant may be required to provide an official source declaring content or class description. Examples of some official sources are: Military installations, colleges, universities, or Credit Evaluation Services.

next 24 months from the date these Equivalences Guidelines are approved. This section will sunset at the end of the 24-month period. (Revised 12/10/09)

Chapter 3 - Supervisory Factors

3-1. Receiving Supervisory Credit

HR would like each applicant to receive proper credit for the supervisory work they have done. In this way applicants who have engaged in the core tasks of supervising can receive credit.

- a) Applicants who have fulfilled the role of writing evaluations (employee appraisals) or performance evaluation reports (PERs) for subordinate employees will be considered to have supervisory experience.
- b) The following is a list of other factors of "supervision" for those who have not completed written evaluations or performance evaluation reports. Applicants need to demonstrate that they have performed four (4) out of the six (6) core supervisory factors listed below:
 - (1) Discipline or recommend discipline
 - (2) Schedule or assigning work
 - (3) Accountability for another's work product (checking work, enforcing rules)
 - (4) Authority to supervise specifically delegated by department management
 - (5) Addressing/resolving employees needs/complaints/grievances reference work assigned or work environment
 - (6) Making recommendations to another person's career (recommending/hiring, promotion, pay increases, termination)

Table G - Glossary of Terms

- G1. Accredited College or University** is one that is an approved institution of higher education in which a student will earn an accredited Associates, Bachelor's degree, Master's Degree or Ph.D.
- G2. Equivalencies** for each class will be determined by the Human Resources Department in consultation with the Subject Matter Experts and/or Appointing Authority prior to the recruitment.
- G3. Continuing Education Units (CEUs)** or credits for training courses from technical, vocational or trades school will be credited for a maximum of 12 months provided the applicant submits transcripts or certificates of completion that clearly designate: (1) the number of continuing education units (CEUs); or (2) the number of contact hours (classroom hours) of the course. In addition, Lifelong learning, Texas State Technical College, and UMS online all agreed that ten classroom hours of instruction equals one CEU. It is also important to note that clock hours, classroom hours, and contact hours are synonymous (equal).
- G4. College Level:** Courses which are considered to be college level are those which fall within the domain usually considered appropriate for college credit, and are commonly taught in colleges and universities. The courses would include a balance of both theoretical concepts and applied learning. The learning also must be applicable outside the context in which it was acquired. Standard college credit is awarded when applicable.
- G5. Non Specialized Experience** is experience that is described as general work experience not specific to the required position.
- G6. Relevant Job Related education** is education in the position or field being sought. As a result, the applicant would have acquired some of the knowledge needed to perform duties of the position being sought.
- G7. Specialized Experience** is experience that is associated with the overall competences of the position that gives the applicant specific experience toward the required position.
- G8. Substituting college credit hours for experience** can be accomplished when they have been determined to be Job related education.
- G9. Vocational/Occupational:** Specialized training in a special skill, or group of skills, to be used in a trade. Special abilities used to qualify for a particular type of work or livelihood including occupational, career, or trades. Skill-based learning is limited in credit opportunity.
- G10. Volunteer experience** will be awarded at a maximum rate of three months experience per year.

Table M - Mathematical Reasoning

M1. Converting Relevant Schooling To Experience. Every relevant college credit is awarded forty percent (40%) of one month for experience. In view of the fact that thirty college credits can be earned in twelve months. Then one college credit can be earned in forty percent of one month. Subsequently, twelve (12) months divided by thirty (30) college credits equals forty percent (40% or .40) of a month experience ($12 / 30 = 40\%$ or .40). Likewise, thirty (30) graduate credits can be earned in twenty-four (24) months. Followed by twenty-four (24) months divided by thirty (30) graduate credits equals eighty percent (80% or .80) of a month experience ($24 / 30 = 80\%$ or .80).

M2. Comparing CEUs to College Credits. Every relevant CEU is awarded sixty-two and a half percent (62.5%) credit towards the educational requirements for a position. One (1.0) CEU has ten (10) classroom hours and one (1.0) college credit has sixteen classroom hours. The mathematical reasoning is ten CEUs divided by sixteen college hours is sixty-two and a half (62.5% or .625) percent ($10 / 16 = 62.5\%$ or .625). One (1.0) CEU is sixty-two and a half percent (62.5% or .625) of one (1.0) college credit.

Example: one (1.0) college credit has sixteen classroom hours

College Class	Class Hours	Time	Total Hours	Earned
Biology	3 hours	4 months or 16 weeks	48 hours	3 credits
Lab	1 hour	4 months or 16 weeks	16 hours	1 credit

Example: 200 classroom hours divided by 20 CEU equals 10 classroom hours. Ten (10) classroom hours is equal to One (1.0) CEU.

Technical Training	Time	Total Hours	Credit
Mechanical	6 months or 24 weeks	200 hours	20 CEU

M3. Substitute CEU to College Credit hours. Since CEUs are not equivalent to college credit hours only relevant CEUs will be multiplied by sixty-two and a half percent (62.5 % or .625). This would equal the total number of college credit hours awarded. For example twenty-five (25) CEU multiplied by sixty-two and a half percent (62.5 % or .625) would equal 16.75 or 17 college credit hours. The maximum of six months for education will be awarded to applicants with relevant CEU equivalencies.

M4. Convert CEU to Experience. One college credit is equal in close proximity to forty percent (40% or .40) of a month experience. One (1.0) CEU is sixty-two and a half percent (62.5% or .625) of one (1.0) college credit (see M2 and M3 above). Therefore, forty percent (40% or .40) of a month experience multiplied by sixty-two and a half percent (62.5% or .625) of a college credit equals to twenty-seven percent (27% or .27) for experience. Mathematical Reasoning is ($.625 \times .40 = .27$). The maximum of six months for experience will be awarded to applicants with relevant CEU equivalencies.

Table I - Relevant Education Converted To Experience

Example: 60 relevant college credits may equal 24 months experience.

Accredited University or College	Multiplied by 40% or .40 =	Experience
Undergraduate Credit hours		
1.0 college credit hour	40% or .40 =	.40 of a month experience
3.0 college credit hours	40% or .40 =	1.2 months experience
15.0 college credit hours	40% or .40 =	6 months experience
30.0 college credit hours	40% or .40 =	12 months experience
Graduate Credit hours	Multiplied by 80% or .80 =	
1.0 college credit hour	80% or .80 =	0.8 of a month experience
3.0 college credit hours	80% or .80 =	2.4 months experience
15 college credit hours	80% or .80 =	12 months experience
30 college credit hours	80% or .80 =	24 months experience

Table II - Convert CEU to College Credit hours

Twenty (20) CEUs multiplied by .625 equals 12.5 a maximum of 13 college credit hours.

Continuing Education Credits	Multiplied by 62.5% or .625 =	College (Undergraduate) Credit
1.0 Continuing Education Unit (CEU)	62.5% or .625 =	.625 college credit hours
5.0 Continuing Education Units (CEU)	62.5% or .625 =	3.12 college credit hours
10.0 Continuing Education Units (CEU)	62.5% or .625 =	6.25 college credit hours
20.0 Continuing Education Units (CEU)	62.5% or .625 =	12.5 college credit hours

Table III - Convert CEU to Experience

Twenty (20) CEUs multiplied by .27 would equal 5.4 a maximum of 6 months experience.

Continuing Education Credit	Multiplied by 27% or .27 =	Experience
1.0 Continuing Education Credit (CEU)	27% or .27 =	.27 months experience
5.0 Continuing Education Credits (CEU)	27% or .27 =	1.3 months experience
10.0 Continuing Education Credits (CEU)	27% or .27 =	2.7 months experience
20.0 Continuing Education Credits (CEU)	27% or .27 =	5.4 months experience

12/10/09
Date Approved by the Civil Service Commission


Michael PleTERS, Chair


Linda Ball Thomas, Secretary

RULE 5

Application and Promotional Process and Lateral Transfer Process

Section 1. Filing of Applications.

Except as otherwise provided for herein, applicants for all positions, must file an application with the Human Resource Department not later than the date specified in the job posting and in the manner prescribed in the job posting.

The Human Resources Director, subject to appeal to the Commission, will refuse to examine an applicant, or after examination to certify him as eligible and will remove his name from the eligible list for any of the following reasons, in each case to be fully documented:

- (a) He is found to lack any of the minimum requirements established in the classification for the position and grade for which he applies; or
- (b) He has been convicted of a felony, or a misdemeanor within seven (7) years from date of conviction, end of parole, or release from prison, which is determined to be job related to the position sought; or (Amended 8/25/09,11/2/10)
- (c) He is found by the Commission to have committed any act, either while in the service of the City or otherwise, or to have any deficiency or disqualification which, in the judgment of the Commission, would be sufficient to constitute a just cause for discharge from the Civil Service as defined in Article VI, Section 6.13-3 of the Charter.

Section 2. Appeals from Disqualification from Examination.

a. Applicants who are disqualified from taking an examination may appeal to the Civil Service Commission provided they appeal within three (3) working days from the date of the notice. The three (3) working day period begins the date the notice was emailed. Individuals who appeal must file a written rebuttal in a format prescribed by the Human Resources Director. If the applicant fails to update their contact information or respond within the timelines set, no further action will be taken. (Amended 8/21/07, 8/25/09, 9/17/13)

b. Untimely appeals will not be accepted.

c. If the examination is held before the appeal is heard and determined by the Commission, the Human Resources Director may allow the applicant to take the examination conditionally pending the Commission's determination. If a conditional applicant fails to achieve a passing grade on an examination, the appeal shall be administratively dismissed and the appeal will not be forwarded to the Commission and no further action will be taken. (Amended 8/25/09)

Section 3. Frequency and Examination.

Examinations will be given whenever needed to fill a vacancy for which an adequate list does not exist. (Amended 12/11/84, 1/24/89, 8/21/07)

Section 4. Eligibility.

A person is eligible to take promotional examinations after actual service in a regular position for six months and when he fully meets the qualifications for the class as specified in the job description. The six months of actual service will be deemed to have been met if the employee successfully completes the six months of service by the date the first component of the examination is administered, and the employee is recommended for regular status. (Amended 10/21/97, 8/21/07, 8/25/09, 9/17/13)

Section 5. Seniority and Efficiency Points

Seniority points will be awarded to the score of City Employees provided that the minimum passing grade is achieved on the examination or evaluation. Efficiency points will be added to or subtracted from, the examination score of applicants passing promotional examinations based on the employee's most recent regularly scheduled evaluations. City Employees may receive a maximum of seven additional points that can be added to their score for a combination of seniority and efficiency points. (Amended 3/6/12)

Section 6. Special Credit

Ratings for Veterans

A veteran, who has obtained a passing score, shall have his rating on an original entrance examination advanced five points. A veteran is defined as any person who has served on active duty in the Armed Forces of the United States, or any division thereof, including the Coast Guard, for a period of 180 days and presents a DD 214 indicating an honorable discharge from said service. (Amended 8/21/07, 8/25/09)

- a. To qualify for an additional five-point increment based on disability, such disability must be at least 30 percent, certified by the most recent letter from the Veteran's Administration. (Amended 8/21/07)
- b. Nothing in this provision will be construed to authorize or direct the placing of the name of any person on any eligible list who does not meet the physical standards set by the Human Resources Director for the position for which the eligible list has been created.

Section 7. Penalty for Deceit in Examination.

Where deceit in an examination is alleged, and the examinee denies the fact of deceit, or if the examiner in charge of the examination believes extenuating circumstances to exist, the examinee will be permitted to finish the examination, and a full report shall be submitted immediately to the Human Resources Director, who will conduct an appropriate investigation. Should the Director find that the applicant engaged in deceitful conduct in connection with the examination, the applicant will be disqualified. (Amended 8/21/07, 9/17/13)

Section 8. Duration of Eligible Lists.

The Human Resources Director will compile lists of eligible promotional candidates for job classifications and maintain them as necessary and appropriate. Eligible lists other than reinstatement and transfer lists will normally expire 6 months from the date they are certified unless extended by the Human Resources Director.. (Amended 1/24/89, 8/21/07, 9/17/13)

Section 9. Removal from the Promotional List of Persons Permanently Separated from Service.

The names of persons permanently separated from the service on account of resignation, discharge or other cause, will be removed from all promotional applicant lists by the Human Resources Director.

Section 10. Removal from Lower List if Appointed from Higher List.

Regular employees whose names are on promotional eligible lists of different grades or lists with different salary schedules will be removed from the lower grade promotional eligible lists or promotional lists with a lower salary schedule upon promotion to a higher grade position or one with a higher salary schedule. (Passed 3/28/91 and Amended 8/21/07)

Section 11. Required Licenses or Certificates

All employees who are required to have a license or certificate as a condition of employment shall maintain such licenses or certificates in a current status as long as their job specification requires it.

Failure to maintain or obtain such license or certificate as required by the employee's job specification shall constitute just cause for disciplinary action as described in Rule 8. (Passed 8/25/09)

Section 12. Transfer to Same Class and Grade.

Whenever an employee in any department of the City wishes to transfer to a position in another department, the employee must be recommended by the transferring department and must have not been disciplined or placed on a performance improvement plan in the last 12 months. Employee shall retain his grade and pay rate, provided: (Amended 7/31/07, 8/25/09, 9/17/13)

- a. The position is in the same class and grade as the one from which transfer is made; or
- b. The employee has been performing services substantially similar in nature and having similar requirements as to education and experience to those of the new position, as determined by the Human Resources Director. Seniority credit where applicable will be given to the employee for the number of years he has been performing similar work in the former department. (Amended 2/1/94 and 7/31/07)

Section 13. Transfer During Probationary Period.

- a. In order to have a request for a transfer approved, a person must have completed a probationary period in the class to which transfer is being requested, except as provided in paragraph b.
- b. In cases where a position is abolished, a transfer request may be made by either the employee or the City. In such cases, a transfer may be approved while the employee is still serving in a probationary period for the class to which transfer is requested, provided that the balance of the employee's probationary period not yet served be retained by the employee in the new department, and that the rules regarding transfer and the order of certification and all provisions regarding transfers are met. (Passed 1/2/85) (Amended 9/13/05)



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: Applications and Appeals Policy

Creation Date: October 18, 2011

Revision Date: August 5, 2013; May 30, 2015

Prepared By: HR Department

Approved By: City Manager

Legal Review: Elizabeth Ruhmann

DESCRIPTION: APPLICATIONS AND APPEALS POLICY

I. POLICY

It is the City's policy to allow all interested job seekers to apply for available positions and to provide a method for appealing a disqualification determination, pursuant to the procedures set forth in this policy.

II. PROCEDURES

A. Acceptance of Applications

1. The Human Resources Director or Designee will establish a filing period to accept applications for a particular position
 - a. All job seekers must complete an application for a particular position through the City's online application system.
 - b. A filing period with a specific closing date may be established for a job posting.
 - c. When the need exists for a limited number of applicants, the filing period will only remain open until an adequate number of applications have been received.
 - d. When necessary to fill positions for which there is a constant need for qualified applicants, or for hard to fill positions, the Human Resources Director may establish an open filing period and accept applications for employment on a continuous basis until all anticipated vacancies are filled, or the need for accepting and processing of applications no longer exists.

B. Review of Applications

1. **Human Resources Director:** As required, the Human Resources Director or designee will review applications and identify candidates based solely on qualifications.

The Human Resources Director will permit education to substitute for experience as stated in the Equivalency Guidelines. Experience will be counted from the first day of entry into a qualifying job, to the day of the first component of the examination for which they have applied.

2. **Hiring Official:** When requested and as appropriate, applications may be referred to the hiring official to pre-screen.

C. Disqualification:

1. The Human Resources Director will refuse to examine an applicant, or after examination refuse to certify the applicant as eligible and will remove the name from the eligible list, for any of the following reasons, in each case to be fully documented:

- a) **Lacks Minimum Qualifications:** The applicant lacks the minimum qualifications established in the classification for the position:

- Applicants lacking three (3) months or less of the required job related work experience at the time of list promulgation may be placed on the eligible list. However, applicants lacking the required experience will not be certified for the appointment until after it is determined by the Human Resources Director that they have met the minimum experience required. Applicants may be asked to provide additional details concerning current or past work experience.

- b) **Criminal History:** The applicant has a criminal history within the seven (7) years preceding the date the application was submitted, which is determined to be job related to the position sought. For purposes of this subsection, criminal history includes conviction of a felony or misdemeanor. Additionally, the dates of release from prison, probation and/or parole for the relevant convictions will be evaluated and factored into the determination. *All applicants for Public Safety positions may be subject to more stringent criminal history standards deemed to be job related by the respective department or as required by regulatory agencies, or;*

- c) Dismissed from Public Service: The applicant has been dismissed from public service (to include City employment) for delinquency or misconduct, which is determined to be job-related to the position sought.

D. False Statement on Application

- 1. Any false statement knowingly made by an applicant in an application for admission to an examination or any other fraudulent conduct related to the application process will cause the Human Resources Director to:
 - a) Exclude the applicant from such examination;
 - b) Remove the applicant's name from any eligible list;
 - c) Remove the applicant permanently from the position if the applicant has secured appointment from such examination; and/or
 - d) Exclude the applicant from consideration for any City position for a period of two (2) years from the date the falsified application was submitted or discovered, whichever is later.

E. Appeals from Disqualification:

- 1. Appeals for disqualification from taking an examination, or from not being certified after examination, or from being removed from an eligible list, may be submitted as follows:
 - a) Regular Employee: A regular employee may file a written appeal to the Civil Service Commission. The appeal must be filed within three (3) working days on a form prescribed by the Human Resources Director. The three (3) working days period begins the date the notice was emailed to the applicant. Late appeals will not be accepted.
 - b) Original Applicant: With the exception of C.1.(b) above, Criminal History, which applicants may file a written appeal to the Civil Service Commission in the form and manner described, original applicants who are not regular employees may file a written appeal to the Human Resources Director. The appeal must be filed within three (3) working days on a form prescribed by the Human Resources Director. The three (3) working days period begins the date the notice was emailed. Late appeals will not be accepted.
 - c) Appeal Form: Applicants may obtain an appeal form by visiting the Human Resources Department website or office.

- d) **Timeline:** Untimely appeals will not be accepted. If the employee or applicant fails to update their contact information or respond within the timelines set, no further action will be taken.

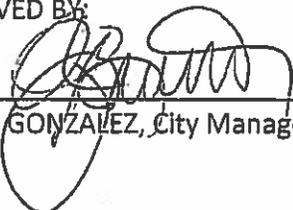
- e) **Administrative Dismissal:** If the examination is held before the appeal is reviewed, the Human Resources Director may allow the applicant to take the examination pending the disposition of the appeal. If the applicant fails to achieve a passing grade on the examination, the appeal shall be administratively dismissed.

- F. **Application Retention and Reuse:** Applications and/or supporting documentation filed with the City will become the property of the City. Applications for one examination will not be used for any other or later examinations.

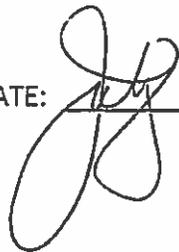
- G. **Contact Information:** An applicant may update contact information by logging onto their Personal Account Profile. All applicants have the responsibility to update their Personal Account Profile through the City's online application system with any changes in their contact information.

- H. **Non-Disclosure of Examinations:** Examination questions, and answers to test questions that do or may reveal examination questions, are exempt from public disclosure under the Texas Public Information Act (the "Act"). Accordingly, requests for a copy of the examinations and/or such examination answers will be denied pursuant to the relevant provisions of the Act.

APPROVED BY:

FOR 
TOMAS GONZALEZ, City Manager

DATE:

 19, 2015