

ITEM 10A

Name: Rudy Vega		Date Appeal Filed: 5/19/16	
Position Applying for: Community Center Supervisor		Date of Disqualification: 5/17/16	
Current City Employee: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Position/Grade: Recreation Program Supervisor / PM 122 Original Hire Date: 6/6/11		Was the Appeal Filed in Timely Manner: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Reason for Disqualification: Lacks Minimum Qualifications		Disqualified by: <input type="checkbox"/> Phone <input checked="" type="checkbox"/> Mail <input type="checkbox"/> In Person	
Rule or Ordinance Under Which Disqualified: <u>Rule 5, Section 1.(a):</u> 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) 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; 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.			
Minimum Qualifications		Applicant Qualifications	
<u>Education</u> Bachelor's Degree Recreation Management or Physical Education		Bachelor's Degree Kinesiology	
<u>Experience</u> Two (2) years recreation supervision experience		<u>Position</u> Recreation Program Supervisor	
		<u>Years</u> 4	
		<u>Months</u> 20 months	
		Deficits None	
Comments: The minimum qualifications for this position are a Bachelor's degree in recreation management or physical education; and, two (2) year's recreation supervision experience. Mr. Vega has a Bachelor's degree in Kinesiology which is an accepted degree for this position; therefore, he meets the educational requirement. Mr. Vega was hired 6/6/11 as a part time (22.5 hr/wk), contract Youth Activities Specialist and was credited with 1.1 months prorated work experience. He was then hired into another part time (20 hr/wk), contract position as a Sports Site Specialist on 9/01/11 and was credit with 5.5 months prorated work experience. Mr. Vega was then hired into a part-time (30 hr/wk), entry level position as Recreation Leader. These positions required no supervisory duties. Mr. Vega's application does not accurately reflect his dates of employment and hours worked as a Recreation Leader. His application states he worked 40 hours a week from 9/2012 to present. As stated above, he worked part-time (30 hr/wk) from 8/13/2012 to 8/23/15. His position was then changed to full time on 8/24/15 to 2/28/16. The total experience as a Recreation Leader was prorated and equals 2 years and 3 months of experience. Mr. Vega was promoted to his current position of Recreation Program Supervisor on 2/29/16, and was credited with four months of supervision experience. Therefore, he lacks 20 months recreation supervision experience.			
		Non-Qualifying Education/Experience: <u>Experience:</u> <u>Position</u> Recreation Leader <u>Years</u> <u>Months</u> Sports Site Specialist 2 9 Youth Activities Spec. 5.5 1.1	
		Prepared by: Ada Hatten Reviewed by:	

CSC Appeal Fact Sheet

Recruitment Title: Community Center Supervisor

Recruiting Department: Parks and Recreation

Total Applications Received: 66

Total # of Applicants Failed Minimum Qualifications: 49

Failed for Lack of Education: 20

Failed for Lack of Experience: 10

Failed for Lack of Education and Experience: 19

Total # Failed the Exam: 7

No-Show to Exam: 5

of Applicants who met the minimum qualifications for the position and passed examination: 5

Hatten, Ada L.

From: Rudy Vega <vega6432@gmail.com>
Sent: Thursday, May 19, 2016 5:41 PM
To: Hatten, Ada L.
Subject: Re: Community Center Supervisor
Attachments: CSC%20APPEAL%20FORM%20091515.doc; ATT00001.htm

I would like to appeal my disqualification and attached is my appeal form.

Appeal Form

To Whom It May Concern:

I, Rudy Vega, hereby appeal my **disqualification to take the examination for:** CfCommunity Center

Supervisor[**Examination Title**]

Date notified of disqualification: -May 17

**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) Convicted of a felony, or a misdemeanor – Rule 5.1.(b)
 Human Resources Policy: Dismissed from Public Service Dismissed from City Employment
 OTHER _____(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 checked="" type="checkbox"/>	<input 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)

I have worked for the city going on five years now and I started out as a site specialist. As a site specialist I was the supervisor out on the field/court and I had to make just decisions based on the situation that had occurred. As a recreational leader there was almost 1 year and a half that we went without a direct supervisor. I took this upon myself to communicate and act as a leader to my fellow recreational leaders. I was also in charge of the community service and the volunteer students that would come as well. I would volunteer myself to run Midnight/Latenight hoops while I was there because I wanted to be in charge of the program and I wanted it to be run by someone that wanted to do so that way the best product was given out to the community. I would promote the camps and mini sports that we ran at the center and while I was there we had the highest number of participants. Although my time as a Program Supervisor has been brief. I have been tasked with running 3-4 different programs. While I have been i charoe our Girl's Fastpich program and Volleyball program have grown. I am currently creating new tournaments for Hockey, Volleyball, Fastpitch, and am also trying to bring back the youth hockey program. I feel I am more than qualified to handle the task as a Community Center Supervisor due to the amount of experience I have and I am well rounded in different divisions within the department.

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	YES	NO
HR Policy: Dismissed from City Employment	<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: <u>Rudy Vega</u>	Address: _____	City/State/Zip: _____
Telephone: _____	Person ID #: _____	Person ID: _____
Applicant Signature: _____	Date: _____	
<u>Vega</u>	<u>Rudy</u>	<u>5/19/16</u>

RECEIVED

JUN 30 2015 *W*

CIVIL SERVICE COMMISSION

Please note: In accordance with the Texas Public Information Act, 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



Community Center Supervisor

Class Code:
16110 PM 125

CITY OF EL PASO
Established Date: Apr 24, 2006
Revision Date: Jul 29, 2012

SALARY RANGE

\$19.40 - \$28.69 Hourly
\$1,551.72 - \$2,294.99 Biweekly
\$3,362.06 - \$4,972.48 Monthly
\$40,344.68 - \$59,669.78 Annually

FLSA:

Exempt

MINIMUM QUALIFICATIONS:

Education and Experience: A Bachelor's degree in recreation management, physical education or a related field, and two (2) years recreation supervision experience.

Licenses and Certificates: Some positions may require a Texas Class "C" Driver's License or equivalent from another state. Aquatic positions require lifeguard certification, Lifeguard Management, and Certified Pool Operator (CPO) certifications within six months of hire.

GENERAL PURPOSE:

Under direction, supervise and participate in planning, organizing and implementing recreational activities at a large recreation site, programs or aquatics clusters for different population groups

TYPICAL DUTIES:

Oversee the administration of a major recreation facility. Involves: Prepare and monitor annual user fee budget. Review expenditures. Monitor facility to ensure safe environment for participants. Ensure room setup is complete. Oversee the preparation of work orders to maintain and repair facility. Determine appropriate activities for age and interest groups. Attend meetings regarding programming of center. Prepare or review necessary forms for payroll, injury reports, deposits, contracts, status reports and others as appropriate.

Plan and implement organized recreational and/or aquatic activities. Involves: Plan, coordinate and implement activities for recreational, aquatic, educational and informative programs or events for targeted groups and participants, including preschool and seniors. Schedule activities, fields, gymnasiums, games and events. Program and schedule space availability for various groups and organizations to fully utilize the facility. Create seasonal activities and special events. Coordinate with contractors, officials and vendors. Evaluate activities. Recommend and incorporate changes and improvements.

Represent the department and provide technical support, information and guidance on recreation center programs and activities. Involves: Respond to requests for information on recreation policies and procedures. Meet with departments and outside agencies. Respond to complaints. Resolve problems and recommend appropriate action. Prepare reports and recommendations. Direct the preparation of activity reports. Maintain appropriate files and records. Act as a liaison with community and neighborhood organizations. Attend neighborhood meetings, professional meetings and other gatherings to represent the department.

Supervise assigned staff. Involves: Schedule, assign, instruct, guide and check work. Appraise employee performance. Provide for training and development. Enforce personnel rules and regulations and work behavior standards firmly and impartially. Counsel, motivate and maintain harmony. Interview applicants. Recommend hiring, termination, transfers, discipline, merit pay or other employee status changes.

KNOWLEDGE, SKILLS, AND ABILITIES:

- Application of considerable knowledge of recreation and/or aquatic programming, principles, practices and trends.
- Application of considerable knowledge of recreation facilities management principles and practices.
- Application of good knowledge of planning and implementing recreation and/or aquatic programs.
- Application of good knowledge of supervisory and customer service techniques.
- Application of some knowledge of basic bookkeeping methods and techniques.
- Basic knowledge of computer hardware, software, and peripherals.
- Assess community recreation needs and develop appropriate recreation programs and activities.
- Optimize facility usage.
- Clear concise oral and written communication to prepare reports and make public presentations.
- Establish and maintain effective and positive working relationships with coworkers, officials, contractors, participants and the general public.
- Ability to lift 25 pounds.
- Ability to bend, kneel, and climb a ladder.
- Ability to work independently and make sound decisions.

OTHER JOB CHARACTERISTICS:

- Requires mobility to perform a variety of recreational activities.
- Some positions may be exposed to extreme weather conditions.
- Some positions may be exposed to chemicals used for cleaning and pools.
- Some positions are subject to call back and work evening and weekend hours.
- Occasional driving in City traffic.
- Ensure cleanliness of facility at all times.

CLASSIFICATION STATUS:

(Ord. 016352 04/25/06), (HR 10/26/11), (CC 07/29/12)

As provided under Civil Service Rule 4, Section 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.

16110-0516 - Community Center Supervisor

Contact Information -- Person ID:

Name: Rudy Vega Address:
 Home Phone: Alternate Phone:
 Email: Former Last Name:
 Month and Day of Birth:

Personal Information

Driver's License: Yes, Texas , , Class C
 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:
 Are you willing to relocate? Maybe
 Types of positions you will accept: Regular , Seasonal
 Types of work you will accept: Full Time , Part Time
 Types of shifts you will accept: Day , Evening , Night , Rotating , Weekends , On Call (as needed)

Objective**Education**

College Did you graduate: Yes
University of Texas at El Paso College Major/Minor: Kinesiology
 8/2012 - 5/2015 Degree Received: Bachelor's
 El Paso, Texas

College Did you graduate:
El Paso Community College College Major/Minor: kinesiology/pre physical therapy
 8/2008 - 5/2012 Units Completed: 4 Semester
 El Paso, Texas Degree Received: Other

Work Experience

Recreational Leader Hours worked per week: 40
 9/2012 - Present Monthly Salary: \$1,656.00
 Name of Supervisor: Greg Walter - Community Center Supervisor
 El Paso Parks and Recreation May we contact this employer? Yes
 563 N. Carolina
 El Paso, Texas 79915
 9155948934

Duties

As a Recreational Leader, my duties consisted of opening and closing the center and monitoring the center during operational hours. I handle money on a daily basis and take payments using the Activenet system. I am very familiar with the Activeness system because I use it on a every day basis. My responsibility is to get kids around the center off of the streets and out of trouble by creating fun programs and games for them to take part in. Not only do I come up with the activities, I go out and recruit the kids and also participate in the activities when there is sufficient staff at the center. I organize our mini-sport teams, recreation teams, and the midnight basketball leagues. I do my best to make sure they are running correctly. I also run the skills camp programs that we have and I come up with workout programs specific to the sport and specific to the age group that will help the kids understand the game better and how to improve. I move boxing equipment that can weight up to 150 lbs. due to wear and tear and also try to maintain all the other rooms in the facility.

Recreation Program Supervisor Hours worked per week: 40
 2/2016 - Present Monthly Salary: \$0.00
 # of Employees Supervised: 2
 Name of Supervisor: Chandrica smith - Community Center

El Paso Parks and Recreation
El Paso, Texas
9152122018

Supervisor
May we contact this employer? Yes

Duties

I am in charge of running the girls fast pitch program, the hockey program, and youth and adult volleyball. I have a total of roughly 80 teams and I create the schedules for each of the leagues and I currently run 2 tournaments a year for girls fast pitch but am working on adding a third. I am creating new tournaments for my other sports as well to try to attract more teams to our programs. I am in charge of ordering trophies, medals, shirts, and equipment based on the budget. I make a weekly schedule for my staff and site specialists to correlate with the programs that are in season to assure there is coverage at every site. I visit schools and other leagues to try to promote my programs and work with other agencies that can also assist with our programs.

Sports Site Specialist
9/2011 - 8/2012

Hours worked per week: 20
Monthly Salary: \$0.00
Name of Supervisor: Alejandro Mendez
May we contact this employer? Yes

El Paso Parks and Rec
El Paso, Texas 79905
(915) 534-0254

Duties

I had to open and close whichever facility I was assigned to and supervise that site by making sure everything went according to plan. I had to be ready for any incident that would happen in case I needed to call an ambulance or the cops. I had to be ready if any game got out of hand as well because I didn't want any fights to occur so I let them know beforehand. I had to make sure only the people that were authorized to be at the site and tell the others they were not supposed to be there.

Youth activities specialist
6/2011 - 8/2011

Hours worked per week: 22
Monthly Salary: \$0.00
Name of Supervisor: Julie Belcher
May we contact this employer? Yes

El Paso Parks and Rec
El Paso, Texas 79905

Duties

I had to watch kids that were assigned to my site and check them in and out everyday. I was assigned as the sports director of my site so each day I had to have the activities ready for each day. I had to make sure each child was taken care of and treated fairly. We would attend field trips as well so I had to make sure the number of kids that went and that the same number came back. I had to be ready for any question that any parent would ask and answer promptly or if I didn't know the answer I would do my best to get it.

Reason for Leaving
Contract ended

Certificates and Licenses

Skills

Office Skills

Typing:

Data Entry:

Languages

Spanish - Speak, Read, Write

Additional Information

References

Professional
Salmaniego, Hiram
super visor

Professional
Salcido, Crystal
Recreational Leader

Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
High School Diploma - Confirmed	Rudy Vega (HSD)	Other	Maria Carrasco

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:

July 14, 2015