

**ITEM 10B**

<p><b>Name:</b> Delgado, Omar</p> <p><b>Position Applying for:</b> Groundskeeper</p>	<p><b>Current City Employee:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Position/Grade:</b> General Service Worker/GS 43</p> <p><b>Original Hire Date:</b> 03/28/2016</p>	<p><b>Date of Disqualification:</b> June 27, 2016</p> <p><b>Disqualified by:</b> <input type="checkbox"/> Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> In Person</p>	<p><b>Date Appeal Filed:</b> June 28, 2016</p> <p><b>Was the Appeal Filed in Timely Manner:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>												
<p><b>Reason for Disqualification:</b> Lacks Minimum Requirements</p>															
<p><b>Rule or Ordinance Under Which Disqualified:</b> <u>Rule 5, Section 1.(a):</u> 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. <u>HR Application Policy:</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) <b>Lacks Minimum Qualifications:</b> 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>															
<p><b>Minimum Qualifications</b></p> <p><u>Education</u> None</p> <p><u>Experience</u> One (1) year of experience in groundskeeping or landscape maintenance.</p>		<p><b>Applicant Qualifications</b></p> <p>High School Diploma</p> <p><u>Position</u> General Service Worker</p> <p><u>Years</u> 0    <u>Months</u> 3</p> <p><u>Deficits</u> None</p>													
<p><b>Comments</b> Many of the employment dates on Mr. Delgado's application are inaccurate (e.g., Tech Tier 1 Support 11/2016 - present; U-verse Tech Support 9/2016 - 11/2016) nor does his application reflect that he is currently employed by the City of El Paso. Mr. Delgado provided supplemental information regarding his job related experience. However, the dates on the supplemental documentation regarding work experience is also incorrect. Delgado states that he began his employment with the City 2/16 to present, but his date of hire with the City is March 28, 2016. Thereby, failing to meet the requirement of one year of work experience by 9 months.  Furthermore, this is a highly competitive recruitment with 35 qualified applicants being invited to test.</p>															
<p><b>Non-Qualifying Education/Experience:</b></p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;"><u>Position</u></td> <td style="text-align: center;"><u>Years</u></td> <td style="text-align: center;"><u>Months</u></td> </tr> <tr> <td>Tech Tier 1 Support</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>U-verse Tech Support</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td>3<sup>rd</sup> Key Senior Sales Associate</td> <td style="text-align: center;">6</td> <td style="text-align: center;">2</td> </tr> </table>		<u>Position</u>	<u>Years</u>	<u>Months</u>	Tech Tier 1 Support	0	0	U-verse Tech Support	0	0	3 <sup>rd</sup> Key Senior Sales Associate	6	2	<p><b>Prepared by:</b> Sara Gonzalez</p> <p><b>Reviewed by:</b> <i>Charles Lopez for LBT</i></p>	
<u>Position</u>	<u>Years</u>	<u>Months</u>													
Tech Tier 1 Support	0	0													
U-verse Tech Support	0	0													
3 <sup>rd</sup> Key Senior Sales Associate	6	2													

# CSC Appeal Fact Sheet

Recruitment Title: Groundskeeper 18550-0616

Recruiting Department: Streets and Maintenance Department

Total Applications Received: 97

Total # of Applicants Failed Minimum Qualifications: 65

# Failed for Lack of Education: 0

# Failed for Lack of Experience: 51

# Failed for Lack of Education and Experience: 0

# Failed for other: 14

Total # Failed the Exam: N/A

# No-Show to Exam: N/A

# of Applicants who met the minimum qualifications for the position and passed examination: N/A

## Appeal Form

To Whom It May Concern:

I, Omar Delgado, hereby appeal my disqualification to take the examination for: Groundskeeper [Examination Title]

Date notified of disqualification: 06-27-16

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 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)

Qualifying experience received from hands on experience as General Laborer as of February to Present at the City of El Paso Parks and Recreation

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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 checked="" type="checkbox"/>
Will the conviction hinder your ability to perform the duties of this position?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

N/A

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HR Policy: Dismissed from Public Service	YES	NO
HR Policy: Dismissed from City Employment		
Are the circumstances of your dismissal related to the duties of the position being sought?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please detail the circumstances involving your dismissal from public service. Please provide any supporting documentation regarding this issue.

*N/A*

Other \_\_\_\_\_ (cite specific Rule or HR Policy you are appealing).

Please explain what you are appealing

*Hands On experience as General laborer with Parks and Recreation Department. As a seasonal worker I have received training using weed eaters, chainsaw, Tree Trimer, Push Lawn Mower, Ridy Lawn Mower, Tree Pruning and Cement mixing*

Name: *Omar Delgado* Address: \_\_\_\_\_ City/State/Zip \_\_\_\_\_  
 Telephone: *i* Person ID #: \_\_\_\_\_ (Neogov) \_\_\_\_\_  
 Applicant Signature: *Omar Delgado* Date: *06-27-16*

Please note: In accordance with the Texas Public Information Act, information from your application and/or resumé 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

RECEIVED  
 JUL 06 2013 *me*  
 CIVIL SERVICE  
 COMMISSION

## SUPPLEMENTARY WORK EXPERIENCE

### City of El Paso

2 Civic Center Plaza - 3rd Floor, El Paso, TX 79901-1153  
915.541.4504 or 915.541.4578  
http://www.elpasotexas.gov

NAME:(Last, First, Middle) <u>Delgado, Omar</u>	Person ID#	SS #: (last 4 digits)
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Additional experience for the position of :

Groundskeeper

#### WORK EXPERIENCE

DATES: From: <u>02/16</u> To: <u>Present</u>	EMPLOYER: <u>City of El Paso Parks and Recreation</u>	PHONE NUMBER: <u>(915) 240-3314</u>
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ADDRESS:(Street, City, State, Zip Code)

POSITION TITLE: <u>General Laborer</u>	SUPERVISOR: <u>Jorge Gutierrez</u>
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HOURS PER WEEK: <u>40</u>	SALARY: <u>10.25 hr</u>	MAY WE CONTACT THIS EMPLOYER? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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**DUTIES:**  
As a general laborer my duties include, Picking up trash at designated area parks, changing trash bags in canisters, Pruning trees, using weed eater, clearing sand or debris using blower, cutting tree trunks using chainsaw, mixing cement, checking sprinkler heads, even out sand boxes or woodclips, cleaning equipment, digging and dumping debris.

REASON FOR LEAVING: N/A

Note: I understand that this information will not be added to my original online application and will only be used to further evaluate the position indicated on this form.  Initials or  check for electronic initials

Signature Omar Delgado Date 06-27-16

Please note: The electronic transmission of this supplement via e-mail will constitute a signature.

**18550-0616 - Groundskeeper**

**Contact Information -- Person ID:**

Name: Omar Delgado Address: , W US  
 Home Phone: Alternate Phone:  
 Email: or om Former Last Name:  
 Month and Day of Birth:

**Personal Information**

Driver's License: Yes, New Mexico , 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? High School

**Preferences**

Preferred Salary: \$8.50 per hour;  
 Are you willing to relocate? Yes  
 Types of positions you will accept: Regular  
 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**

To obtain a full-time position in which I can combine my skills and experience with my current work ethic.

**Education**

**College**  
 University of Texas at El Paso  
 8/2000 - 5/2001  
 El Paso , Texas  
 Did you graduate: No  
 College Major/Minor: Business  
 Units Completed: 16 Semester  
 Degree Received: No Degree

**High School**  
 Montwood  
 8/1995 - 5/1999  
 El Paso, Texas  
 Did you graduate: Yes  
 Highest Level Completed: 12  
 Did you receive a GED? No  
 Degree Received: High School Diploma

**Work Experience**

**Tech Tier 1 Support**  
 11/2016 - Present  
 Hours worked per week: 40  
 Monthly Salary: \$1,400.00  
 # of Employees Supervised: 0  
 TimeWarner Cable  
 Name of Supervisor: z - Supervisor  
 May we contact this employer? Yes

**Duties**

Provide Tech and Trouble shooting support for digital cable, Internet, Phone and Billing.

**U-verse Tech Support Agent**  
 9/2016 - 11/2016  
 Alorica  
 Hours worked per week: 40  
 Monthly Salary: \$1,200.00  
 # of Employees Supervised: 0

Name of Supervisor: - Supervisor  
May we contact this employer? Yes

**Duties**

Provided Tech support for cable, Internet and phone.

**Reason for Leaving**

Hired at TWC

**3rd Key Senior Sales Associate**

3/2004 - 5/2010

GameStop

Hours worked per week: 40

Monthly Salary: \$800.00

# of Employees Supervised: 2

Name of Supervisor: - Manager

May we contact this employer? No

**Duties**

Responsibilities included opening and closing of store for daily business. Ensured that all Mail-In product was priced correctly and placed on sales floor. Other duties included training new part-time and full-time employees, setting up weekly and monthly marketing tabs and making daily goals and quotas for our company.

**Reason for Leaving**

New Management

**Certificates and Licenses**

**Skills**

Office Skills

Typing: 35

Data Entry: 0

**Languages**

Spanish - Speak, Read, Write

**Additional Information**

**References**

Personal

**Boldino, Jason**

Personal

**Rodriguez, Ray**

Personal

**Larrazolo, Aldo**

**Resume**

**Text Resume**

**Attachments**

<b>Attachment</b>	<b>File Name</b>	<b>File Type</b>	<b>Created By</b>
supplementary work experience	omar delgado supplementary	<b>Other</b>	Patsy Najjar
appeal form	omar delgado appeal form	<b>Other</b>	Patsy Najjar



CITY OF EL PASO  
Established Date: Aug 21, 2006

# Groundskeeper

Class Code:  
18550 GS 45

## SALARY RANGE

\$11.17 - \$16.57 Hourly  
\$893.51 - \$1,325.70 Biweekly  
\$1,935.94 - \$2,872.35 Monthly  
\$23,231.33 - \$34,468.20 Annually

### FLSA:

Non-Exempt

### MINIMUM QUALIFICATIONS:

Education and Experience: One (1) year of experience in groundskeeping or landscape maintenance.

Licenses and Certificates: Some positions may require a Texas Class "C" Driver's License or a Texas Class "B" Commercial Driver's License or equivalent from another state. Some positions may require herbicide, landscaping, irrigation, or backflow prevention certification issued by the city, state or federal government required within six (6) months of date of appointment.

Special Requirements: Positions requiring a CDL or positions of a safety sensitive are subject to drug and alcohol testing in accordance with federal regulations.

### GENERAL PURPOSE:

Under general supervision, perform a variety of semi-skilled duties associated with maintaining and irrigating the grounds in City property and facilities or roadway medians.

### TYPICAL DUTIES:

Maintain turf, landscaping, athletic fields, City owned tree farm and repair irrigation systems. Involves: Inspect parks, medians, and tree farm for hazards and take corrective action or report to supervisor, pick-up trash and litter and assist in graffiti removal. Assemble and install park benches and equipment. Plant, prune or remove trees and shrubs. Aerate, fertilize, mow, trim, edge and over-seed grounds and turf areas. Apply pesticides and herbicides as directed. Repair and install irrigation systems and sprinkler systems. Test and install backflows. Inspect areas for hazards and take corrective action or report to supervisor. Operate, maintain, utilize and work with general, common and specialized tools, equipment, materials and supplies associated with groundskeeping. Install, remove, construct, repair, paint, refurbish and perform other tasks associated with the upkeep of assigned structures such as exhibits, fences, rock walls and sidewalks. Operate small and heavy equipment, such as backhoes, trenchers, front loaders, skid steer, and farm tractor.

Perform a variety of related duties as assigned. Involves: Check fluid levels, clean, grease and fuel equipment. Perform heavy manual labor as required by work assignment. Answer questions and interact with other departments, employees, contractors, vendors or the general public. Act as a crew leader to oversee assigned field personnel, community service

workers and seasonal personnel. Assist with preparation for special events such as Christmas tree lighting, concerts and sports tournaments. Fill out detailed reports such as cost estimates. Set up required Traffic Control.

**KNOWLEDGE, SKILLS, AND ABILITIES:**

- Application of good knowledge of groundskeeping operations, the use of proper tools and equipment.
- Application of some knowledge of relevant federal, state and local laws, regulations, policies and procedures related to environmental protection and occupational safety.
- Application of some knowledge of basic supervisory principles to perform lead worker duties.
- Establish and maintain effective working relationships with the public, contractors, supervisors, coworkers and other departments.
- Safely operate City vehicles, equipment and tools and work in potentially hazardous areas, around moving equipment and in a variety of work areas.
- Follow routine procedures for basic construction and maintenance techniques.
- Express oneself clearly and concisely.

**OTHER JOB CHARACTERISTICS:**

- Perform heavy manual labor in extreme weather conditions, potential exposure to physical harm, insects, reptiles and dangerous chemicals and machines.
- Maintain balance, climb steep and rocky inclines, lift and/or carry heavy, bulky items, materials or supplies weighing up to 100 pounds.
- Positions at Zoo require exposure to wild and exotic animals.
- Some positions are subject to work various shifts and weekends, depending on area of assignment.

**CLASSIFICATION STATUS:**

*(Ord. 016439 08/22/06), (CC 01/27/09), (HR 07/04/10), (CC 07/29/12), (HR 08/01/12)  
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.*

## 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