

**Item 6B**

Name: Jose L Lujan Jr.

Position Applying for:

Recreation Program Supervisor

Current City Employee:

Yes  No

Position/Grade

Recreation Leader / GS 43

Original Hire Date:

Rehire 1/24/12

Reason for Disqualification:

Lacks Minimum Requirements

Date of Examination: 9/13/16

Conditional Exam:

Yes  No  N/A

Disqualified by:

Phone  E-Mail

In Person

Date of Disqualification:

8/29/16

Date Appeal Filed:

8/31/16

Was the Appeal Filed in Timely Manner:

Yes  No

**Rule or Ordinance Under Which Disqualified:**

**Rule 5, Section 1.(a):** 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**

Education

Associates degree in Recreation Management or Physical Education

Experience

Two (2) years recreation work experience.

**Applicant Qualifications**

Associates Kinesiology

Recreation Leader

Position

Years

Months

--

9.75

**Deficits**

None

Lacks 14.25 months recreation work experience

**Comments:** The minimum qualifications for this position are an Associate's degree in Recreation Management or Physical Education; and two years' recreation work experience. Mr. Lujan indicates in his appeal that he meets the minimum required experience as stated in the job specification for this position; however, he has less than the two years' recreation work experience that is required. In his supplementary work experience form, he states he did volunteer work 5-15 hours a week as a coach for charity tournaments for the El Paso Water Utilities from 2009 - 2014; He also states he had a seasonal job with Western Playland Amusement Park from 1997 - 2001 in which he worked 30 hours a week. However, his responses to the Department's inquiry for additional information concerning that work appear to be contradictory. In one response he states that he did not work because he was attending high school and only worked at Steinmart in 2001. In his other response he indicated he worked for 3 months June through September. See attached emails. Mr. Lujan was promoted to part-time Recreation Leader on 9/14/15 and his part-time work has been prorated. He does not meet the minimum qualifications for this job.

**Non-Qualifying**

Education/Experience:

Education:

Experience:

Position Years Months

Business Office Spec 3 6

Tech Support II 11

Engineering Aide 7 10

Prepared by: *[Signature]* Reviewed by: *[Signature]*

# CSC Appeal Fact Sheet

Recruitment Title: Recreation Program Supervisor

Recruiting Department: Parks and Recreation

Total Applications Received: 47

Total # of Applicants Failed Minimum Qualifications: 19

# Failed for Lack of Education: 9

# Failed for Lack of Experience: 2

# Failed for Lack of Education and Experience: 8

Total # Failed the Exam: 8

# No-Show to Exam: 11

# of Applicants who met the minimum qualifications for the position and passed examination: 9

**Hatten, Ada L.**

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**From:** Lujan Jr. Jose L.  
**Sent:** Wednesday, August 31, 2016 11:36 AM  
**To:** Hatten, Ada L.  
**Subject:** Appeal Form  
**Attachments:** appeal 1.pdf

Good morning,

I have attached the appeal form along with the supplement work experience you e-mailed me.

Thank You

*Jose L. Lujan Jr.*

Recreation Leader

[lujanjl1@elpasotexas.gov](mailto:lujanjl1@elpasotexas.gov)

El Paso Parks & Recreation department

## Appeal Form

**RECEIVED**  
 AUG 31 2016  
 BY DA FARD

To Whom It May Concern:

I, Jose L. Lujan Jr., hereby appeal my disqualification to take the  
examination for: Recreation Program Supervisor [Examination Title]

Date notified of disqualification: 8/29/16

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)

I have a Associates degree in physical education - kinesiology.  
Also I have been with Parks and Recreation Department as a  
Recreation Leader since September 2015. I was also involved with the  
charity tournaments with the El Paso Water Department. My role in the  
charity tournaments was recruit and create a soft ball and a basketball  
team. Organize team practice day's and time. Design and order team uniforms and  
coach the teams. I have been involved with the El Paso Water Department  
charity tournaments from 2009-2014. Thank You

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.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



## 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)

*Lujan Jose L.*

Person ID# *DL#*

SS #: (last 4 digits)

*kronos*

*03*

Additional experience for the position of :

*Recreation Program Supervisor*

#### WORK EXPERIENCE

DATES:

From: *1997* To: *2001*

EMPLOYER:

*Western Playland Amusement Park*

PHONE NUMBER:

ADDRESS:(Street, City, State, Zip Code)

*6900 Delta Dr. El Paso TX. 79915*

POSITION TITLE:

*Pavilion Crew member*

SUPERVISOR:

HOURS PER WEEK:

*30 hours*

SALARY:

*minimum*

MAY WE CONTACT THIS EMPLOYER?

Yes  No

DUTIES: *Clean and set up tables and chairs for company parties, Cook for guest. Set up volleyball equipment and clean sand from volleyball court. Set up horse-shoe equipment. Supervise guest during party. Take inventory of food and utensils. I was also Security for special events like KLAQ BBQ or charity events and park when needed. Participate in the 4th of July Jello-Jump event and Fire-work show*

REASON FOR LEAVING: *Seasonal Job*

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. *JL* Initials or  check for electronic initials

Signature

*José L. Lujan*

Date

*8/31/16*

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

# 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)

Lujan Jose L

Person ID#

SS #: (last 4 digits)

Additional experience for the position of :

Recreation Program Supervisor

### WORK EXPERIENCE

DATES:

From: 2009 To: 2014

EMPLOYER:

El Paso Water Utilities

PHONE NUMBER:

ADDRESS:(Street, City, State, Zip Code)

1154 Hawkins El Paso, TX. 79925

POSITION TITLE:

Coach for Charity Tournaments

SUPERVISOR:

N/A

HOURS PER WEEK:

5-15 hours

SALARY:

Volunteer

MAY WE CONTACT THIS EMPLOYER?

Yes  No

DUTIES: My duties where to recruit and create a softball and a basketball team. Organize team practice days and time. Design and order team uniforms and coach the teams. I have been involved with the El Paso Water Department charity tournaments from 2009-2014 ✓

REASON FOR LEAVING:

work and School schedule interfered with practice and games.

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. JL Initials or  check for electronic initials

Signature

José L. Lujan Jr

Date

8/31/16

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

**Hatten, Ada L.**

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**From:** Lujan Jr. Jose L.  
**Sent:** Tuesday, September 06, 2016 4:49 PM  
**To:** Hatten, Ada L.  
**Subject:** RE: Recreation Program Supervisor

No I did not work .I was attending high school. Only in 2001 I worked at Stein Mart after the season was over

Sent from my T-Mobile 4G LTE Device

----- Original message -----

**From:** "Hatten, Ada L." <[HattenAL@elpasotexas.gov](mailto:HattenAL@elpasotexas.gov)>  
**Date:** 9/6/16 4:42 PM (GMT-07:00)  
**To:** [havdee707@yahoo.com](mailto:havdee707@yahoo.com)  
**Cc:** "Lujan Jr. Jose L." <[LujanJL1@elpasotexas.gov](mailto:LujanJL1@elpasotexas.gov)>  
**Subject:** Recreation Program Supervisor

Need your immediate response to the following:

1. You indicated on your Supplementary Work Experience form that you worked 30 hours a week while employed as a Pavilion Crew Member for Western Playland from 1997 to 2001. You also indicated this was seasonal work. Which months out of the year did you work while employed at Western Playland Amusement Park?
2. You indicated on your Supplementary Work Experience form that from 2009 to 2014 you did volunteer work 5 – 15 hours a week as a coach for charity tournaments. Was this year-round volunteer work, or was your volunteer activity only during certain months? Please clarify.

*Ada Hatten*

Department Human Resources Manager  
Parks and Recreation Department  
[hattenal@elpasotexas.gov](mailto:hattenal@elpasotexas.gov)  
915.212.1713

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**Hatten, Ada L.**

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**From:** HAYDEE REYES <haydee707@yahoo.com>  
**Sent:** Tuesday, September 06, 2016 5:16 PM  
**To:** Hatten, Ada L.  
**Subject:** Re: Recreation Program Supervisor

Hello it was for 3 months ran June through September

Sent from Yahoo Mail on Android

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**From:** "Hatten, Ada L." <[HattenAL@elpasotexas.gov](mailto:HattenAL@elpasotexas.gov)>  
**Date:** Tue, Sep 6, 2016 at 4:42 PM  
**Subject:** Recreation Program Supervisor

Need your immediate response to the following:

1. You indicated on your Supplementary Work Experience form that you worked 30 hours a week while employed as a Pavilion Crew Member for Western Playland from 1997 to 2001. You also indicated this was seasonal work. Which months out of the year did you work while employed at Western Playland Amusement Park?
2. You indicated on your Supplementary Work Experience form that from 2009 to 2014 you did volunteer work 5 – 15 hours a week as a coach for charity tournaments. Was this year-round volunteer work, or was your volunteer activity only during certain months? Please clarify.

*Ada Hatten*

Department Human Resources Manager

Parks and Recreation Department

[hattenal@elpasotexas.gov](mailto:hattenal@elpasotexas.gov)

915.212.1713

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## Hatten, Ada L.

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**From:** Ana Sanchez <asanchez@EPWU.org>  
**Sent:** Monday, October 03, 2016 3:45 PM  
**To:** Hatten, Ada L.  
**Subject:** FW: Jose Lujan Jr

Hi Ada

Please see below. We do these during the summer and employees do this on a voluntary basis. The 5-15 hours may be accurate if he is talking per year.

-----Original Message-----

**From:** Ted Marin  
**Sent:** Monday, October 03, 2016 3:18 PM  
**To:** Ana Sanchez  
**Subject:** RE: Jose Lujan Jr

Hi Ana,

Mr. Lujan was in section 320 and promoted to section 720, he has since accepted a competitive reassignment at another City department. I spoke with Martin and he recalls him participating in these events but he was not sure about the extent of his participation. Additionally, as far as El Paso Water charity sanctioned events goes, they were normally single day game/tournament events annually, so it's difficult to gauge the amount of hours volunteered for these events. Let me know if you have any questions.

Thanks,  
Ted

-----Original Message-----

**From:** Ana Sanchez  
**Sent:** Monday, October 03, 2016 2:44 PM  
**To:** Ted Marin  
**Subject:** FW: Jose Lujan Jr  
**Importance:** High

Please verify with Martin. Not sure what section he is in.

-----Original Message-----

**From:** Hatten, Ada L. [<mailto:HattenAL@elpasotexas.gov>]  
**Sent:** Monday, October 03, 2016 2:40 PM  
**To:** Ana Sanchez  
**Subject:** Jose Lujan Jr  
**Importance:** High

Hi Ana,

I'm working on an appeal packet that is due today and Linda asked me to forward the attached to you to see if you can confirm what the employee states in his supplementary work experience. He states he was volunteering for charity tournaments while with EPWU. Sorry for the rush, but I would appreciate hearing back from you today. Thank you.



# Recreation Program Supervisor

Class Code:  
16120 PM 122

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

## **SALARY RANGE**

\$17.10 - \$24.43 Hourly  
\$1,368.36 - \$1,954.02 Biweekly  
\$2,964.78 - \$4,233.70 Monthly  
\$35,577.31 - \$50,804.40 Annually

### **FLSA:**

Non-Exempt

### **MINIMUM QUALIFICATIONS:**

**Education and Experience:** An Associate's degree in recreation management, physical education or related field, and two (2) years of recreation experience.

**Licenses and Certificates:** Some positions may require a Texas Class "C" Driver's License or equivalent from another state.

### **GENERAL PURPOSE:**

Under general supervision, supervise and participate in planning, organizing and implementing recreational activities at a small recreation site or aquatics cluster for different population groups.

### **TYPICAL DUTIES:**

Plan organized recreational activities. Involves: Prepare and monitor annual user fee budget. Plan, coordinate and implement activities for recreation programs or events for targeted groups and participants. Schedule activities, fields, gymnasiums, games and events. Program and schedule space availability for various groups and organizations. Develop rules for games, sports and events. Coordinate with contractors, officials and vendors. Post outcomes of games and events as needed. Evaluate activities. Recommend and incorporate changes and improvements. Resolve participant complaints.

Supervise or assist in supervising a recreational or aquatic facility. Involves: Design activities for targeted groups or populations such as dance, arts and crafts, or English classes. Contract with instructors for classes. Prepare programs, promotion and press releases. Prepare program budget and purchase materials as needed. Monitor participant payment and instructor schedules and time sheets. Develop special programs with other recreation staff and other departments.

Provide support and assistance for recreation programs. Involves: Prepare grant proposals for additional funding. Prepare and monitor budget for programs, sites or centers. Prepare purchase requisitions. Oversee accounts receivable for program administration and make deposits. Maintain appropriate records and filing systems. Monitor facilities and report maintenance repairs or problems. Prepare recurring and ad hoc activity and program reports. Support franchise marketing program, as assigned. Attend related marketing conferences and perform related administrative duties.

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 recreational programs and activities.
- Application of good knowledge of planning and providing community based recreational activities.
- Application of good knowledge of supervisory and customer service techniques.
- Application of good knowledge of facilities management principals and practices.
- Application of some knowledge of one or more recreational activities sufficient to conduct classes.
- Application of some knowledge of basic bookkeeping methods and techniques.
- Evaluate programs and prepare reports.
- Monitor program budget.
- Plan recreational activities and facilities.
- Establish and maintain effective working relationships with coworkers, officials, contractors, participants and the general public.

**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.

**CLASSIFICATION STATUS:**

*(Ord. 016352 04/25/06), (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.*

## 16120-0816 - Recreation Program Supervisor

**Contact Information -- Person ID: 5424431**

Name: JOSE L LUJAN JR Address: US  
 Home Phone: Alternate Phone:  
 Email: Former Last Name:  
 Month and Day of Birth:

**Personal Information**

Driver's License: Yes, Texas , 3SS CM  
 Can you, after employment, submit proof of your legal right to work in the United States? Yes  
 What is your highest level of education? Associate's Degree

**Preferences**

Preferred Salary: \$11.77 per hour;  
 Are you willing to relocate? No  
 Types of positions you will accept: Regular  
 Types of work you will accept: Full Time  
 Day , Evening , Night  
 , Rotating ,  
 Weekends , On Call  
 (as needed)  
 Types of shifts you will accept:

**Objective**

TO OBTAIN A PERMANENT POSITION IN A WELL COMPANY IN WHICH TO UTILIZE ALL MY SKILLS. WITH A FOCUS IN DEVELOPING AND IMPROVING CUSTOMER SERVICE, PROJECT COORDINATION, PLANNING AND IMPLEMENTATION OF ANY GIVEN PROJECT.

**Education**

**College**  
 E.P.C.C.  
 www.epcc.edu  
 8/2001 - 5/2016  
 EL PASO, Texas  
 Did you graduate: Yes  
 College Major/Minor: Kinesiology  
 Degree Received: Associate's

**High School**  
 RIVERSIDE HIGH SCHOOL  
 www.yisd.net  
 8/1996 - 5/2000  
 EL PASO, Texas

Did you graduate: Yes  
 Degree Received: High School Diploma

**Work Experience**

**DELIVERY DRIVER**  
 4/2009 - Present

Hours worked per week: 15  
 Monthly Salary: \$300.00  
 # of Employees Supervised: 3

DOMINOS PIZZA

Name of Supervisor:  
 GENERAL MANAGER  
 May we contact this employer? Yes

**Duties**

CUSTOMER SERVICE, CASHIER, PREPARING PIZZA AND DELIVERING.

**Recreation Leader**  
 9/2015 - Present

Hours worked per week: 30  
 Monthly Salary: \$0.00  
 # of Employees Supervised: 0  
 Name of Supervisor: Brenda Romero  
 May we contact this employer? Yes

El Paso Parks and Recreation  
 563 N.Carolina  
 El Paso, Texas 79915

**Duties**

Open or close recreation center. Recruit and organize sports team, rosters and practices. Monitor recreational center. Making sure the weight room is organized. Assist in the connect program. Enroll customers in center program's through active net. Review scholarship application. Answer questions via phone.

**ENGINEERING AIDE**  
10/2007 - 8/2015

Hours worked per week: 40  
Monthly Salary: \$1,260.00  
# of Employees Supervised: 1  
Name of Supervisor: GABRIEL GONZALES -  
ENGINEERING SUPERVISOR  
May we contact this employer? Yes

EL PASO WATER UTILITIES  
1154 HAWKINS  
EL PASO, Texas 79925  
(915) 594-5785

**Duties**

LOCATE WATER AND SEWER LINES THROUGH OUT THE CITY, GIVE ELEVATIONS AND CUT SHEETS TO CONTRACTORS FOR INSTALLATION OF SEWER LINES AND WATER LINES ON NEW SUB-DIVISION. ALSO TAKE RESPONSIBILITY OF CREW WHEN CREW CHIEFS ARE ABSENT. Do as-builds on new water, sewer main lines replaced by the water department

**Reason for Leaving**

School schedule interfering with work.

**TECHNICAL SUPPORT II**  
9/2006 - 8/2007

Hours worked per week: 40  
Monthly Salary: \$1,200.00  
# of Employees Supervised: 0  
Name of Supervisor:  
COACH  
May we contact this employer? Yes

ECHOSTAR

**Duties**

TAKING INBOUND CALLS TO ASSIST CUSTOMERS WITH THEIR SATELLITE EQUIPMENT AND BILLING QUESTIONS

**Reason for Leaving**

CHANGE OF SCHEDULE TO OFTEN

**BUSINESS OFFICE SPECIALIST**  
11/2002 - 5/2006

Hours worked per week: 40  
Monthly Salary: \$1,000.00  
# of Employees Supervised: 0  
Name of Supervisor:  
OFFICE MANAGER  
May we contact this employer? Yes

CENTRO SAN VICENTE

**Duties**

CASHIER, GREETER, SWITCHBOARD OPERATOR, APPOINTMENT CLERK, MEDICAL RECORDS, DATA ENTRY

**Reason for Leaving**

OFFERED A BETTER JOB

**Certificates and Licenses**

Type: Water department safety award

Number:

Issued by:

Date Issued: 4 /2014 Date Expires: 4 /2015

**Skills**

Office Skills

Typing: 25

Data Entry: 30

Other Skills

SWITCHBOARD OPERATOR, COMPUTER LITERATE,  
BILINGUAL Expert - 6 years and 0 months

Languages

Spanish - Speak, Read, Write

**Additional Information**

Honors & Awards

EMPLOYEE OF THE MONTH AT STEIN MART AND DOMINOS. SAFETY AWARD WITH THE WATER DEPARTMENT.

Volunteer Experience

In 2009-2014 I created teams for charity softball and basketball tournament that the water department had. This included recruit and coach players, organize team practice time, date and place. Also design and order team shirts.

**References**

Professional  
**PARRA, ADAN**

Professional  
**MUÑOZ , ERIKA**

**Resume**

**Text Resume**

**Attachments**

<b>Attachment</b>	<b>File Name</b>	<b>File Type</b>	<b>Created By</b>
Appeal Rec Prog Spvr	jose lujan jr appeal	Other	Ada Hatten

## 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