

Equity. Merit.

Massillon Civil Service Commission

RULES AND REGULATIONS

ADOPTED: _____

AMENDMENTS	
RULE	DATE

CIVIL SERVICE COMMISSION

KORDELL FORD
MEGAN STARRETT
AARON VIOLAND



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RULE 1

General Provisions

1.1 Authority

The City of Massillon Municipal Civil Service Commission ["Commission"] adopts these Rules and Regulations under the Ohio Constitution, Article XV, Section 10, and Ohio Revised Code 124.40. If there is a conflict, the Constitution or the Ohio Revised Code prevails over these Rules.

1.2 Purpose of Rules

The purpose of these Rules is to ensure that transactions involving employees or prospective employees governed by these Rules will be determined by the individual's qualifications, merit and fitness, regardless of race, color, religion, sex, sexual orientation, national origin, political opinion, age or physical disability; unless age or physical ability is a legitimate occupational requirement.

1.3 Positions Covered

The Commission shall administer the civil service laws of the State of Ohio and these Rules for classified employees of the City of Massillon ["City"], the Massillon City Health District ["Health District"], the Massillon Parks and Recreation Board ["Parks District"], and the Massillon City School District ["School District"].

1.4 The Commission

A. Composition

The Commission consists of three (3) members appointed according to ORC 124.40.

B. Chair, Vice-Chair, Member

At the first meeting each year, the Commission shall select one of its members as Chair and another as Vice-Chair. The Chair schedules and presides at all meetings. If the position of Chair becomes vacant, the Vice-Chair will serve as Chair for the remainder of the term.

1.5 Administrator

The Administrator is the head of the Civil Service office and may adopt administrative procedures consistent with these Rules, the directives of the Commission, City of Massillon Codified Ordinances, and Ohio law. Unless prohibited by law, the Commission may delegate any duty to the Administrator.

1.6 Secretary

A. Appointment

The Commission may appoint a secretary.

B. Duties

The secretary should attend all meetings and perform any duties required by the Commission, which may include: keeping a record of the Commission's official actions; serving as a hearing officer in employee appeals; maintaining an official roster; certifying payrolls; and in conjunction with the Chair, signing all warrants or orders to pay money on behalf of the Commission.

RULE 2

Meetings

2.1 Meetings

The Commission will meet regularly at a place, date and time set by the Chair or Administrator. In accordance with the Open Meetings Act, the Commission may meet for regular, special and emergency meetings.

2.2 Quorum

Two Commission members constitute quorum.

2.3 Order of Business

The order of business for meetings will be:

- roll call;
- approval of minutes;
- financial report;
- public speaks;
- unfinished business;
- new business;
- good & welfare; and
- adjournment.

2.4 Minutes

The minutes shall include the date, time and pace of the meeting and each members' votes, unless the votes are unanimous. The minutes will be presented for approval to the Commission at the next regular meeting.

2.5 Public Speaks

A person from the general public may speak for up to three (3) minutes if they sign up with the Commission before the meeting's scheduled start time by printing their name, home address, and the subject on which they intend to speak.

2.6 Absence of Chair

In the Chair is absent, the Vice-Chair will act as the Chair.

RULE 3

Classification

3.1 Classification Plan

The City, Health District, Parks District and the School District must classify all civil service positions according to an established plan. The plan must group positions within a classification, including grades, that are similar enough in duties to be described by the same title, have the same pay assigned with equity, and have the same qualifications for selection applied.

RULE 3
Classification [continued]

3.2 Class Titles

The Commission must assign a title to each classification in the plan.

3.3 Class Specifications

The Commission must prepare a class specification for each class that sets forth the class title, salary range, typical duties and the necessary qualifications. The Commission shall specify the essential characteristics common to the class and those that distinguish it from other classes.

3.4 Job Descriptions

The appointing authority must prepare a job description that specifies the qualifications and duties for each position. The appointing authority must submit all classified job descriptions to the Commission, which may be approved at the next meeting and included in the minutes.

RULE 4
Exam Announcement

4.1 Entrance Exam

At least fourteen (14) days before an entrance exam, the Commission must provide notice by posting the position online.

4.2 Promotional Exam

A. Fire Department

At least thirty (30) days before a promotional exam in the Fire Department, the Commission must provide notice by posting the opening via email and in the departments. The notice must describe the source material from which the exam questions are prepared.

Chair becomes vacant, the Vice-Chair will serve as Chair for the remainder of the term.

B. Police Department

At least fourteen (14) days before a promotional exam in the Police Department, the Commission must provide notice by posting the opening via email and in the departments.

4.3 Required Contents

Announcements must include:

- time and place of the exam, if applicable;
- class title and salary range;
- essential job functions;
- minimum requirements;
- age or physical requirements;
- whether background checks are required;
- whether drug testing is required;
- whether a medical or psychological exam is required;

RULE 4
Exam Announcement [continued]

4.3 Required Contents (cont'd)

- whether a criminal conviction prohibits appointment to the position;
- application filing deadlines;
- exam format and, if more than one part, the weight to be given to each;
- how to apply; and
- passing score.

RULE 5
Applications, Eligibility and Disqualification

5.1 Applications

The Commission must provide applications for entrance exams online. If the Commission permits a written application, the applicant must complete it and file it with the Commission within the time specified in the announcement.

5.2 Eligibility

An applicant must be a U.S. citizen or have a valid permanent residence card, and must meet the other requirements of applicable federal and state laws and these Rules. Additional eligibility requirements include:

A. Police Department

1. Original Appointments

An applicant must be at least twenty-one (21) years old on the date of appointment, but cannot be forty-one (41) years or older. [CODIFIED ORDINANCE 149.02]

2. Promotions

Police officers who have served sixty (60) continuous months as an MPD officer are eligible to take the promotional exam for sergeant in accordance with the Collective Bargaining Agreement. [Article 42 Section 42.9] Unless provided in ORC 124.44, no person is eligible to take any other promotional exam unless they have served at least twelve months in the rank from which the promotion is to be made.

B. Fire Department

1. Original Appointments

Along with the requirements in ORC 124.42, an applicant must be at least 18 on the day of appointment, but cannot be forty-one (41) years or older.

2. Promotions

Unless provided in ORC 124.25, an employee must have served for at least 4 years as a Firefighter-Paramedic excluding the probationary period in order to take the Captain promotional exam. Unless provided in ORC 124.25, no person may take any other promotional exam unless they have served at least twelve months in the rank from which the promotion is to be made.

RULE 5
Applications, Eligibility and Disqualification (continued)

5.3 Refusal to Examine or Certify

The Administrator may refuse to examine, certify as eligible, or appoint an applicant for an original appointment who [based on ORC 124.25]:

- lacks any of the requirements for the exam;
- is addicted to the habitual use of intoxicating liquors or drugs to excess;
- has a pattern of poor work habits and performance with previous employers;
- is guilty of infamous or notoriously disgraceful conduct;
- was dismissed from either branch of the civil service [classified or unclassified] for delinquency or misconduct; or
- made a false statement of material fact, or committed or attempted to commit any deception or fraud during the application or testing process.

5.4 Removal from Eligibility List

After providing notice and an opportunity to review; the Commission, the Administrator or the Administrator's designee may remove from an eligibility list an applicant who:

- has demonstrated character traits that would be detrimental to successful performance of the employment sought;
- was dismissed with good cause from any branch of public service;
- was convicted of a job-related felony;
- has a pattern of poor work habits and performance with previous employers; or
- made a false statement of material fact, or committed or attempted to commit any deception or fraud during the application or testing process.

5.5 Criminal Conviction

A. Police, Fire

An applicant convicted of domestic violence is ineligible to be employed as a police officer. An applicant who has been convicted of a felony is ineligible to be employed as a police officer or a firefighter.

B. Other Positions

If an applicant has been convicted of a crime, the Commission may examine and certify as eligible if federal or state law does not prohibit employment in that position and the conviction does not have a direct and substantial relationship to the position. If the Commission does so, the applicant must not be asked questions about the conviction until the interview.

The appointing authority and the Administrator should consider:

- the nature and severity of the crime;
- the applicant's age at the time;
- how long since the applicant committed the crime;
- how long ago the applicant was incarcerated or under court supervision; and
- documentation about the applicant's rehabilitation, including a Certificate of Qualification for employment.

RULE 6 **Examinations**

6.1 Exam Required

Unless provided in ORC 124.01-124.64, the Commission must fill all classified positions through examination.

6.2 Scheduling

The administrator sets the time and place of an exam and may postpone or cancel with adequate reason. The administrator must try to notify each applicant of postponement or cancellation. The administrator controls all exams.

6.3 Time Limit

The applicant is limited to the time limit set by the administrator. The administrator may set different time limits for those seeking reasonable accommodations.

6.4 Scope

An exam must fairly test the applicant's relative ability to perform in the position. An exam may include an evaluation of education, training, capacity, knowledge, and physical or psychological fitness.

6.5 Format

An exam consists of one or more tests, which may be written, oral, physical, a demonstration of skill, or an evaluation of training and experiences. Tests may include structured interviews, assessment centers, work simulations, examinations of knowledge, skills and abilities, and any other acceptable testing methods. The administrator must set the passing score for the exam.

6.6 Police and Fire Promotional

The Commission must fill promotions in the Police Department and Fire Department according to ORC 124.44 and ORC 124.45 respectively and also their collective bargaining agreements.

6.7 Bonus Credits

An applicant with a passing score on an exam is entitled to other credits if the applicant can present the Commission with proof. The maximum credits are 20% for bonus. The Commission determines bonus eligibility.

A. All Applicants

All applicants are entitled to these credits:

1. Military - Active Duty

20% credit: honorably discharged after at least 180 days of active-duty military service.

2. Military - Reserve Duty

15% credit: a member in good standing of a reserve component of the U.S. military including the Ohio National Guard, who successfully completes the member's initial entry level training.

RULE 6
Examinations (continued)

6.7 Bonus Credits (cont'd)

B. Police Applicants

Along with the credits in (A), a police applicant is entitled to these credits:

1. 20% credit: OPOTA Certificate
2. 15% credit: Bachelor's degree
3. 10% credit: Associate's degree in law enforcement or criminal justice

C. Fire Applicants

Along with the credits in (A), a fire applicant is entitled to these credits:

1. 15% credit: Bachelor's degree in an emergency services related field
2. 10% credit: Associate's degree in an emergency services related field
3. 10% credit: State of Ohio Paramedic Certification

6.8 Seniority Credit for Fire and Police

An applicant for a promotional exam who receives a passing score is entitled to 1 point for each of the first 4 years of service, and 6/10 of a point for each year of the next 10 years of service. Half of the credit will be given for each half year of service. If service in the Fire Department is interrupted by service in the armed forces, that time must be included (ORC 125.45). Seniority credit is also determined by police collective bargaining agreement.

6.9 Grading Method

Each part of an exam must be worth 100 points. If an exam has more than one part, the applicant's score on each part will be multiplied by the percentage of the overall weight given to that part. The product of each part will be added together. If that sum meets the passing score set by the administrator, credits must be added according to Rule 6.7.

6.10 Notification of Results

The Commission must notify each applicant of their score and place on the eligibility list through the email address that the applicant provided in their application.

6.11 Fire Protest Period

After the grading of examinations papers, any participant who believes the papers were erroneously graded shall have the right to appeal to the Commission, and the appeal shall be heard by the Commission (ORC 124.45).

6.12 Inspection Period for Police Promotional

In accordance with the collective bargaining agreement, an applicant may inspect the rating key for 5 days and may notify the Commission in writing any protest to questions or answers.

RULE 7
Medical, Psychological and Drug Examinations

7.1 Police & Fire

An applicant for police officer or firefighter may not receive an original appointment without passing a:

- medical exam taken not more than 120 days before the appointment;
- psychological exam;
- drug test;
- vision test;
- background investigation [which may include driving record, criminal history, employment history, references, financial history, internet history and social media sites]; and
- a computer voice stress analyzer examination [for police applicants].

A. Medical Exam

The medical exam must:

- include all tests required by the Ohio Police and Fire Pension Fund; and
- include a certification from a physician that the applicant is free from heart disease, cardiovascular disease and respiratory disease.

B. Vision Exam

The vision exam must test for color vision, visual acuity, depth perception, peripheral vision and vertical and lateral balance. Visual acuity must be 20/20 corrected, but may not be over 20/200 uncorrected.

7.2 All Other Applicants

An appointing authority may require any other applicant to pass a medical exam and a drug test.

7.3 Licensed Physician Required

All exams must be performed by a licensed physician or psychologist chosen by the Commission.

7.4 Use of Exams

The appointing authority must only consider the results of medical or psychological exams after giving the applicant a conditional offer of employment. The exam results must be the last factor evaluated by the appointing authority before reaching a final decision to offer employment.

RULE 8
Eligibility Lists

8.1 Preparation of List

The administrator must prepare an eligibility list that includes each applicant who earns a passing score and is otherwise eligible for employment. Applicants must be ranked by grade, which is the sum of their exam and bonus credits. The Commission must approve the eligible list at their next meeting and include it in the minutes.

RULE 8

Eligibility Lists (continued)

8.2 Ties

A. Open Exam

If at least 2 eligible applicants have the same grade, an applicant who is eligible for military credit under ORC 124.23 must be ranked ahead of an applicant who does not. If there is a tie among veterans or among reserve component members, the one who turned in his (her) documentation first for the examination must be ranked ahead of the other. If there is a tie between a veteran and a reserve component member, the veteran must be ranked higher. For all other ties, applicants must be ranked by the time of completing their application process.

B. Promotional Exam

If at least 2 eligible applicants have the same grade, seniority determines their order on the eligibility list.

8.3 Supplemental Exam

The Commission may schedule another exam to get more eligible applicants for a position. If so, the Commission must notify those already on the eligibility list that they may take the supplemental exam. After the exam, the Commission must consolidate all eligible applicants according to grade.

8.4 Duration

Eligibility lists for promoted ranks in the Fire and Police Departments must continue for 2 years. If there is a vacancy before the list expires, the list must continue until the vacancy is filled. Every other eligibility list expires when a position is filled or closed. An expired list may be used to fill a position unless it has been more than 1 year after it expired.

8.5 Transfer to Lower Class

An eligible applicant may apply in writing to be placed on an eligibility list in a lower class in the same series if the positions have similar qualifications and general character. If the Commission grants the application, it must place the eligible applicant on the lower eligibility list according to their original grade.

8.6 Revocation of List

The Commission may revoke an eligibility list if there is evidence of error, fraud or if inappropriate standards were applied in the exam. The Commission must not alter or revoke an eligibility list until all eligible applicants are notified and the Commission's reasons are noted in the minutes. If the Commission schedules another exam, it must notify all those who took the first exam that they may take the new one without the need to file another application.

RULE 9

Certification and Appointment

9.1 Must Be From Eligibility List

Unless filled by promotion, transfer or reduction, appointments to positions in the classified service must be made only from those whose names take rank in order on an eligibility list. No employment may be otherwise given in the classified service.

9.2 Notification of Vacancy

An appointing authority wishing to fill a vacancy in the classified service must submit a written request to the Administrator. If an eligibility list exists, the Administrator must certify the appropriate number of names to the appointing authority.

9.3 Size of List

Each time a selection is made, the appointing authority must select one of the ten highest names on the eligibility list, or the top 25%, whichever is greater. If there are fewer than 10 names on the eligibility list, the appointing authority may select any candidate.

9.4 Veteran's Preference

For original appointments, an applicant who qualifies for the veteran's preference under ORC 124.23 is entitled to preference over all those who have an equal grade and are eligible for the same appointment to a competitive position.

9.5 Exhausted or Expired Eligibility List

If the eligibility list has expired, has been exhausted, or does not exist, and until a new list can be created, the administrator may certify names from another eligibility list if appropriate.

9.6 Refusal to Certify

The Commission may refuse to certify to any appointing authority an otherwise eligible applicant who:

- fails to timely respond to a notice or inquiry from the Commission or appointing authority;
- informs the Commission they are not interested in an appointment at that time;
- cannot be reached by the phone number, email or address provided on their application; or
- does not meet the age requirements.
- background investigation [which may include driving record, criminal history, employment created, the administrator may certify names from another eligibility list if appropriate. appointment to a competitive position.

RULE 10

Permanent Appointment Without Competition

10.1 Exceptional Appointments

The Commission may suspend the requirement for a competitive and grant an appointing authority's request to fill a position in the classified civil service if:

RULE 10
Permanent Appointment Without Competition (continued)

10.1 Exceptional Appointments (cont'd)

- A.** there is a vacancy that requires peculiar or exceptional qualifications of a scientific, managerial, professional or educational character, and
- B.** there is sufficient evidence that for specified reasons competition is impracticable and the position can be best filled by a selection of some designated person of high and recognized attainments in those qualities.

No suspension may be general in its application.

10.2 After Exam

The Commission may grant an appointing authority's request to fill a position in the classified service by non-competitive exam if:

- A.** there is an urgent need to fill the position, and
- B.** the Administrator cannot certify a list of applicants eligible for appointment after a competitive exam.

10.3 Permanent Appointment

An employee appointed under this rule who either successfully completes their probationary period or remains in the position for 6 months, whichever is longer, becomes a permanent appointee in the classified service.

RULE 11
Temporary Appointments

11.1 Temporary Vacancy

The administrator or designee may approve an appointing authority's request to temporarily appoint a person not in the classified civil service to a position in the classified civil service if the regular employee is sick, disabled, or on approved leave. A temporary appointment must not exceed the period of sickness, disability or approved absence, and must not exceed 120 days in any case. Successive temporary appointments are prohibited as indicated in ORC 124.30.

11.2 Permanent Vacancy

If there is no list of applicants eligible for appointment, the administrator or designee may approve an appointing authority's request to temporarily appoint a person not in the classified civil service to a position in the classified civil service that is vacant due to retirement, resignation, termination, death or if the position was newly created. A temporary appointment must not exceed 120 days. Successive temporary appointments are prohibited as indicated in ORC 124.30.

11.3 At-Will Employment

A person who receives a temporary appointment is in the unclassified civil service and serves at the pleasure of the appointing authority.

RULE 12
Promotions

12.1 Vacancies

If practicable, vacancies in positions in the classified civil service must be filled by promotion.

12.2 Police & Fire

Promotional appointments of police officers and firefighters must be made according to ORC 124.44 and ORC 124.45 respectively, as well as the Collective Bargaining Agreements.

12.3 Temporary Promotions

If possible, an appointing authority must make a temporary promotion from the next lowest class or grade of positions, and may do so as follows:

A. Temporary Vacancy

An appointing authority may temporarily promote a person in the classified service to a higher position in the classified service vacant because the regular employee is sick, on vacation, or on other approved leave. The temporary position must not last longer than the regular employee's sickness, vacation or approved leave.

B. Permanent Vacancy

An appointing authority may temporarily promote a person in the classified service to a higher position in the classified service to a higher position in the classified service if the position is vacant due to retirement, resignation, termination, death, or if the position was newly created; and there is no list of applicants eligible for appointment to that position. The temporary promotion must not last longer than 120 days.

RULE 13
Probationary Period

13.1 Successful Completion

No appointment or promotion is final until the completion of the probationary period. If the service of the employee is unsatisfactory, the appointing authority may remove or reduce the probationary employee at any time during the probationary period on written notice to the Commission. A probationary employee has no right to appeal a removal or reduction. Successive temporary appointments are prohibited as indicated in ORC 124.30.

13.2 Duration

The Commission must establish the probationary period for all original and promotional appointments as follows:

A. City of Massillon

1. Police:

- The probationary period for original appointments is 1 year which begins the first day following the completion of OPOTA [ORC 4117.10 & CBA].
- The probationary period for promotional appointments is 1 year .

RULE 13
Probationary Period (continued)

13.2 Duration (cont'd)

2. Fire:

- The probationary period for original appointments is 1 year.

3. Code Enforcement:

- The probationary period for original appointments is 1 year.

4. Other City Positions

- The probationary period for original appointments is 90 days.
- The probationary period for promotional appointments in the Street Department is 60 days. **[CBA Article 14 Section 4]**
- The probationary period for promotional appointments in the WWTP Department is 90 days. **[CBA Article 14 Section 4]**
- The probationary period for all other promotional appointments is 90 days.

B. Health District

The probationary period for original and promotional appointments is 90 days.

C. Parks District

The probationary period for original and promotional appointments is 90 days.

D. School District

The probationary period for original and promotional appointments is 90 working days.

13.3 Extension:

An appointing authority may, with the consent of the employee and the approval of the Commission, extend an employee's promotional probationary period for up to 60 calendar days to allow additional time to review the employee's performance. A second extension, not to exceed 60 calendar days, may be requested by the appointing authority with the consent of the employee and the approval of the Commission to allow additional time to review the employee's performance. Any probationary period extension shall only be granted if an employee consents to the extension prior to the end of the employee's normal probationary period or the end of the first extension, as applicable. In no event shall the time period covered by the probationary period and any extensions exceed a total of three hundred sixty-five calendar days in length. **[OAC 123:1-19-02(E)]**

RULE 14
Transfers

14.1 Temporary

An appointing authority may transfer an employee to a similar position for up to 30 days, or up to 90 days if the employee agrees. Unless the employee and Commission agree, an appointing authority must not transfer an employee more than once in any 6 month period.

14.2 Permanent

The Commission may agree to transfer an employee to a similar position in another department if:

RULE 14
Transfers (continued)

14.2 Permanent (cont'd)

- the position has the same pay and similar duties;
- is in the same classification;
- does not require an exam involving essential tests or qualifications; and
- has the same appointing authority.

RULE 15
Layoffs and Reinstatements

15.1 Layoffs

Layoffs must comply with ORC 124.321 to 124.327.

15.2 Reinstatements

A. Generally

The Commission may reinstate a former employee who separated from service--except for reasons of delinquency or misconduct--within 1 year to the same or similar position in the same department. Final review sits with the Commission.

B. After Injury or Disability

A former employee who separated from service due to a physical or psychiatric disability may apply to the Commission for reinstatement to the same or similar position within 2 years if the former employee applies before the date of service eligibility retirement. The Commission must grant the application within 60 days if the former employee passes a medical or psychiatric exam showing recovery from the disability.

C. After Layoff

Laid off employees have reinstatement rights under ORC 124.327.

RULE 16
Discipline and Appeals

16.1 Reasons for Discipline

Employees may serve only during good behavior and efficient service. Unless provided in ORC 124.32, no employee may be reduced in pay or position, fined, suspended, removed, or have their longevity reduced or eliminated, except for:

- incompetency;
- inefficiency;
- unsatisfactory performance;
- dishonesty or fraud (including during the hiring process);
- drunkenness;

RULE 16
Discipline and Appeals (continued)

16.1 Reasons for Discipline (cont'd)

- immoral conduct;
- insubordination;
- discourteous treatment of the public;
- neglect of duty;
- a violation of any policy or work rule;
- a violation of ORC 124, or any other failure of good behavior;
- ethics violations; or
- an act of misfeasance, malfeasance, or nonfeasance in office.

16.2 Conviction of a Felony

Unless reversed on appeal, an employee convicted of a felony as defined by ORC 124.34(A) and ORC 2901.01 immediately forfeits their status as a classified employee. An employee disciplined because of a felony has no right to appeal. Conviction of a felony is a separate basis for discipline even if the employee has already been disciplined for the same conduct that is the basis of the felony.

16.3 Service of Order Required

The appointing authority must serve the following with an order of reduction, fine, suspension, or removal which must include the reasons for the action:

A. Exempt Employee

An employee who is exempt from the payment of overtime and the suspension or fine exceeds 40 work hours.

B. Non-Exempt Employee

An employee who must be paid overtime and the suspension or fine exceeds 24 work hours.

C. Police or Fire Chief

Any suspension, fine, demotion or removal.

16.4 Method of Service

The order must be hand delivered or sent certified U.S. mail. Certified mail is considered served when it is received. Removal does not become effective until the employee has been served.

16.5 Notice to Commission

An appointing authority required to serve an order under Rule 16.3 must file a copy with the Commission.

16.6 Appeal to Commission

Only an employee required to be served with an order under Rule 16.3 may appeal to the Commission. The employee must do so in writing within 10 days of service of the order under Rule 16.4. If the employee does so, the Commission must notify the appointing authority and schedule a hearing within 30 days unless the employee and the Commission agree otherwise.

RULE 16
Discipline and Appeals (continued)

16.7 Amendment of Order

An appointing authority may amend a disciplinary order if it is served on the employee or the employee's attorney at least 10 days prior to the hearing.

16.8 Decision of Commission

The Commission may affirm, modify or reverse the decision of the appointing authority. In an appeal from a removal based on an alleged violation of a last-chance agreement, the Commission must only determine whether the employee violated the agreement and thus affirm or reverse the decision of the appointing authority.

16.9 Administrative Appeal

In cases of removal or reduction in pay for disciplinary reasons, either the appointing authority or the employee may appeal the Commission's decision to the Court of Common Pleas.

RULE 17
Hearings

17.1 Hearing Officer

The Commission must delegate of its members or the administrator to preside over a hearing and rule on objections and motions.

17.2 Rules of Evidence

Ohio Rules of Evidence govern these hearings.

17.3 Representation by Counsel

Either party may be represented by counsel.

17.4 Order of Presentation

The appointing authority has the burden of proof. The employee may produce evidence to oppose the charges, which the appointing authority may rebut.

17.5 Resignation Before Decision

An employee may resign, which will be considered a withdrawal of the discipline if:

- the appointing authority accepts the resignation; and
- the appointing authority notifies the Commission before it issues a decision.

RULE 18
General Provisions

18.1 Computing Time

In computing time under these Rules: exclude the day of the event that triggers the period and

RULE 18
General Provisions (continued)

18.1 Computing Time (cont'd)

include the last day of the period; however, if the last day of the period is a Saturday, Sunday or legal holiday, the period continues to run until the last day is not a Saturday, Sunday or legal holiday.

18.2 Amendments to Rules

The Commission may only change these Rules if it posts a notice for at least 7 days on the bulletin board outside the Commission office and on the Commission webpage. The notice must include the proposed changes and the date on which the Commission intends to vote.

18.3 Severability

If any part of these Rules is unenforceable, the rest shall remain.

18.4 Effective Date

The Commission adopts these Rules and Regulations on: January 12, 2026.



Megan Starret, Chair

Aaron Violand, Vice - Chair

Kordell Ford, Member