

Rule 210

Police Examination Qualifications And Applicants

Applicability: Rule 210 shall apply to all classes of the Uniformed Ranks of the San Francisco Police Department

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Rule 210

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Article I: Applications And Notice Of Examinations

Applicability: Rule 210 shall apply to all classes of the Uniformed Ranks of the San Francisco Police Department

Sec. 210.1 **Applicants**

An applicant is a person who has filed an application for examination within the time limits specified in the announcement of the examination for which the applicant applied and maintains eligibility until the time of appointment. Verification shall be the official time receipt of the Examination Division of the Police Department or postmark.

Sec. 210.2 **Notice of Examinations**

Official notice of examinations will be posted on the City's official employment opportunity website. Notice of entrance and promotional examinations will be posted for a minimum period not to be less than three (3) business days as determined by the Human Resources Director. In establishing the minimum period, the Human Resources Director shall consider, among other factors, ensuring reasonable access to the job ad, stability and reliability of the messaging platform in sending and receiving notifications, extent of access by the labor market to the means for receiving timely notification, and equal employment opportunity and racial equity goals. Requests for notice of filing dates for entrance examinations may be filed online through the Department of Human Resources website. Notifications shall be emailed at the inquirer's risk. Failure to receive a requested notification shall not result in any special consideration or remedy related to the examination process. DHR will, on a regular basis, report to the CSC on the progress of advance notification of upcoming employment opportunities for postings of five (5) days or less on the employment opportunity website.

Sec. 210.3 **Application Custody**

Applications and supporting documents become the property of the Department of Human Resources when received. Return of such documents shall require the approval of the Human Resources Director or his or her designee.

Sec. 210.4 **Cheating or Fraud in Examinations**

It is the policy of the Civil Service Commission that examinations shall be conducted in a fair and impartial manner in order to test fairly the relative qualifications, merit, and fitness of applicants. Any person cheating, attempting to cheat or assisting other persons in cheating in any phase of the examination process shall be prosecuted to the full extent of the Charter and other laws. Actions to be taken include elimination from the examination process, dismissal and ineligibility for future employment. Cheating shall include the use or attempted use of materials not authorized by the scheduling notice to candidates to report for the examination. Significant false statements by applicants on the application or during the selection process shall be good cause for the exclusion of such person from the examination and such other appropriate action as may be recommended by the Human Resources Director.

210.4.1 **Aid, Hindrance, Fraud and Collusion in Examinations**

No person or officer shall, by himself/herself or in cooperation with other persons, defeat, deceive or obstruct any person in respect to his or her right of examination; or falsely make, grade, estimate or report upon the examination or proper standing of any person examined hereunder, or aid in so doing; or make any false representations concerning the same, or concerning the person examined; or furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person of being appointed, employed or promoted.

Any eligible securing standing on a list by fraud, concealment of fact or violation of Commission Rules shall be removed from such list and, if certified or assigned to a position, shall be removed therefrom.

Sec. 210.5 **Names Not to Be Made Public**

The names of applicants for any examination shall not be made public prior to announcement of the results of the examination. Names of participants who fail any examination shall not be made public.

Sec. 210.6 **Change of Address**

In all cases of change of address, the Examination Division of the Police Department must be notified in writing separately for each class involved. Notice of change of address to the Post Office, the employee's current assignment and/or the Police Department Personnel Division will not be a reasonable excuse for special consideration in case of failure to respond within time limits.

Sec. 210.7 **Correction of Examination Announcements**

Examination announcements may be corrected with respect to clerical errors, misprints and incorrect wording by the Human Resources Director or his or her designee, by posting notice of such corrections next to the original examination announcement. The issuance of examination announcements corrected under the provisions of this section shall not allow additional time for protest or appeal of the substantive provisions contained in the original examination announcement.

Rule 210

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Article II: Qualifications of Applicants

Applicability: Rule 210 shall apply to all classes of the Uniformed Ranks of the San Francisco Police Department

Sec. 210.8 **Qualifications of Applicants**

- 210.8.1** Every applicant for entrance or promotional examination must possess and maintain the qualifications required by law and by the announcement of the examination for which applied. Experience gained in violation of Commission Rules shall not be recognized. It is the responsibility of the appointing officer and of the employee to have out-of-class experience recorded as provided in the Civil Service Commission Rules.
- 210.8.2** Except with permission of the Human Resources Director, no employee may participate in an entrance examination carrying a lower salary schedule than that of the employee's current class. No employee may participate in an examination for a class in which the employee has current permanent appointment status except with the approval of the Human Resources Director.
- 210.8.3** If an applicant for a peace officer position in the uniformed ranks of the San Francisco Police Department has a Sustained Finding of Serious Misconduct arising from that applicant's prior employment as a peace officer or custodial officer, then the applicant is disqualified.
- 210.8.4** If an applicant resigned, retired, or otherwise separated from their employment as a peace officer or custodial officer in any jurisdiction during the pendency of a disciplinary proceeding that could lead to a Sustained Finding of Serious Misconduct by the applicant, the applicant is disqualified until such a time as an investigating agency, commission, board, hearing officer, or arbitrator reaches a final determination that 1) the peace officer or custodial officer did not violate law or department policy; 2) there is insufficient evidence to sustain a finding of Serious Misconduct; 3) the evidence establishes that the allegations are unfounded; or 4) the final determination is otherwise incompatible with a Sustained Finding of Serious Misconduct.

Sec. 210.8 **Qualifications of Applicants (cont)**

210.8.5 As used in this Rule, “Serious Misconduct” is defined as the following:

- 1) Use of excessive force resulting in injury;
- 2) Racial or identity profiling or bias, or other discriminatory actions or actions demonstrating discriminatory intent against any person or group based on any factors described in Rule 203.2;
- 3) Sexual harassment in the workplace, whether directed at a member of the public or a co-worker, including any unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature directed at a person because of or relating to that person’s sex, sexual orientation, or gender identity;
- 4) Dishonesty in the reporting, investigation, or prosecution of a crime, including perjury; false statement; filing false reports; or destruction, falsifying, or concealing of evidence; or
- 5) Dishonesty in the reporting or investigation of misconduct by another peace officer or custodial officer, including but not limited to perjury; false statements; filing false reports; or destruction, falsifying, or concealing of evidence.

210.8.6 Unless otherwise specified, words used in this Rule shall have the same definitions or meanings as in California Penal Code Sections 832.7 and 832.8.

Sec. 210.9 **Application for Examination**

Any person having the qualifications prescribed by these Rules and the terms of the examination announcement may submit himself or herself for any examination under conditions established by the Department of Human Resources.

Sec. 210.10 **Applicants for Entrance Positions - Uniformed Ranks of Police Department**

Applicants for entrance positions in the Uniformed Ranks of the Police Department shall not be less than 20 years of age at the time of taking the examination, nor less than 21 years of age at the time of appointment.

Sec. 210.11 **Recruitment of Applicants**

Recruitment shall be conducted to attract qualified applicants. Where appropriate or needed, the Human Resources Director or his or her designee shall conduct outreach and recruitment programs, including cooperative efforts with community organizations, to attract qualified candidates.

Sec. 210.12 **Review of Applicant Pool Demographics**

When there is underrepresentation of an ethnic or gender group for a specific class or occupational category, the Human Resources Director or his or her designee shall review the ethnic and gender demographics of the pool of qualified applicants. Where the pool of applicants does not reflect the demographics of the relevant labor market, and upon consideration of factors such as the number of anticipated vacancies and the level of underrepresentation, the Human Resources Director or his or her designee may take such action as appropriate including extending the filing period, reopening the examination for filing or canceling the examination.

Sec. 210.13 **Promotional Applicants**

Applicants for promotional examinations shall meet the requirements of the examination announcement under which they apply and be eligible to participate in an examination on a promotive basis as defined by the examination announcement.