



**CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**LONDON N. BREED
MAYOR**

Sent via Electronic Mail

October 5, 2023

NOTICE OF CIVIL SERVICE COMMISSION MEETING

**SUBJECT: PROPOSED AMENDMENTS TO CIVIL SERVICE COMMISSION
RULES: 113, 213, AND 313 CERTIFICATION OF ELIGIBLES TO
MODERNIZE AND EXPEDITE HIRING**

The above matter will be considered by the Civil Service Commission at a hybrid meeting (in-person and virtual) in Room 400, City Hall, 1 Dr. Goodlett Place, San Francisco, California 94102 and through Cisco WebEx to be held on **October 16, 2023, at 2:00 p.m.**

This item will appear on the Regular Agenda. Please refer to the attached Notice for procedural and other information about Commission hearings.

Attendance by you or an authorized representative is welcome. Should you or your representative not attend, the Commission will rule on the information previously submitted and testimony provided at its meeting. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance.

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG
Executive Officer

Attachment

Cc: All Unions
All Departmental Personnel Officers
Commission File
Commissioners' Binder
Chron

NOTICE OF COMMISSION HEARING POLICIES AND PROCEDURES

A. Commission Office

The Civil Service Commission office is located at, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. The telephone number is (628) 652-1100. The fax number is (628) 652-1109. The email address is civilservice@sfgov.org and the web address is www.sfgov.org/civilservice/. Office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday.

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C. Policy on Written Submissions by Appellants

All written material submitted by appellants to be considered by the Commission in support of an agenda item shall be submitted to the Commission office, no later than 5:00 p.m. on the fourth (4th) business day preceding the Commission meeting for which the item is calendared (ordinarily, on Tuesday). An original copy on 8 1/2-inch X 11 inch paper, three-hole punched on left margin, and page numbered in the bottom center margin, shall be provided. Written material submitted for the Commission's review becomes part of a public record and shall be open for public inspection.

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For items on the *Regular Agenda*, presentation by the departmental representative for a maximum time of five (5) minutes and response by the opponent for a maximum time limit of five (5) minutes.

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1. Opening summary of case (brief overview);
2. Discussion of evidence;
3. Corroborating witnesses, if necessary; and
4. Closing remarks.

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The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week. For American Sign Language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the Commission office to make arrangements for the accommodation. Late requests will be honored, if possible.

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**CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**LONDON N. BREED
MAYOR**

Sent via Electronic Mail

September 21, 2023

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RULES: 113, 213, AND 313 CERTIFICATION OF ELIGIBLES TO
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CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22)

Refer to Civil Service Commission Procedure for Staff - Submission of Written Reports for Instructions on Completing and Processing this Form

1. Civil Service Commission Register Number: 0200 - 23 - 5
0201 - 23 - 5

2. For Civil Service Commission Meeting of: October 16, 2023

3. Check One: Ratification Agenda
 Consent Agenda
 Regular Agenda ✓
 Human Resources Director's Report

4. Subject: **Proposed Changes to Civil Service Commission Rules: 102, 202, and 302 Definitions; 109, 209, and 309 Position Classification; 114, 214, and 314 Appointments; 120, 220, and 320 Leaves of Absence; 121, 221, and 321 Layoffs to Modernize and Expedite Hiring.**

Proposed Amendments to Civil Service Commission Rules: 113, 213, AND 313 Certification of Eligibles to Modernize and Expedite Hiring.

5. Recommendation: Accept the Report and Post Proposed Amended Rules

6. Report prepared by: Carol Isen, Director Telephone number: (415) 557-4815

7. Notifications: **(Attach a list of the person(s) to be notified in the format described in IV. Commission Report Format -A).**

8. Reviewed and approved for Civil Service Commission Agenda:

Human Resources Director: 

Date: **October 5, 2023**

9. Submit the original time-stamped copy of this form and person(s) to be notified (see Item 7 above) along with the required copies of the report to:

**Executive Officer
Civil Service Commission
25 Van Ness Avenue, Suite 720
San Francisco, CA 94102**

RECEIVED
2023 OCT 05 10:55:45
EXECUTIVE OFFICER
CIVIL SERVICE COMMISSION
SAN FRANCISCO

10. Receipt-stamp this form in the ACSC RECEIPT STAMP box to the right using the time-stamp in the CSC Office.

Attachment

CSC-22 (11/97)

<p><u>CSC RECEIPT STAMP</u></p>
--

Notifications

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Rule 113 Certification of Eligibles

Article I: General Principles

Applicability: Article I, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Article II: Definitions

Applicability: Article II, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Article III: Application of Certification Rules

Applicability: Article III, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Article IV: Personnel Requisitions

Applicability: Article IV, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Article V: Administration of Certifications

Applicability: Article V, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Article VI: Selective Certification of Certified Temporary Employees

Applicability: Article VI, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Rule 113

Certification of Eligibles

Article I: General Principles

Applicability: Article I, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Sec. 113.1 General Policy

113.1.1 The Civil Service Commission endorses and supports the broadening of the Rules governing certification of eligibles from civil service eligible lists and considers this broadening as an increase in opportunities for appointing officers to select employees who are best suited to perform the duties of specific positions and to provide greater opportunities to maximize multicultural diversity of the work force in the City and County of San Francisco.

113.1.2 Selection of employees from eligible lists shall be based on merit and fitness without regard to relationship, race, religion, gender, national origin, ethnicity, age, disability, gender identity, political affiliation, sexual orientation, ancestry, marital status, color, medical condition or other non-merit factors or otherwise prohibited nepotism or favoritism. Appointing officers and their designees shall be responsible for establishing non-discriminatory selection procedures which may include by way of example but not limitation, scheduling each interested eligible for interview, reviewing application materials, conducting interviews by a diverse panel, and asking job-related questions. The Civil Service Commission endorses and supports efforts to de-identify the names, address, and other personal information whenever screening determinations are conducted prior to the selection of certified eligible for interviews. Appointing officers/designees shall also be responsible for maintaining documentation of selection criteria, including efforts to de-identify eligibles' information. Departments shall make reports as requested by the Civil Service Commission on merit system issues such as recruitment, examination, and certification and selection procedures. The Human Resources Director shall report to the Civil Service Commission on the progress of the implementation of de-identification on a quarterly basis for two (2) years and thereafter on a schedule to be determined.

113.1.3 Implementation of the Rule by the Human Resources Director

Implementing this Rule, the Human Resources Director shall:

- 1) adhere to all rules, policies, procedures, and directives of the Civil Service Commission and all relevant Charter provisions of the City and County of San Francisco, and
- 2) ensure that such rules, policies, procedures, directives, and Charter provisions are adhered to by all departments as delegated by the Human Resources Director, and
- 3) take any action necessary to ensure compliance with federal, state and local anti-discrimination laws, ordinances or regulations.

Rule 113

Certification of Eligibles

Article II: Definitions

Applicability: Article II, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Sec. 113.2 **Certification Rules**

113.2.1 **Rule of Three Scores**

The Department of Human Resources shall certify to the appointing officer the names of eligibles with the three (3) highest scores on the list of eligibles for the position who are available for appointment.

113.2.2 **Rule of Three or More Scores**

The names of all eligibles standing at a specified number of scores with a minimum of at least those eligibles with three (3) scores shall be certified to each available position.

113.2.3 **Rule of the List**

The names of all eligibles on the eligible list shall be certified to each available position.

Sec. 113.3 **Certification Date**

The Certification Date is the date on which the Department of Human Resources certifies to the appointing officer the names of eligibles available for appointment in accordance with the established certification rule as provided under this Article II.

Sec. 113.4 **Notice of Certification**

Eligibles on the eligible list shall be simultaneously notified each time that the Department of Human Resources certifies their names to an appointing officer for a position as provided under this Article II.

Sec. 113.5 **Notice of Inquiry**

Upon receipt of the confidential certified list of names of eligibles available for appointment in accordance with the established certification rule, the appointing officer may issue a Notice of Inquiry to those eligibles for the purpose of:

Sec. 113.5 **Notice of Inquiry (cont.)**

- 1) Assessing the eligibles' interest in the specific position in the department; and/or
- 2) Requesting additional information or submissions from the eligibles as part of the selection process.

Sec. 113.6 **Exhaustion of the List****113.6.1** **Rule of Three Scores**

An eligible list adopted under the Rule of Three Scores shall in all cases be exhausted when eligibles standing at fewer than three (3) scores are available. Use of the eligible list when there is fewer than the minimum certification available shall be at the discretion of the appointing officer.

113.6.2 **Rule of Three or More Scores**

An eligible list adopted under the Rule of Three or More Scores shall in all cases be exhausted when there are fewer than three (3) scores available. Use of the eligible list when there is fewer than the minimum certification available shall be at the discretion of the appointing officer.

113.6.3 **Rule of the List**

An eligible list adopted under the Rule of the List shall be exhausted when there are fewer than one third of the number of eligibles on the original list still available; provided, however, if the original list had nine (9) or fewer eligibles, at least three (3) eligibles must be available; for original lists with forty-five (45) or more names, at least fifteen (15) eligibles must be available. In the event that application of the one-third formula specified above results in a fraction, the next highest number shall be used. Use of the list when there is fewer than the minimum certification available shall be at the discretion of the appointing officer.

113.6.4 **Human Resources Director Authority**

The Human Resources Director has the authority to declare an eligible list exhausted in cases wherein there are fewer eligibles than vacant positions in the class. All affected eligibles shall be notified of the exhaustion of the eligible list.

Rule 113

Certification of Eligibles

Article III: Application of Certification Rules

Applicability: Article III, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Sec. 113.7 Certification Rules Applicable to Employees in all

113.7.1 Rule of Three Scores

1) For Promotive only (P) and Combined Promotive and Entry (CPE) eligible lists, unless mutually agreed between the employee organization representing the class and the Human Resources Director to use a broader Certification Rule, the Rule of Three Scores shall be used exclusively except for Entry (E) only and “continuous list classes”.

2) The Department of Human Resources shall certify to the appointing officer the confidential list of candidate names with the three (3) highest scores on the list who are available for appointment to the position. Eligibles' information, including names on eligible lists shall not be made public, unless required by law.

3) Except as otherwise provided, when there are two (2) or more approved personnel requisitions on file for the same class, the number of scores certified shall be equal to the number of positions to be filled plus two (2) scores. An eligible list adopted under the Rule of Three Scores shall in all cases be exhausted when eligibles standing at fewer than three (3) scores are available. Use of the eligible list when there is fewer than the minimum certification available shall be at the discretion of the appointing officer.

4) If all eligibles at a score waive appointment or fail to respond within the time limits provided in these Rules, the appointing officer may request supplementary certification(s) from the next highest score(s).

113.7.2 Expansion of Certification Rules

1) Unless otherwise directed by the Human Resources Director, the certification rule for Entry (E) and continuous testing eligible lists shall be Rule of the List.

~~1)2)~~ Notwithstanding any other provisions of these Rules, the Human Resources Director is authorized to meet and confer with representatives of employee organizations to reach mutual agreement over the Certification Rule applicable to each of the classes covered by this Section except unless otherwise directed by the Department of Human Resources those eligible lists in classes designated Entry (E) and continuous testing by the Human Resources Director. If the parties fail to reach mutual agreement, the Rule

of Three Scores shall be used.

~~2)3)~~ The agreed-upon Certification Rule shall be promulgated as a term of the examination announcement and the agreed-upon Certification Rule shall not be appealable to the Civil Service Commission.

Sec. 113.7 Certification Rules Applicable to Employees in all classes (cont.)**113.7.3 Rule of Three or More Scores****1) For a Single (1) Position**

A confidential list of names of all eligibles standing at a specified number of scores with a minimum of at least those eligibles with three (3) scores shall be certified to each available position. Eligibles' information, including names on eligible lists shall not be made public, unless required by law.

2) When More Than One Position Available

Except as may otherwise be provided, when there are two or more approved personnel requisitions on file for the same class, the number of scores certified shall be equal to the number of positions to be filled plus the number of scores in the Certification Rule applicable to the eligible list being certified minus one.

3) When Eligible List Exhausted

An eligible list adopted under the Rule of Three or More Scores shall in all cases be exhausted when there are fewer than three (3) scores available. Use of the eligible list when there is fewer than the minimum certification available shall be at the discretion of the appointing officer.

4) Supplementary Certification

If all eligibles at a score waive appointment or fail to respond within the time limits provided in these Rules, the appointing officer may request supplementary certification(s) from the next highest score(s).

113.7.4 Rule of the List

1) The confidential list of names of all eligibles on the eligible list shall be certified to each available position.

2) When Eligible List is Exhausted

An eligible list adopted under the Rule of the List shall be exhausted when there are fewer than one third of the number of eligibles on the original list still available provided, however, if the original list had nine (9) or fewer eligibles, at least three (3) eligibles must be available; for original lists with forty-five (45) or more names, at least fifteen (15) eligibles must be available. In the event that application of the one-third formula specified above results in a fraction, the next highest number shall be used. Use of the list when there is fewer than the minimum certification available shall be at the discretion of the appointing officer.

Sec. 113.7 Certification Rules Applicable to Employees in all classes (cont.)

113.7.5 Establishment of Certification Rule

- 1) The Human Resources Director shall establish the Certification Rule for each class by specifying the Certification Rule to be used to administer the eligible list in the first examination announcement for the class after the adoption of this section.
- 2) Once established, the Certification Rule shall be used to administer all future eligible lists in the class unless otherwise ordered by the Human Resources Director.
- 3) In establishing the Certification Rule, the Human Resources Director may consult with appointing officers, representatives of employee organizations and other pertinent parties.

Rule 113

Certification of Eligibles

Article IV: Personnel Requisitions

Applicability: Article IV, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Sec. 113.8 Personnel Requisitions

113.8.1 Requirement for Personnel Requisitions

Whenever a position is to be filled, the appointing officer shall issue a personnel requisition on the prescribed form. Fully approved personnel requisitions shall immediately be time stamped in the order of receipt in the Department of Human Resources.

113.8.2 Separate or Group Personnel Requisitions

A separate personnel requisition shall be made for each permanent position to be filled. Group personnel requisitions may only be made for temporary positions.

113.8.3 Cancellation of Personnel Requisitions

Upon written request by the appointing officer indicating good cause, cancellation of a personnel requisition may be allowed by the Human Resources Director.

113.8.4 Priority of Personnel Requisitions

Except as otherwise provided in these Rules, certification shall be made in accordance with priority of approval of the personnel requisition in the Department of Human Resources or the date to report to duty, whichever is later.

113.8.5 Tenure of Temporary Appointments

1) Temporary employments may be requisitioned for periods not to exceed twelve (12) months.

2) Original personnel requisitions for fewer than twelve (12) months may be extended from the date of appointment but may not exceed the maximum allowable personnel requisition time. Upon completion of the allowable maximum time, the temporary appointment(s) may be extended when funds are available and when the employee continues to have standing on an eligible list for that class.

Sec. 113.8 **Personnel Requisitions (cont.)**

113.8.5 **Tenure of Temporary Appointments (cont.)**

3) Beginning on the effective date of this Rule, the Department of Human Resources shall keep records of the number of temporary employments extended as provided in this Rule. On July 30, 1977, and each July 30 thereafter, a list of extended temporary employments for the past fiscal year shall be made available for public inspection.

113.8.6 **Flexible Staffing Personnel Requisitions**

A personnel requisition for a permanent vacancy filled by an appointee in accordance with the flexible staffing authority of the Salary Ordinance shall also be valid for subsequent certification for appointment of the same eligible, when qualified, to the class designated on the personnel requisition.

Rule 113

Certification of Eligibles

Article V: Administration of Certifications

Applicability: Article V, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Sec. 113.9 **Notice of Certification**

For each available position, the Department of Human Resources shall certify to the appointing officer a confidential list of the names of all eligibles who are available for appointment in accordance with the established certification rule as provided under Article II of this Rule. Eligibles' information, including names on eligible lists shall not be made public, unless required by law.

The Department of Human Resources shall simultaneously notify each eligible of such certification to the hiring department(s). This Notice of Certification shall be informational only and shall not require a response from the eligibles.

Sec. 113.10 **Notice of Inquiry**

113.10.1 As provided under Article II of this Rule, an appointing officer may issue a Notice of Inquiry to eligibles available for appointment in accordance with the established certification rule for the purpose of assessing interest in a specific position in the department, and/or to obtain additional information or submissions as part of the selection process.

113.10.2 Eligibles are required to respond to a Notice of Inquiry within a minimum period as determined by the Human Resources Director not to be less than three (3) business days. The response period may be extended by the Human Resources Director. In establishing the minimum period, the Human Resources Director shall consider, among other factors, availability of technology to respond, number of eligibles, stability and reliability of the messaging platform in sending and receiving notifications, extent of access by eligibles to the means for receiving timely notification, and complexity of the selection procedures.

113.10.3 If all eligibles at a score waive the opportunity or fail to respond to a Notice of Inquiry within the response period time limit, the hiring department may consider eligibles from the next highest score(s) in accordance with Article III of this Rule.

Sec. 113.11 **Certification Results**

Departments are required to notify the Department of Human Resources of

the results of a certification within twenty (20) business days after the date of the Notice of Certification. This deadline may be extended by the Human Resources Director. Upon notification of the selection of a reachable eligible, the Human Resources Director shall post the appointee's name, department, classification, and rank on the eligible list. DHR will, on a regular basis, report to the CSC on the departmental response time and the reason(s) for delay in responding to a referral.

Sec. 113.12 **Waivers****113.12.1** **General Waivers**

An eligible may be placed on an inactive status under general waiver of certification on an eligible list as follows:

- 1) At the eligible's written request. Such waivers shall be effective on the next business day.
- 2) A person appointed to a permanent position shall be under general waiver for all appointments on all eligible lists for the same class. A person appointed to a temporary position shall be under general waiver for temporary appointment on all eligible lists for the same class. Such waiver may not be withdrawn unless ordered by the Human Resources Director.
- 3) For reasons prescribed elsewhere in these Rules.
- 4) An eligible under general waiver shall not be certified to any position on the eligible list until the eligible notifies the Department of Human Resources to withdraw such waiver in writing as prescribed in these Rules. General waivers imposed by the Commission or Human Resources Director may not be removed unless ordered by the Civil Service Commission or Human Resources Director.

113.12.2 **Waiver of Part-Time Employment**

Any part-time position may be declared by the Human Resources Director to be under conditional waiver and eligibles may then waive certification without penalty for appointment to a full-time position. An eligible who accepts such appointment shall retain eligibility for appointment to a full-time position.

113.12.3 **Conditional Waivers**

Except as provided by the examination announcement, waiver of certification to positions with unusual employment circumstances or special conditions of employment may be imposed by:

- 1) the eligible to be effective the next business day;
- 2) the Civil Service Commission; or
- 3) the Human Resources Director.

Conditional waivers on an eligible list imposed by the eligible shall remain in force until withdrawn in accordance with these Rules.

Sec. 113.12 **Waivers (cont.)****113.12.4** **Effects of Waivers**

- 1) A general or conditional waiver of certification by an eligible having standing on more than one (1) list in the same class shall apply to any existing list for the same class.
- 2) An eligible who waives certification to a position covered by conditional waivers shall not be certified to a position requiring those conditions from that list until such waiver is removed in accordance with the provisions of these Rules.
- 3) Unless otherwise provided in the examination announcement, eligibles may refuse two (2) offers of employment resulting from certification off of the eligible list. Refusal of a third (3rd) offer of employment shall result in the removal of the eligible's name from that eligible list and all other lists in that class.

113.12.5 **Withdrawal of Waivers**

- 1) Withdrawal of general or conditional waivers imposed by the eligible must be filed in writing with the Department of Human Resources.
- 2) Such requests must be received in the Department of Human Resources offices before the close of business on the third (3rd) Friday of the month to be effective the first (1st) business day of the following month. In the event the third (3rd) Friday is a legal holiday, such requests must be received by the close of business on the next business day.
- 3) Withdrawal of waivers which have been imposed by the Commission or the Human Resources Director may be authorized at any time and become effective the first (1st) business day of the following month unless specifically ordered otherwise.
- 4) Withdrawal of waivers shall not interfere with nor affect the rights of eligibles whose names have been certified to the appointing officer.
- 5) Immediate withdrawal of waiver may be authorized by the Human Resources Director, if it is determined that such immediate withdrawal of waiver is in the best interests of the Service.

Sec. 113.13 **Change of Address**

Eligibles are responsible for notifying the Department of Human Resources of any change of address.

Rule 113

Certification of Eligibles

Article VI: Selective Certification of Certified Temporary Employees

Applicability: Article VI, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Sec. 113.14 Selective Certification of Certified Temporary Employees

- 113.14.1** Notwithstanding anything to the contrary in this or any other section of these Rules, an employee who has been appointed from a regularly adopted eligible list to a non-permanent position shall be entitled to appointment to a permanent position within the same class before the certification of persons standing higher on the list of eligibles subject to a period of six (6) months of service in the class or for the period provided for in the examination announcement in any status and certification by the appointing officer(s) of satisfactory job performance for the period of the required service on the form and in the manner prescribed by the Human Resources Director.
- 113.14.2** The Human Resources Director is authorized to take such administrative action not in conflict with these Rules as is required to make this section operative including imposition and removal of waivers.

Rule 213 Certification Of Eligibles - Police Department

Rule 213

Certification of Eligibles - Police Department

Applicability: Rule 213 shall apply to all classes of the Uniformed Ranks of the San Francisco Police Department

Article I: Personnel Requisitions

Sec. 213.1 Personnel Requisitions

Article II: Certification Of Eligibles

Sec. 213.2 Certification of Eligibles - General Policy

Sec. 213.3 Certification Rules

Sec. 213.4 Requirement for Secondary Criteria Applicable to All Certification Rules

Sec. 213.5 Certification Rules – General Provisions Applicable to All Certification Rules

Sec. 213.6 Certification of Entry Eligible List

Sec. 213.7 Certification of Promotive Eligible List – Rule of Ten Scores

Article III: Administration of Certification

Sec. 213.8 Response Period

Sec. 213.9 Effect of Failure to Respond

Sec. 213.10 Waivers

Sec. 213.11 Change of Address

Rule 213

Certification of Eligibles - Police Department

Article I: Personnel Requisitions

Applicability: Rule 213 shall apply to all classes of the Uniformed Ranks of the San Francisco Police Department

Sec. 213.1 Personnel Requisitions

213.1.1 Requirement for Personnel Requisitions

Whenever a position is to be filled, the appointing officer shall issue a personnel requisition on the prescribed form. Fully approved personnel requisitions shall immediately be time stamped in the order of receipt in the Department of Human Resources.

213.1.2 Separate or Group Personnel Requisitions

A separate personnel requisition shall be made for each permanent position to be filled. Group personnel requisitions may only be made for temporary positions.

213.1.3 Cancellation of Personnel Requisitions

Upon written request by the appointing officer indicating good cause, cancellation of a personnel requisition may be allowed by the Human Resources Director.

213.1.4 Priority of Personnel Requisitions

Except as otherwise provided in these Rules, certification shall be made in accordance with priority of approval of the personnel requisition in the Department of Human Resources or the date to report to duty, whichever is later.

213.1.5 Flexible Staffing Personnel Requisitions

A personnel requisition for a permanent vacancy filled by an appointee in accordance with the flexible staffing authority of the Salary Ordinance shall also be valid for subsequent certification for appointment of the same eligible, when qualified, to the class designated on the personnel requisition.

Rule 213**Certification of Eligibles - Police Department****Article II: Certification of Eligibles**

Applicability: Rule 213 shall apply to all classes of the Uniformed Ranks of the San Francisco Police Department

Sec. 213.2 Certification of Eligibles - General Policy

213.2.1 The Civil Service Commission endorses and supports the broadening of the Rules governing certification of eligibles from the civil service eligible lists and considers this broadening as an increase in opportunities for appointing officers to select employees who are best suited to perform the duties of specific positions. Selection of employees from eligible lists shall be based on merit and fitness without regard to relationship, race, religion, gender, national

origin, ethnicity, age, disability, gender identity, political affiliation, sexual orientation, ancestry, marital status, color, medical condition or other non-merit factors or otherwise prohibited nepotism or favoritism. Appointing officers and their designees shall be responsible for establishing non-discriminatory selection procedures which may include by way of example but not limitation, scheduling each interested eligible for interview, reviewing application materials, conducting interviews by a diverse panel, and asking job-related questions. Appointing officer/designee shall also be responsible for maintaining documentation of selection criteria and reviewing the proposed selection with the department's Equal Employment Opportunity Officer or with the Department of Human Resources Equal Employment Opportunity Unit. Unless otherwise instructed by the Civil Service Commission, the Police Department shall annually report to the Civil Service Commission on the selection process. In addition to the annual reports, the Department shall make regular reports as requested by the Civil Service Commission on merit system issues such as recruitment, examination, and certification and selection procedures. For further clarification, prior to the issuance of any job announcement, secondary criteria shall be presented to the Civil Service Commission for its approval in advance to ensure compliance with Civil Service Commission Rules and policy and will be discussed in open session with all parties interested.

213.2.2 Implementing this Rule, the Human Resources Director shall:

- 1) adhere to all rules, policies, procedures, and directives of the Civil Service Commission and all relevant Charter provisions of the City & County of San Francisco, and
- 2) ensure that such rules, policies, procedures, directives, and Charter provisions are adhered to by all decentralized units as delegated by the Human Resources Director, and
- 3) take any action necessary to ensure compliance with federal, state and local anti-discrimination laws, ordinances or regulations.

Sec. 213.3 Certification Rules

213.3.1 Rule of Three Scores

- 1) The Department of Human Resources shall certify to the appointing officer the names of eligibles with the three (3) highest scores on the list of eligibles for the position who are available for appointment.
- 2) Except as otherwise may be provided, when there are two (2) or more approved personnel requisitions on file for the same class, the number of scores certified shall be equal to the number of positions to be filled plus two (2) scores. An eligible list adopted under the Rule of Three Scores shall in all cases be exhausted when eligibles standing at less than three (3) scores are available. Use of the eligible list when there is less than the minimum certification available shall be at the discretion of the appointing officer.

213.3.2 Rule of Three or More Scores

1) The names of all eligibles standing at a specified number of scores with a minimum of at least those eligibles with the three (3) highest scores shall be certified to each available position.

2) Except as otherwise may be provided, when there are two (2) or more approved personnel requisitions on file for the same class, the number of scores certified shall be equal to the number of positions to be filled plus the number of scores in the certification rule applicable to the eligible list being certified minus one.

213.3.3 Rule of Ten Scores

1) The Department of Human Resources shall certify to the appointing officer the names of eligibles with the ten (10) highest scores on the list of eligibles for the position who are available for appointment.

2) Except as otherwise may be provided, when there are two (2) or more approved personnel requisitions on file for the same class, the number of scores certified shall be equal to the number of positions to be filled plus nine (9) scores. An eligible list adopted under the Rule of Ten Scores shall in all cases be exhausted when eligibles standing at less than three (3) scores are available. Use of the eligible list when there is less than the minimum certification available shall be at the discretion of the appointing officer.

213.3.4 Rule of the List

1) The names of all eligibles on the eligible list shall be certified to each available position.

2) An eligible list adopted under the Rule of the List shall be exhausted when there are less than one third of the number of eligibles on the original list still available, provided however, if the original list had nine (9) or fewer eligibles, at least three (3) eligibles must be available. ~~In the event that~~ If application of the one-third formula specified above results in a fraction, the next highest number shall be used. Use of the list when there is less than the minimum certification available shall be at the discretion of the appointing officer.

Sec. 213.4 Requirement for Secondary Criteria Applicable to All Certification Rules

213.4.1 The Police Chief/Designee shall be responsible for establishing non-discriminatory selection procedures. Prior to the issuance of any job announcement, secondary criteria shall be presented to the Civil Service Commission for its approval in advance to ensure compliance with Civil Service Commission Rules and policy; and will be discussed in open session with all parties interested.

213.4.2 Selection of an eligible within the certification shall be made under the authority and direction of the Police Chief/Designee.

213.4.3 The Police Chief/Designee shall develop secondary criteria to guide the selection process following the certification of eligibles on the list of eligibles for the position who are available for appointment.

213.4.4 Secondary criteria may include but need not be limited to experience(s), training and employment history.

213.4.5 Secondary criteria shall be job related.

213.4.6 Secondary criteria shall not be based on relationship, race, religion, gender, national origin, ethnicity, age, disability, gender identity, political affiliation, sexual orientation, ancestry, marital status, color, medical condition, or other non-merit factors or otherwise prohibited nepotism or favoritism.

Sec. 213.5 Certification Rules – General Provisions Applicable to All Certification Rules

If all eligibles at a score waive appointment or fail to respond within the time limits provided in these Rules, the appointing officer may request supplementary certification(s) from the next highest score(s).

Sec. 213.6 Certification of Entry Eligible List

The entry level Certification Rule to be utilized shall be established and announced on the examination announcement. For entry level eligible lists, the Department of Human Resources shall certify to the Police Chief/Designee the names of eligibles available for appointment under the Rule of the List.

Sec. 213.7 Certification of Promotive Eligible List – Rule of Ten Scores

For each referral from promotive eligible lists, the Certification Rule shall be the Rule of Ten Scores.

Sec. 213.8 Certification of Eligible List – Continuous List Class

The certification rule for all eligible lists that the Human Resources Director designates as “continuous list class” shall be Rule of the List.

Rule 213

Certification of Eligibles - Police Department

Article III: Administration of Certification

Applicability: Rule 213 shall apply to all classes of the Uniformed Ranks of the San Francisco Police Department

Sec. 213.~~89~~ Response Period

213.~~89~~.1 Notice of Inquiry

1) Eligibles are required to respond in writing to the Department of Human Resources within a minimum period from the date of such notice not to be less than three (3) business days as established by the Human Resources Director. In establishing the minimum period, the Human Resources Director shall consider, among other factors, availability of technology to respond, number of eligibles, the stability and reliability of the messaging platform in sending and receiving notifications, extent of access by eligibles to the means for receiving timely notification, and complexity of the selection procedures.

2) The Human Resources Director may authorize that eligibles be polled by telephone, provided however, that eligibles who cannot be reached by telephone shall not be penalized or adversely affected in any way.

213.~~89~~.2 Notice of Certification

1) Eligibles are required to notify the Department of Human Resources/appointing officer or designated representative within a minimum period not to be less than three (3) business days after the date of such notice as determined by the Human Resources Director. In establishing the minimum period, the Human Resources Director shall consider, among other factors, availability of technology to respond, number of eligibles, the stability and reliability of the messaging platform in sending and receiving notifications, extent of access by eligibles to the means for receiving timely notification, and complexity of the selection procedures.

2) Eligibles are required to notify the Department of Human Resources as to their certification status within a minimum period not to be less than three (3) business days after the Notice of Certification as determined by the Human Resources Director. In establishing the minimum period, the Human Resources Director shall consider, among other factors, availability of technology to respond, number of eligibles, the stability and reliability of the messaging platform in sending and receiving notifications, extent of access by eligibles to the means for receiving timely notification, and complexity of the selection procedures.

3) The Police Department is required to notify the Department of Human Resources of the results of a certification within twenty (20) business days after the date of the Notice of Certification.

213.~~89~~.3 Extensions

Response period time limits may be extended by the Human Resources Director or his or her designee.

Sec. 213.~~910~~ Effect of Failure to Respond

213.~~910~~.1 An eligible who fails to respond within the time limits provided shall be placed under general waiver on the eligible list until such time as the waiver is withdrawn in accordance with these Rules.

213.910.2 Except if the Human Resources Director determines that unusual circumstances exist which would create an undue hardship, the Police Department may be required to present the reasons for a delay in providing the results of the certification to the Civil Service Commission.

Sec. 213. ~~1011~~ Waivers

213. ~~1011.1~~ General Waivers

An eligible may be placed in an inactive status under general waiver of certification of an eligible list as follows:

- 1) At the eligible's request. Such waivers shall be effective on the next business day.
- 2) For failure to respond to a Notice of Certification or Inquiry within the prescribed time limits.
- 3) For failure to notify the Department of Human Resources as to the eligible's status within seven (7) days following certification.
- 4) A person appointed to a permanent position shall be under general waiver for all appointments on all eligible lists for the same class. A person appointed to a temporary position shall be under general waiver for temporary appointment on all eligible lists for the same class. Such waiver may not be withdrawn unless ordered by the Human Resources Director or his or her designee.
- 5) For reasons prescribed elsewhere in these Rules.
- 6) An eligible under general waiver shall not be certified to any position on the eligible list until the eligible notifies the Department of Human Resources in writing to withdraw such waiver as prescribed in these Rules. General waivers imposed by the Human Resources Director or his or her designee may not be removed unless ordered by the Civil Service Commission, the Human Resources Director or his or her designee.

213. ~~1011.2~~ Waiver of Part-Time Employment

Any part-time position may be declared by the Human Resources Director to be under conditional waiver and eligibles may then waive certification without penalty for appointment to a full-time position. An eligible who accepts such appointment shall retain eligibility for appointment to a full-time position.

213. ~~1011.3~~ Conditional Waivers

Except as provided by the examination announcement, waiver of certification to positions with unusual employment circumstances or special conditions of employment may be imposed by:

- 1) the eligible to be effective the next business day;
- 2) the Civil Service Commission; or
- 3) the Human Resources Director or his or her designee.

Conditional waivers on an eligible list imposed by the eligible shall remain in force until withdrawn in accordance with these Rules.

213.~~1011~~.4 Effects of Waivers

- 1) A general or conditional waiver of certification by an eligible having standing on more than one list in the same class shall apply to any existing list for the same class.
- 2) An eligible who waives certification to a position covered by conditional waivers shall not be certified to a position requiring those conditions from that list until such waiver is removed in accordance with the provisions of these Rules.
- 3) Unless otherwise provided in the examination announcement, eligibles may refuse consideration for temporary or permanent appointment from two (2) Notices of Certification. Refusal of consideration from the third (3rd) Notice of Certification shall result in removal of the eligible's name from that eligible list and all other lists in that class. The non-selection by the department of an available eligible shall not be recorded as a refusal.
- 4) Unless otherwise ordered by the Human Resources Director, if one (1) Notice of Certification is issued for more than one (1) department or position and the eligible refuses a position not previously waived, a refusal shall be recorded against the eligible's name on the list.

213.~~1011~~.5 Withdrawal of Waivers

- 1) Withdrawal of general or conditional waivers imposed by the eligible must be filed in writing with the Department of Human Resources.
- 2) Such requests must be received in the Department of Human Resources offices before the close of business on the third (3rd) Friday of the month to be effective the first (1st) business day of the following month. If the third (3rd) Friday is a legal holiday, such requests must be received by the close of business on the next business day.
- 3) Withdrawal of waivers which have been imposed by the Civil Service Commission or the Human Resources Director or his or her designee may be authorized at any time and become effective the first business day of the following month unless specifically ordered otherwise.
- 4) Withdrawal of waivers shall not interfere with nor affect the rights of eligibles next in line for certification to whom the Notices of Certification have already been mailed and who have been or may be appointed in response to such notices.
- 5) Immediate withdrawal of waiver may be authorized by the Human Resources Director or his or her designee, if it is determined that such immediate withdrawal of waiver is in the best interests of the Service.

Sec. 213.~~1112~~ Change of Address

In all cases of change of address, the Department of Human Resources must be notified in writing separately for each class involved. Notice of changes of address to the Post Office and/or the employee's current department only shall not be a reasonable excuse for special consideration in cases of failure to respond to any notice within the time limits.

Rule 313

Certification of Eligibles - Fire Department

Applicability: Rule 313 shall apply to all classes of the Uniformed Ranks of the San Francisco Fire Department.

Article I: Personnel Requisitions

Sec. 313.1 Personnel Requisitions

Article II: Certification Rules - Entry and Promotive

Sec. 313.2 Certification of Eligibles – General Policy

Sec. 313.3 Certification Rules

Sec. 313.4 Certification Rules – General Provisions Applicable to All Certification Rules

Sec. 313.5 Certification of Entry Eligible List

Sec. 313.6 Certification of Promotive Eligible List – Statistically Valid Grouping

Article III: Administration of Certifications

Sec. 313.7 Response Period

Sec. 313.8 Effect of Failure to Respond

Sec. 313.9 Waivers

Sec. 313.10 Change of Address

Rule 313

Certification of Eligibles - Fire Department

Article I: Personnel Requisitions

Applicability: Article I, Rule 313 shall apply to all classes of the Uniformed Ranks of the San Francisco Fire Department.

Sec. 313.1 Personnel Requisitions

313.1.1 Requirement for Personnel Requisitions

Whenever a position is to be filled, the appointing officer shall issue a personnel requisition on the prescribed form. Fully approved personnel requisitions shall immediately be time stamped in the order of receipt in the Department of Human Resources.

313.1.2 Separate or Group Personnel Requisitions

A separate personnel requisition shall be made for each permanent position to be filled. Group personnel requisitions may only be made for temporary positions.

313.1.3 Cancellation of Personnel Requisitions

Upon written request by the appointing officer indicating good cause, cancellation of a personnel requisition may be allowed by the Human Resources Director.

313.1.4 Priority of Personnel Requisitions

Except as otherwise provided in these Rules, certification shall be made in accordance with priority of approval of the personnel requisition in the Department of Human Resources or the date to report to duty, whichever is later.

313.1.5 Tenure of Temporary Appointments

1) Temporary employments may be requisitioned for a period not to exceed twelve (12) months.

Sec. 313.1 Personnel Requisitions (cont.)

313.1.5 Tenure of Temporary Appointments (cont.)

2) Original personnel requisitions for less than twelve (12) months may be extended from the date of appointment but may not exceed the maximum allowable personnel requisition time. Upon completion of the allowable maximum time, the temporary appointment(s) may be extended when

funds are available and when the employee continues to have standing on an eligible list for that class.

3) Beginning on the effective date of this Rule, the Department of Human Resources shall keep records of the number of temporary employments extended as provided in this Rule. On July 30, 1977, and each July 30 thereafter, a list of extended temporary employments for the past fiscal year shall be made available for public inspection.

313.1.6 Flexible Staffing Personnel Requisitions

A personnel requisition for a permanent vacancy filled by an appointee in accordance with the flexible staffing authority of the Salary Ordinance shall also be valid for subsequent certification for appointment of the same eligible, when qualified, to the class designated on the personnel requisition.

Rule 313

Certification of Eligibles - Fire Department

Article II: Certification Rules - Entry and Promotive

Applicability: Article II, Rule 313 shall apply to all classes of the Uniformed Ranks of the San Francisco Fire Department.

Sec. 313.2 Certification of Eligibles – General Policy

313.2.1 The Civil Service Commission endorses and supports the broadening of the Rules governing the certification of eligibles from civil service eligible lists and considers this broadening as an increase in opportunities for appointing officers to select employees who are best suited to perform the duties of specific positions and to ensure equal employment opportunity to all persons. Selection of employees from eligible lists shall be based on merit and fitness without regard to relationship, race, religion, sex, national origin, ethnicity, age, disability, gender identity, political affiliation, sexual orientation, ancestry, marital status, color, medical condition or other non-merit factors or otherwise prohibited nepotism or favoritism. Appointing officers and their designees shall be responsible for establishing non-discriminatory selection procedures which may include scheduling each interested eligible for interview, conducting interviews by a diverse panel, asking job-related questions, maintaining documentation of selection criteria, and reviewing the proposed selection with the department's Equal Employment Opportunity Officer or with the Department of Human Resources Equal Employment Opportunity Unit. Unless otherwise instructed by the Civil Service Commission, the Fire Department shall annually report to the Civil Service Commission on the selection process. In addition to the annual reports, the Department shall make regular reports as requested by the Civil Service Commission on merit system issues such as recruitment, examination, and certification and selection procedures. For further clarification, prior to the issuance of any job announcement, secondary criteria shall be presented to the Civil Service Commission for its approval in advance and will be discussed in open session with all parties interested.

313.2.2 In implementing this Rule, the Human Resources Director shall:

- adhere to all rules, policies, procedures, and directives of the Civil Service Commission and all relevant Charter provisions of the City & County of San Francisco, and
- ensure that such rules, policies, procedures, directives, and Charter provisions are adhered to by all decentralized units as delegated by the Human Resources Director, and
- take any action necessary to ensure compliance with federal, state and local anti-discrimination laws, ordinances or regulations.

Sec. 313.3 Certification Rules

313.3.1 Rule of Three Scores

1) The Department of Human Resources shall certify to the appointing officer the names of eligibles with the three highest scores on the list of eligibles for the position who are available for appointment.

2) Except as otherwise may be provided, when there are two (2) or more approved personnel requisitions on file for the same class, the number of scores certified shall be equal to the number of positions to be filled plus two scores. An eligible list adopted under the Rule of Three Scores shall in all cases be exhausted when eligibles standing at less than three (3) scores are available. Use of the eligible list when there is less than the minimum certification available shall be at the discretion of the appointing officer.

313.3.2 Rule of Three or More Scores

1) The names of all eligibles standing at a specified number of scores with a minimum of at least those eligibles with the three highest scores shall be certified to each available position.

2) Except as otherwise may be provided, when there are two (2) or more approved personnel requisitions on file for the same class, the number of scores certified shall be equal to the number of positions to be filled plus the number of scores in the certification rule applicable to the eligible list being certified minus one.

Sec. 313.3.3 Rule of the List

1) The names of all eligibles on the eligible list shall be certified to each available position.

2) An eligible list adopted under the Rule of the List shall be exhausted when there are less than one third of the number of eligibles on the original list still available, provided however, if the original list had nine (9) or fewer eligibles, at least three (3) eligibles must be available. If application of the one-third formula specified above results in a fraction, the next highest number shall be used. Use of the list when there is less than the minimum certification available shall be at the discretion of the appointing officer.

Sec. 313.3.4 Statistically Valid Grouping (Sliding Band)

1) The Department of Human Resources shall certify to the appointing officer the names of eligibles that are within a statistically valid grouping/sliding band of scores (“grouping”).

2) The grouping shall be determined through the standard error of the difference (SED) of the examination multiplied by a confidence factor of 1.96. Eligibles within the grouping are considered to be of comparable knowledge, skills, and abilities with respect to the areas tested on the examination.

3) If at any time, the highest score in the grouping is exhausted, the grouping will slide so that its upper limit rests on the highest score remaining on the list. Any additional eligibles whose scores fall within the new grouping shall be certified to available positions. The grouping shall also slide

if all eligibles at the highest score waive or fail to respond within the time limits provided in this Rule.

4) Charter Section 10.101 provides that the minimum rule for the certification of eligibles shall be the Rule of Three Scores. Therefore, if at any time the grouping includes fewer than three scores, then the Department of Human Resource shall certify to the appointing officer the names of eligibles with the three highest scores as described in Section 313.3.1 of this Rule.

5) Selection of an eligible within the grouping shall be made under the authority and direction of the appointing officer.

6) The appointing officer shall develop secondary criteria to guide the selection process.

7) Secondary criteria may include but need not be limited to experience(s), training and employment history.

8) Secondary criteria shall be job related.

9) Secondary criteria shall not be based on relationship, race, religion, gender, national origin, ethnicity, age, disability, gender identity, political affiliation, sexual orientation, ancestry, marital status, color, medical condition, or other non-merit factors or otherwise prohibited nepotism or favoritism.

Sec. 313.4 Certification Rules – General Provisions Applicable to All Certification Rules

313.4.1 If all eligibles at a score waive appointment or fail to respond within the time limits provided in these Rules, the appointing officer may request supplementary certification(s) from the next highest score(s).

313.4.2 The Certification Rule established at the time of the announcement may be appealed to the Civil Service Commission provided such appeal is received by the Executive Officer by close of business on the fifth (5th) working day (excluding Saturdays, Sundays, and holidays) following the postmarked mailing date of notification to the appellant. Such appeals shall be limited to an expansion of the Certification Rule beyond the Rule of Three Scores. The decision of the Civil Service Commission shall be final, and no reconsideration shall be allowed. Use of the Statistically Valid Grouping under Section 313.3.4 of this Rule applied to a promotive eligible list shall not be subject to appeal.

Sec. 313.5 Certification of Entry Eligible List

The entry level Certification Rule to be utilized shall be established and announced on the examination announcement. For entry level eligible lists, the Department of Human Resources shall certify to the appointing officer the names of eligibles available for appointment under the Rule of Three Scores, Rule of Three or More Scores, Statistically Valid Grouping, or Rule of the List.

Sec. 313.6 Certification of Promotive Eligible List – Statistically Valid Grouping

For a promotive eligible list, the Department of Human Resources shall certify to the appointing officer the names of eligibles available for appointment in the Statistically Valid Grouping under Section 313.3.4 of this Rule.

Sec. 313.7 Certification of Eligible List – Continuous List Class

The certification rule for all eligible lists that the Human Resources Director designates as “continuous list class” shall be Rule of the List.

Rule 313

Certification of Eligibles - Fire Department

Article III: Administration of Certifications

Applicability: Article III, Rule 313 shall apply to all classes of the Uniformed Ranks of the San Francisco Fire Department.

Sec. 313.~~78~~ Response Period

313.~~78~~.1 Notice of Inquiry

1) Eligibles are required to respond in writing to the Department of Human Resources within a minimum period from the date of such notice not to be less than three (3) business days as established by the Human Resources Director. In establishing the minimum period, the Human Resources Director shall consider, among other factors, availability of technology to respond, number of eligibles, the stability and reliability of the messaging platform in sending and receiving notifications, extent of access by eligibles to the means for receiving timely notification, and complexity of the selection procedures.

313.~~78~~.2 Notice of Certification

1) Eligibles are required to respond to the appointing officer or designated representative within a minimum period after the date of such Notice not to be less than three (3) business days as established by the Human Resources Director. In establishing the minimum period, the Human Resources Director shall consider, among other factors, availability of technology to respond, number of eligibles, the stability and reliability of the messaging platform in sending and receiving notifications, extent of access by eligibles to the means for receiving timely notification, and complexity of the selection procedures.

2) Eligibles are required to notify the Department of Human Resources as to their certification status within a minimum period not to be less than three (3) business days after the date of the Notice of Certification as established by the Human Resources Director. In establishing the minimum period, the Human Resources Director shall consider, among other factors, availability of technology to respond, number of eligibles, the stability and reliability of the messaging platform in sending and receiving notifications, extent of access by eligibles to the means for receiving timely notification, and complexity of the selection procedures.

3) Departments are required to notify the Department of Human Resources of the results of a certification within twenty (20) business days after the date of the Notice of Certification.

313.~~78~~.3 Extensions

Response period time limits may be extended by the Human Resources Director.

Sec. 313.~~89~~ Effect of Failure to Respond

313.~~89~~.1 An eligible who fails to respond within the time limits provided shall be placed under general waiver on the eligible list until such time as the waiver is withdrawn in accordance with these Rules.

313.~~89~~.2 Except if the Human Resources Director determines that unusual circumstances exist which would create an undue hardship, a department that fails to respond within the time limits provided may be required to present the reasons for the delay to the Commission.

Sec. 313.~~910~~ Waivers**313.~~910~~.1 General Waivers**

An eligible may be placed on an inactive status under general waiver of certification on an eligible list as follows:

- 1) At the eligible's written request. Such waivers shall be effective on the next business day.
- 2) For failure to respond to a Notice of Certification or Inquiry within the prescribed time limits.
- 3) For failure to notify the Department of Human Resources as to the eligible's status within seven (7) days following certification.
- 4) A person appointed to a permanent position shall be under general waiver for all appointments on all eligible lists for the same class. A person appointed to a temporary position shall be under general waiver for temporary appointment on all eligible lists for the same class. Such waiver may not be withdrawn unless ordered by the Human Resources Director.
- 5) For reasons prescribed elsewhere in these Rules.
- 6) An eligible under general waiver shall not be certified to any position on the eligible list until the eligible notifies the Department of Human Resources to withdraw such waiver in writing as prescribed in these Rules. General waivers imposed by the Commission or Human Resources Director may not be removed unless ordered by the Civil Service Commission or Human Resources Director.

313.~~910~~.2 Waiver of Part-Time Employment

Any part-time position may be declared by the Human Resources Director to be under conditional waiver and eligibles may then waive certification without penalty for appointment to a full-time position. An eligible who accepts such appointment shall retain eligibility for appointment to a full-time position.

313.910.3 Conditional Waivers

Except as provided by the examination announcement, waiver of certification to positions with unusual employment circumstances or special conditions of employment may be imposed by:

- 1) the eligible to be effective the next business day;
- 2) the Civil Service Commission; or
- 3) the Human Resources Director.

Conditional waivers on an eligible list imposed by the eligible shall remain in force until withdrawn in accordance with these Rules.

313.910.4 Effects of Waivers

- 1) A general or conditional waiver of certification by an eligible having standing on more than one list in the same class shall apply to any existing list for the same class.
- 2) An eligible who waives certification to a position covered by conditional waivers shall not be certified to a position requiring those conditions from that list until such waiver is removed in accordance with the provisions of these Rules.
- 3) Unless otherwise provided in the examination announcement, eligibles may refuse consideration for temporary or permanent appointment from two (2) Notices of Certification. Refusal of consideration from the third (3rd) Notice of Certification shall result in the removal of the eligible's name from that eligible list and all other lists in that class. The non-selection by the department of an available eligible shall not be recorded as a refusal.
- 4) Unless otherwise ordered by the Human Resources Director if one (1) Notice of Certification is issued for more than one (1) department or position and the eligible refuses a position not previously waived, a refusal shall be recorded against the eligible's name on the list.

313.910.5 Withdrawal of Waivers

- 1) Withdrawal of general or conditional waivers imposed by the eligible must be filed in writing with the Department of Human Resources.
- 2) Such requests must be received in the Department of Human Resources offices before the close of business on the third (3rd) Friday of the month to be effective the first (1st) business day of the following month. If the third (3rd) Friday is a legal holiday, such requests must be received by the close of business on the next business day.
- 3) Withdrawal of waivers which have been imposed by the Commission or the Human Resources Director may be authorized at any time and become effective on the first (1st) business day of the following month unless specifically ordered otherwise.

4) Withdrawal of waivers shall not interfere with nor affect the rights of eligibles next in line for certification to whom Notices of Certification have already been mailed and who have been or may be appointed in response to such notices.

5) Immediate withdrawal of waiver may be authorized by the Human Resources Director, if it is determined that such immediate withdrawal of waiver is in the best interests of the Service.

Sec. 313.1011 Change of Address

In all cases of change of address, the Department of Human Resources must be notified in writing separately for each class involved. Notice of change of address to the Post Office and/or the employee's current department only shall not be a reasonable excuse for special consideration in case of failure to respond to any notice within time limits.