

MAUMELLE CIVIL SERVICE COMMISSION MEETING
Monday June 28, 2021
6:00 PM
AGENDA

Call to order ... Chairman Herrington

Public Comment (Not related to an agenda item) Form must be completed.

OLD BUSINESS:

- June 14's minutes will be approved at the July 12, 2021, meeting.
- Discussion and a possible vote on a draft proposed amendment to the City's Rules and Regulations regarding the Police and Fire Departments' entrance exams.

NEW BUSINESS:

Additional comments

Motion to Adjourn.

PUBLIC NOTICE

The Maumelle Civil Service Commission, in a special meeting on June 28, 2021 will hold a public hearing prior to voting on proposed changes to its rules and regulations. The meeting is open to the public and will begin at 6:00 pm in the Council Chambers located in City Hall, 550 Edgewood Drive.

MEMORANDUM

**TO: CIVIL SERVICE COMMISSION
DOREEN MATTES, DIRECTOR OF HUMAN RESOURCES
CHIEF GERALD EZELL
CHIEF CORY PICKARD
MAYOR CALEB NORRIS**

FROM: MELISSA KREBS, CITY ATTORNEY

DATE: June 15, 2021

RE: (Post Commission Meeting) REVISIONS FOR CONSIDERATION

In accordance with Chairman Herrington's request, please find proposed language for an amendment to the Civil Service Regulations concerning examination for new hire eligibility. Upon approval of the proposed language, notice of a public hearing and consideration of the amendment must be published and the actual amendment will be voted on following a public hearing (a special meeting planned for June 28, 2021). For your benefit, I have indicated the language to be added by underlining and struck through language to be omitted. (Other than headings which appear underlined in the Regulations.)

VI. RULES AND REGULATIONS

CHAPTER ONE: NEW APPOINTEES Reference

Generally: Ark. Code Ann. § 14-51-301.

Qualifications for Appointment

Appointment to a position with civil service rank shall first require that the applicant (1) meet the minimum requirements for that rank and (2) be certified by the Civil Service Commission as eligible for appointment. Certification shall be based on competitive examinations.

Minimum Requirements

Each applicant shall be a citizen of the United States who has arrived at the age of twenty-one (21) years as of the date of the offer of employment, and each applicant for the Maumelle Police Department shall meet the minimum requirements established for certification by the Arkansas Commission on Law Enforcement Standards and Training.

Notice of Examination

The Director of Human Resources shall give public notice of all open competitive examinations at least ten (10) days in advance of the closing dates for receipt of applications by posting notices thereof in or near the Department of Human Resources and in a newspaper having a bona fide circulation in the city.

Written Examination Dates

The Commission may authorize written examinations to be held once per year and such written examinations may be held more often if deemed necessary by the Commission. The Department of Human Resources is authorized to advertise and hold entrance testing during the month of October of each year, and more often if necessary. The Department of Human Resources is given the discretion to make adjustments on testing dates within the recommended time frame as necessary.

Reference: MCC 2-663.

Competitive Examination

State law requires fair and impartial examinations for applicants to positions. The Civil Service Commission shall determine or approve the examination instrument(s) to be used.

Each applicant, whose application has been accepted for any examination shall be notified, by mail, of the time, date and place of the examination and such notice shall be his/her authorization to take an examination. Without such authorization or other satisfactory evidence of the acceptance of his/her application by the Director of Human Resources, applicants shall not be admitted to examinations. A driver's license or other identification may be required for admission to an examination.

Eligibility Lists

As soon as is practical after any written examination, the Civil Service Commission shall consider the results of the examination and compile a list of successful applicants on the written portion of the examination. In order to be considered a "successful applicant," an applicant must answer at least seventy percent (70%) of the written examination questions correctly. Successful applicants are eligible to move forward in the process and take any other examination (including physical abilities testing) which is ~~required~~ permitted by these regulations and approved for the respective departments. Applicants scoring less than seventy percent (70%) on the written examination will not be included on the eligibility list for further required testing and will not be eligible to participate in any further testing or evaluation. Upon the approval of the Civil Service Commission, applicants may be awarded additional points toward their overall score for jobrelated experience and qualifications, which shall include, but not be limited to, veteran status with a discharge that is neither classified as dishonorable nor "bad conduct;" certification as a law enforcement officer in the State of Arkansas; certification as a firefighter, Emergency Medical Technician or paramedic in the State of Arkansas; a criminal justice degree from an accredited institution; a degree in a different job-related field (for example, psychology, social work or conflict resolution) that is approved by the department chief from an accredited institution; or

experience working as an emergency dispatcher, call taker or operator equivalent. Additional points for all job-related qualifications and experience may not exceed ten (10) points and will be announced prior to each job posting.¹

Eligibility Lists

Following the conclusion of all elements of the examination, or if no other tests are required, the Civil Service Commission shall complete its review of the examination process and approve the eligibility list. The Commission shall enter the names of successful applicants upon the appropriate list in order of their final score. In the event of a tie in scoring of entry-level applicants, the Department of Human Resources shall separate those tied in scores by a random process, such as drawing by lot which shall be witnessed and documented.² The list shall then be certified. The original of this list shall be placed on file with the Director of Human Resources. All lists for appointments as certified by the Civil Service Commission shall be and remain in force and effect for the period of one (1) year from date of certification. At the end of this period, all right of priority under the list(s) shall cease. A list may be deemed by the Civil Service Commission to be exhausted if fewer than three available eligible candidates remain on the list.

In the event more than one eligibility list is in force and effect, priority shall be given to the eligibility list certified earliest. A list with priority shall be fully exhausted, in fact or by the Civil Service Commission, before providing names from the next list in priority. However, if fewer than three (3) names remain on an unexhausted certified entrance list with highest priority, all remaining applicants will be provided from that list, unless deemed exhausted by the Civil Service Commission, and the applicants standing highest on the next list in priority order will be provided until a total of three (3) applicants have been provided to the respective Chief.³

Notification

Each applicant passing the examination shall be notified by mail by the Director of Human Resources of their final score and their numerical position on the list as soon as the list has been certified. An applicant who fails the examination shall be notified of their failure. To the extent possible, an applicant may review his/her answer sheet in the office of the Department of Human Resources and seek confirmation as to their performance on the test. Answer sheets for each applicant will be maintained during the period that the entrance list is certified for appointment and thereafter will be destroyed. A manifest error on the test paper or in any phase of an examination shall be corrected by the Civil Service Commission, if the error is proven by the weight of the evidence, but such correction shall not invalidate any appointment previously made.

¹ Section change approved by the Maumelle Civil Service Commission on June 28, 2021.

² Rule change approved by the Maumelle Civil Service Commission on June 9, 2014.

³ Rule change approved by the Maumelle Civil Service Commission on October 8, 2018.

Certification

After the entrance list is certified, the Department of Human Resources shall, upon request, provide to the respective Chief of Police or Chief of Fire the names of the three (3) applicants standing highest on the certified entrance list for appointment for that rank of service. Reference: Ark Code Ann. § 14-51-301(6)

Selection

When a position in an entry level civil service rank becomes vacant, the Chief of the Department

of Police or the Department of Fire will be provided the top three (3) names remaining on the certified list. The Chief may select for appointment one (1) of the three (3) applicants on the entrance list certified by the Commission. If not selected or disqualified, the candidate shall remain on the eligibility list until the list expires pursuant to these rules.⁴ If the list provided to the respective chief is deemed fully exhausted without an appointment being made, then prior to the transmission of a new list of the next three (3) eligible applicants, the City Human Resources Director will verify to the Commission that written reasons for rejection of previous applicants have been received. This procedure shall be repeated until a selected applicant accepts appointment.

The applicant selected for appointment shall be given written notice and shall have ten (10) days to accept the appointment. Upon failure to accept the appointment, that applicant shall forfeit all rights under the entrance list. Unless the applicant makes written application to the respective Chief of Police or Chief of Fire within the ten (10) day period and receives, at the discretion of the Chief, additional time in which to accept the appointment, the Chief may select from the remaining applicants from the certified entrance list. After appointment of an applicant to fill a position, all remaining applicants for appointment, including those certified but not selected, shall remain on the entrance list.

The Director of Human Resources shall notify the Commission of the person appointed.

(Footnote numbers will be changed to correspond with previous numbers in the document).

VIII. ADOPTION OF RULES

Adoption of Rules

Pursuant to *Sections 14-51-101 et seq. of the Arkansas Code Annotated*, the Statutes, and public notice having been given and public hearing having been held in accordance with the provisions of said Statutes, the Maumelle Civil Service Commission has made and does hereby promulgate the foregoing rules and regulations applicable to and governing the administration and enforcement of the provisions of said Statute. The rules and regulations may be changed

⁴ Rule change approved by the Maumelle Civil Service Commission on June 28, 2021.

or amended from time to time by the Civil Service Commission as in the judgment of the Commission may seem desirable or necessary. This authority is granted under the Statutes after notice is given and the Civil Service Commission holds public hearings.

Revised and Adopted at the ~~April 13, 2020~~, June 28, 2021 meeting of the Maumelle Civil Service Commission.
