



Department of Human Resources

MAYOR
Oscar Leeser

TO: Ethan Gomez, Solid Waste Worker
FROM: Mary Wiggins, Chief Human Resources Officer *MW*
DATE: November 7, 2024

CITY COUNCIL

District 1
Brian Kennedy

SUBJECT: Discussion and action on appeal of disqualification to take examination and/or removal of name from eligible list for HVAC Technician for the Environmental Services Department in accordance with CSC Rule 5, Section 1 (A) and HR application policy section, C (A)

District 2
Dr. Josh Acevedo

District 3
Cassandra Hernandez

Your appeal has been placed on the Civil Service Commission Agenda as Item #7 for their meeting to be held on **Thursday evening, November 14 2024**. The meeting will be at **6:00 P.M.**, in the **Main Conference Room, 2nd Floor, City Hall (300 N. Campbell)**. Please attend the meeting to answer any questions the Commission may have regarding this matter. Failure to attend the meeting to address the Commission may result in your appeal being deemed withdrawn.

District 4
Joe Molinar

District 5
Isabel Salcido

Please call Claudia Cancellare, Employee Relations Officer, at (915) 212-1498 or Cecy Mungaray, Employee Relations Officer at (915) 212-1430 if you have any questions.

District 6
Art Fierro

District 7
Henry Rivera

If you have any questions, please call Symone Menchaca at (915) 212-1242.

District 8
Chris Canales

CITY MANAGER
Dionne Mack

*Item #7
Disqualification
Appeal
Ethan Gomez*

Mary Wiggins PHR, SHRM-CP – Chief Human Resources Officer
Department of Human Resources | 300 N. Campbell | El Paso, TX 79901
O: (915) 212-0045 | Email: WigginsML@elpasotexas.gov





Civil Service Commission Appeal

Applicant Name: Ethan Gomez
Current Position and Grade: Solid Waste Service Worker GS 045
Position and Grade Applying For: HVAC Technician GS 55
Exam Plan: 18704-0924

Reason for Disqualification:
Applicant lacks one (1) year of experience in HVAC installation, maintenance, and repair.

Minimum Qualifications:
High School Diploma or GED and completion of an accredited HVAC training program, and two (2) years of work experience in HVAC installation, maintenance, and repair. Valid Texas Class "C" Driver's License or equivalent from another state by the time of appointment. State of Texas Air Conditioning and Refrigeration Technician Certification by time of appointment.

Applicant Qualifications:

Education: Associates degree of Occupational Studies in Refrigeration and HVAC Technology. TDLR License: Registered Air Conditioning & Refrigeration Technician

Experience: None.

Comments:

This position requires a High School Diploma or GED and completion of an accredited HVAC training program, and two (2) years of work experience in HVAC installation, maintenance, and repair, a valid Texas Class "C" Driver's License or equivalent from another state by the time of appointment, and a State of Texas Air Conditioning and Refrigeration Technician Certification by time of appointment.

Mr. Gomez provided a Supplementary Work experience form indicating that he has "two years of school experience of HVAC in troubleshooting and refrigeration". However, he did not provide any work related experience. Because of this, Mr. Gomez lacks one (1) year of work experience in HVAC installation, maintenance, and repair. He was credited one (1) year of work experience due to his Associates degree.

Under the Civil Service Rules and Regulations, Rule 5 Application and Promotional Process and Lateral Transfer Process, Section 1, Filing of Applications, subsection 1a. "The Human Resources Director, subject to appeal to the Commission, will refuse to examine an applicant, or after examination to certify him as eligible and will remove his name from the eligible list for any of the following reasons, in each case to be fully documented: (a) He is found to lack any of the minimum requirements established in the classification for the position and grade for which he applies."





Civil Service Commission Appeal

Applicable City Rules and Policies:

Ordinance 8065 – Civil Service Commission Rule 5, Section 1 (a).
Application and Appeals Policy

(Please refer to Attachment A)
(Please refer to Attachment B)

Prepared By: Elizabeth Perez

Reviewed By: Julia Farmer

HR-HCM Review: *Erica Salamanca* **Date:** 10/30/2024

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COMMISSION



Civil Service Commission Appeal

Recruitment Factsheet

Exam Plan Title: HVAC Technician 18704-0924 (Continuous Recruitment)

Recruiting Department: Airport

Total Applications

Rec'd: 90

of Internal Applicants: 13

of External Applicants: 77

Total # of Applicants Failed

Minimum Qualifications:

Lacked Education: 0

Lacked Experience: 3

Lacked Ed & Exp: 3

Other: 2

Total # of qualified to taking

Exam: 36

Total # Failed the
Exam: **18**

of Internal Applicants: 6

of External Applicants: 12

No-Show to Exam: 0

of Internal Applicants: 0

of External Applicants: 0

**Total # of Applicants who
passed the Examination 18**

Qualified City Employees: 3

Qualified External Applicants: 15

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Appeal Form

To Whom It May Concern:

I, Ethan Allen Gómez, hereby appeal my disqualification to take the examination for: HVAC Technician [Examination Title]

Date notified of disqualification: 9/24/24

Disqualified Under **CIVIL SERVICE RULE (C.S.C.)** and/or **HUMAN RESOURCES (HR) POLICY**:
Check all boxes that are applicable.

Lacks Minimum Qualification – Rule 5.1.(a) <input checked="" type="checkbox"/>	Convicted of a felony, or a misdemeanor – Rule 5.1.(b) <input checked="" type="checkbox"/>
Human Resources Policy: Dismissed from Public Service <input type="checkbox"/>	Dismissed from City Employment <input type="checkbox"/>
OTHER <input type="checkbox"/> _____ (write specific C.S.C. Rule or HR Policy you are appealing)	

C.S.C. Rule 5.1.(a) Applicant Does Not Meet Minimum Qualification	YES	NO
Do you meet the educational requirements as stated in the job specification for this position?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Can you provide official proof of Education or other requirements, official transcripts, original or certified copies of diplomas?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do you meet the minimum required experience as stated in the job specification for this position?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you list your education and/or experience on your application?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Detail your qualifying experience (use additional paper if necessary)

I completed my education at Western Technical College for 2 years and obtained incredibly amounts of knowledge in the HVAC program. I have knowledge of how to do sheet metal, adding refrigerant to a system and troubleshooting Along with 6+ years of customer service

C.S.C. Rule 5.1.(b) Conviction of Felony or Misdemeanor	YES	NO
Is your conviction job related to the position sought?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the conviction hinder your ability to perform the duties of this position?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please detail why your conviction will not affect your job performance. Please submit any supporting documentation regarding this issue.

N/A because I have no convictions of any sort I have a clean record.



HR Policy: Dismissed from Public Service	YES	NO
HR Policy: Dismissed from City Employment		
Are the circumstances of your dismissal related to the duties of the position being sought?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please detail the circumstances involving your dismissal from public service. Please provide any supporting documentation regarding this issue.

N/A because I have no dismissals of any sort at all

Other _____ (cite specific Rule or HR Policy you are appealing).

Please explain what you are appealing

I am writing an appeal for the HVAC technician because I do have the qualifications that I had forgotten to add to my application.

I am fresh out of college and looking to stay within the City Departments as I am currently working for Environmental Services.

For the part on the application that asks for the relative that works in the city is my father Matthew Andres Carrasco and his position is Operations Coordinator for Environmental Services as well. I can provide my proof of degree in a separate email along with my HVAC Technician license.

Name: Ethan Gomez

Address:

City/State/Zip

Telephone: _____

Person ID #: (Neogov)

Stamp

Applicant Signature: _____

Ethan Gomez

Date:

9/26/24

Received by CSC

Please note: In accordance with the Texas Public Information Act, information from your application and/or résumé is subject to release to the public.

The electronic transmission of this appeal form via e-mail will constitute a signature:

Check signifies electronic signature



SUPPLEMENTARY WORK EXPERIENCE

City of El Paso

300 N. Campbell, 1st Floor, El Paso, TX 79901
915-212-0045
http://www.elpasotexas.gov

NAME: (Last, First, Middle)

Gomez, Ethany Allen

Person ID#

[REDACTED]

SS #: (last 4 digits)

[REDACTED]

Additional experience for the position of : *Hvac technician*

I currently have 2 years of School Experience of Hvac in trouble shooting and Refrigeration.

WORK EXPERIENCE

DATES:

From: *Nov 2022* To: *Current*

EMPLOYER:

CITY OF EL PASO Environmental Services

PHONE NUMBER:

[REDACTED] 915-212-6000

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

7969 San Paulo Dr. 79907 El Paso, TX

POSITION TITLE:

Solid Waste Worker

SUPERVISOR:

Adrian De La Cruz

HOURS PER WEEK:

40 hours

SALARY:

\$2032.32

MAY WE CONTACT THIS EMPLOYER?

Yes No

DUTIES:

My Job duties here in Environmental Services is collecting waste on a rear loader truck and to ensure the streets of El Paso are trash free and ~~clean~~ clean while providing the best customer service.

REASON FOR LEAVING:

I'm currently still working

Note: I understand that this information will not be added to my original online application and will only be used to further evaluate the position indicated on this form. E.G Initials or check for electronic initials

Signature *Ethany Gomez*

Date *10/03/24*

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



Western Technical College

Upon the Recommendation of the Faculty
has conferred on

Ethan A. Gomez

the Degree of

Associate of Occupational Studies

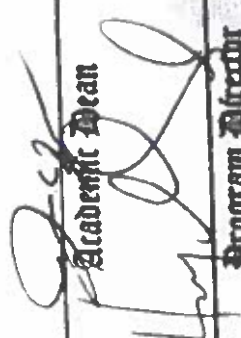

In Refrigeration and HVAC Technology

with all its Rights, Honors and Responsibilities

Given at El Paso City in the State of Texas

On the twenty second day of April two thousand twenty-four




Academic Dean

Program Director

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Campus President

Date: 4/23/2024

Western Technical College - Eastside Campus

9624 Plaza Circle
El Paso, TX 79927
www.westerntech.edu

Student: Ethan A Gomez

Student ID: [REDACTED]

DOB: [REDACTED]

Original Start Date: 6/22/2022

Student GPA: 3.51

Program: Associate of Occupational Studies in Refrigeration and HVAC Technology
Enrollment #: G022072945
Start Date: 6/22/2022
Status: Graduate
Grad Date: 4/22/2024

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 22SU 2022 Summer Semester					
AM101	Applied Math I	2.50	2.50	B+	9.38
TF101	Technical Fundamentals	2.50	2.50	B	8.75
TF102	Technical Fundamentals Lab	1.50	1.50	A-	6.00
Term GPA: 3.71		6.50	6.50		24.13

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 22FA 2022 Fall Semester					
AM102	Applied Math II	2.50	2.50	B-	7.50
EL102	Basic Electricity	2.50	2.50	B	8.75
EL103	Basic Electricity Lab	1.50	1.50	A+	6.00
BWE104	Business Writing Essentials	2.00	2.00	A+	8.00
FR103	Fundamentals of Refrigeration	2.50	2.50	A	10.00
FR104	Fundamentals of Refrigeration Lab	1.50	1.50	A	6.00
Term GPA: 3.70		12.50	12.50		46.25

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 23SP 2023 Spring Semester					
AC106	Air Conditioning	2.50	2.50	B-	7.50
AC107	Air Conditioning Lab	1.50	1.50	A	6.00
GS105	General Sheet Metal	2.00	2.00	A-	8.00
HS109	Heating Systems	2.50	2.50	B+	9.38
HS110	Heating Systems Lab	1.50	1.50	A-	6.00
RM207	Refrigerant Management I	2.00	2.00	A-	8.00
Term GPA: 3.74		12.00	12.00		44.88

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 23SU 2023 Summer Semester					
ACC201	Commercial Air Conditioning	2.50	2.50	A-	10.00

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 23FA 2023 Fall Semester					
ACC202	Commercial Air Conditioning Lab	1.50	1.50	B-	4.50
RM208	Refrigerant Management II	2.00	2.00	D-	3.00
IM204	Ice Machines	2.00	2.00	B	7.00
RC203	Commercial Refrigeration	2.50	2.50	B-	7.50
RC204	Commercial Refrigeration Lab	1.50	1.50	B-	4.50
Term GPA: 3.04		12.00	12.00		39.50



Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 23FA 2023 Fall Semester					
HEM206	Electric Motors and Controls	2.50	2.50	B	8.75
HEM207	Electric Motors and Controls Lab	1.50	1.50	B+	5.63
REA210	Renewable Energy Applications	2.00	2.00	C	5.00
HD1209	Diagnostics and Installation Procedures	2.50	2.50	C	6.25
HD1210	Diagnostics and Installation Procedures Lab	1.50	1.50	A+	6.00
HUCOMM1	Human Communication	2.00	2.00	B+	7.50
Term GPA: 3.28		12.00	12.00		39.13

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 24SP 2024 Spring Semester					
HIN209	Internship	5.00	5.00	A+	20.00
Term GPA: 4.00		5.00	5.00		20.00

Associate of Occupational Studies in Refrigeration and HVAC Technology | GPA: 3.51 | 60.00 | 60.00

Characteristics awarded for AOS in Refrigeration and HVAC Technology | 19 Months enrollment

Credential

Associate of Occupational Studies Degree

Date Awarded: 4/22/2024 | Date Cleared:

** Indicates Retaken Course
R* Indicates Retaken Override

Not official unless signed by registrar.

Indicates Pass/Fail Course
▲ Indicates ...

STATE OF TEXAS

ETHAN A GOMEZ

**REGISTERED AIR CONDITIONING &
REFRIGERATION TECHNICIAN**

ATDLR

**TEXAS DEPARTMENT OF
LICENSING & REGULATION**

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REGISTRATION NUMBER

EXPIRES 07/01/2025

TEXAS DEPARTMENT OF LICENSING & REGULATION

EMPLOYMENT APPLICATION	
	CITY OF EL PASO 300 N. Campbell El Paso, Texas 79901 915-212-0045 http://www.elpasotexas.gov Gomez, Ethan A 18704-0924 HVAC TECHNICIAN
Received: 9/6/24 5:58 PM For Official Use Only: QUAL: _____ DNQ: _____ <input type="checkbox"/> Experience <input type="checkbox"/> Training <input type="checkbox"/> Other: _____	

PERSONAL INFORMATION		
POSITION TITLE: HVAC TECHNICIAN	EXAM ID#: [REDACTED]	
NAME: (Last, First, Middle) Gomez, Ethan A	SOCIAL SECURITY NUMBER: N/A	
ADDRESS: (Street, City, State/Province, Zip/Postal Code) [REDACTED]	EMAIL ADDRESS: bopsallen@yahoo.com	
HOME PHONE: [REDACTED]		
DRIVER'S LICENSE: <input type="checkbox"/> Yes <input type="checkbox"/> No	DRIVER'S LICENSE: State: TX Number: [REDACTED]	LEGAL RIGHT TO WORK IN THE UNITED STATES? <input type="checkbox"/> Yes <input type="checkbox"/> No
What is your highest level of education? Associate's Degree		

PREFERENCES
Nothing Entered For This Section

EDUCATION		
DATES: From: 8/2022 To: 4/2024	SCHOOL NAME: Ethan A Gomez	
LOCATION: (City, State/Province) El Paso , Texas	DID YOU GRADUATE? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DEGREE RECEIVED: Professional
MAJOR: ASSOCIATES		
DATES: From: 8/2015 To: 6/2019	SCHOOL NAME: Ethan A Gomez	
LOCATION: (City, State/Province) El Paso , Texas	DID YOU GRADUATE? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DEGREE RECEIVED: Professional
MAJOR: HIGHSCHOOL DIPLOMA		

WORK EXPERIENCE
Nothing Entered For This Section

CERTIFICATES AND LICENSES
Nothing Entered For This Section

Skills
Nothing Entered For This Section

ADDITIONAL INFORMATION
Nothing Entered For This Section

REFERENCES
Nothing Entered For This Section



Job Specific Supplemental Questions

1. **What best describes your highest level of education?**
Associates degree or higher
2. **Have you completed an accredited HVAC training program? If yes, please upload proof of completion to your application.**
Yes
3. **How many years of experience do you have in HVAC installation, maintenance, and repair?**
One to two years
4. **Do you have a valid USA driver's license? If so, what type of driver's license do you have?**
Texas Class C or equivalent from another state.
5. **Do you have a valid State of Texas Air Conditioning and Refrigeration Technician Certification?**
Yes
6. **What best describes your level of knowledge of electronic, pneumatic, and manual HVAC controls?**
Good knowledge
7. **What best describes your ability to read and interpret refrigeration pressure charts, gauges electric, temperature, and humidity meters, and recording equipment?**
Good knowledge
8. **I understand that I am being tested on a conditional basis pending review of minimum qualifications. Note: Only applications that pass the Supplemental Questions exam will be reviewed.**
I understand that I am being tested on a conditional basis pending review of my minimum qualifications.
9. **Required supplemental questions and answers are considered an examination component and will generate a score.**
I understand my answers to the supplemental questions will generate a score.

The following terms were accepted by the applicant upon submitting the online application:

By clicking on the 'Accept' button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete answer may be grounds for not employing me or for dismissing me after I begin work. I understand that I will have to produce documentation verifying identity and employment eligibility in the U.S. I understand that I may be required to verify any and all information given on this application. I understand that this completed application is the property of the City of El Paso and will not be returned. I understand that the City of El Paso may contact prior employers and other references.

I understand that completion of this Application for Employment does not guarantee that I will be employed by the City of El Paso.

I hereby affirm that my answers to these statements and questions are true and correct to the best of my knowledge. I have not knowingly withheld any fact or circumstance that would, if disclosed, affect my application unfavorably.

I understand that any misrepresentation, deception, or false statement made in this Employment Application may result in my not being considered for employment, and if not discovered by the Company until after my becoming employed, is grounds for, and may result in, my immediate termination.

Application time limit: I understand that application forms are active for the length of the eligible list which is normally six months unless otherwise stated. All persons must reapply after that period.

Falsification: I understand that falsification of information listed on my application or presented to the City of El Paso can be grounds for serious reprimand or termination.

Employment testing: I understand that all required drug tests, pencil-and-paper tests, physical exams, or electronic or other tests will be used in the employment decision.

Condition of Employment: I understand that I must provide official proof of Education (transcripts, diplomas, certificates), driver's license (if required), within 3 days of being contacted with a job offer.

This application was submitted by Ethan A Gomez on 9/6/24 5:58 PM



HVAC Job Family							
Job Code	Current Job Title	Type of Position	Grade	FLSA Status	Education	Experience	Supervisory
18570	General Service Worker	Classified	GS 043	Non-Exempt	HS/GED	0	0
18540	Trades Helper	Classified	GS 045	Non-Exempt	HS/GED	2	0
18530	Facilities Maintenance Worker	Classified	GS 047	Non-Exempt	HS/GED	1	0
18535	General Service Lead Worker	Classified	GS 049	Non-Exempt	HS/GED	2	0
18740	Maintenance Mechanic	Classified	GS 051	Non-Exempt	HS/GED	2	0
18710	Lead Maintenance Mechanic	Classified	GS 054	Non-Exempt	HS/GED	3	0
18704	HVAC Technician	Classified	GS 054	Non-Exempt	HS/GED	2	0
18320	Facilities Maintenance Supervisor	Classified	GS 058	Non-Exempt	HS/GED	5	2
18310	Facilities Maintenance Superintendent	Classified	PM 130	Exempt	Associates/HSD	3 or 5	2

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City of El Paso
HVAC Technician

CLASS CODE	18704 GS 055	SALARY	\$20.68 - \$34.36 Hourly \$1,654.62 - \$2,748.85 Biweekly \$3,585.00 - \$5,955.83 Monthly \$43,020.00 - \$71,470.00 Annually
ESTABLISHED DATE	May 28, 2024	REVISION DATE	September 08, 2024

Minimum Qualifications

Education and Experience: High School Diploma or GED and completion of an accredited HVAC training program, and two (2) years of work experience in HVAC installation, maintenance, and repair.

Licenses and Certificates: Valid Texas Class "C" Driver's License or equivalent from another state by the time of appointment. State of Texas Air Conditioning and Refrigeration Technician Certification by time of appointment.

General Purpose

Under general supervision, performs complex, computerized routine, and non-routine HVAC equipment installation, repair and maintenance.

Typical Duties

Install and maintain computerized HVAC equipment. Involves: Repair and troubleshoot computerized heating or cooling system malfunctions to isolate problems or to verify that repairs corrected malfunctions. Repair or replace defective equipment, components, or wiring. Install or repair self-contained ground source heat pumps or hybrid ground or air source heat pumps to minimize carbon-based energy consumption and reduce carbon emissions. Install, connect, or adjust thermostats, humidistats, or timers. Install auxiliary components to HVAC equipment, such as expansion or discharge valves, air ducts, pipes, blowers, dampers, flues, or stokers. Braze or solder parts to repair defective joints and leaks. Adjust system controls to settings recommended by the manufacturer to balance the system. Inspect and test systems to verify system compliance with specifications or to detect and locate malfunctions. Installs and repairs small electric motors used in forced air systems. Fabricates and installs sheet metal ductwork for HVAC systems in City buildings. Installs new equipment according to the provided instructions. Test electrical circuits or components for continuity, using electrical test equipment. Study blueprints, design specifications, or manufacturers' recommendations to ascertain the configuration of heating or cooling equipment components and ensure the proper installation. Lay out and connect electrical wiring between controls and equipment, according to wiring diagrams. Perform mechanical overhauls and refrigerant reclaiming. Install expansion and control valves, using acetylene torches and wrenches. Mount compressors, condensers, and other components. Install dehumidifiers or related equipment for spaces that require cool, dry air to operate efficiently, such as computer rooms.

Performs routine preventive maintenance on HVAC and refrigeration equipment. Involves: Checks drain lines, clears pipes, and makes necessary repairs. Adjust and calibrate temperature control devices. Check and change air filters regularly. Perform scheduled inspections on large HVAC equipment, including chillers and boilers. Recommend, develop, or perform preventive or general maintenance procedures, such as power-washing, or vacuuming equipment, and oiling parts. Evaluate and assess facility issues, problems, and improvements; prepare estimates on small and large projects. Maintain equipment logs for assigned systems, records of work orders, and material requests.

Supervise assigned personnel. Involves: Organize and coordinate workflow. Instruct, review, guide and check work. Appraise employee performance. Provide training and development. Enforce personnel rules, regulations, and work and safety standards. Counsel, motivate, and maintain harmony. Interview applicants, and recommend hires, terminations, transfers, disciplinary action, leave, or other employee status changes.

Knowledge, Skills, and Abilities

- Application of considerable knowledge of the procedures, methods, and techniques used in HVAC installation, repair, and maintenance.
- Application of considerable knowledge of computer-controlled HVAC systems.
- Application of good knowledge of principles and practices of HVAC equipment design.
- Application of considerable knowledge of electronic, pneumatic, and manual HVAC controls.
- Ability to troubleshoot and repair electronic and pneumatic HVAC control systems.



City of El Paso - Class Specification Bulletin

- Ability to read and interpret refrigeration pressure charts, gauges electric, temperature, and humidity meters, and recording equipment.
- Ability to read and interpret wiring diagrams and schematics.
- Ability to perform preventive maintenance on large HVAC equipment including cooling towers and boilers.
- Ability to communicate clearly and effectively.

Other Job Characteristics

- Frequent exposure to temperature extremes, dust, dirt, grease, and loud noises.
- Frequent driving through city traffic.
- Subject to call back, and working flexible hours including weekends, holidays, and overtime.

Classification Status

(HR 05/28/2024), (HR 09/08/2024)

As provided under Classification and Compensation Ordinance 8064, Section 2.2., General purpose and typical duties summarized are only illustrative of work customarily assigned and performed. Typical requirements shown may be more specifically defined by additional job analysis.



Attachment A



RULE 5

Application and Promotional Process and Lateral Transfer Process

Section 1. Filing of Applications.

Except as otherwise provided for herein, applicants for all positions, must file an application with the Human Resource Department not later than the date specified in the job posting and in the manner prescribed in the job posting.

The Human Resources Director, subject to appeal to the Commission, will refuse to examine an applicant, or after examination to certify him as eligible and will remove his name from the eligible list for any of the following reasons, in each case to be fully documented:

- (a) He is found to lack any of the minimum requirements established in the classification for the position and grade for which he applies; or
- (b) He has been convicted of a felony, or a misdemeanor within seven (7) years from date of conviction, end of parole, or release from prison, which is determined to be job related to the position sought; or (Amended 8/25/09, 11/2/10)
- (c) He is found by the Commission to have committed any act, either while in the service of the City or otherwise, or to have any deficiency or disqualification which, in the judgment of the Commission, would be sufficient to constitute a just cause for discharge from the Civil Service as defined in Article VI, Section 6.13-3 of the Charter.

Section 2. Appeals from Disqualification from Examination.

a. Applicants who are disqualified from taking an examination may appeal to the Civil Service Commission provided they appeal within three (3) working days from the date of the notice. The three (3) working day period begins the date the notice was emailed. Individuals who appeal must file a written rebuttal in a format prescribed by the Human Resources Director. If the applicant fails to update their contact information or respond within the timelines set, no further action will be taken. (Amended 8/21/07, 8/25/09, 9/17/13)

b. Untimely appeals will not be accepted.

c. If the examination is held before the appeal is heard and determined by the Commission, the Human Resources Director may allow the applicant to take the examination conditionally pending the Commission's determination. If a conditional applicant fails to achieve a passing grade on an examination, the appeal shall be administratively dismissed and the appeal will not be forwarded to the Commission and no further action will be taken. (Amended 8/25/09)

Section 3. Frequency and Examination.

Examinations will be given whenever needed to fill a vacancy for which an adequate list does not exist. (Amended 12/11/84, 1/24/89, 8/21/07)

Section 4. Eligibility.

A person is eligible to take promotional examinations after actual service in a regular position for six months and when he fully meets the qualifications for the class as specified in the job description. The six months of actual service will be deemed to have been met if the employee successfully completes the six months of service by the date the first component of the examination is administered, and the employee is recommended for regular status. (Amended 10/21/97, 8.21/07, 8/25/09, 9/17/13)

REVISED 1/20/15; 11/15/16; 3/7/17; 9/19/17; 11/28/17



Section 5. Seniority and Efficiency Points

Seniority points will be awarded to the score of City Employees provided that the minimum passing grade is achieved on the examination or evaluation. City Employees may receive a maximum of five additional points that can be added to their score for seniority points. (Amended 3/6/12, 3/7/17)

Section 6. Special Credit

Ratings for Veterans

A veteran, who has obtained a passing score, shall have his rating on an original entrance examination advanced five points. A veteran is defined as any person who has served on active duty in the Armed Forces of the United States, or any division thereof, including the Coast Guard, for a period of 180 days and presents a DD 214 indicating an honorable discharge from said service. (Amended 8/21/07, 8/25/09)

- a. To qualify for an additional five-point increment based on disability, such disability must be at least 30 percent, certified by the most recent letter from the Veteran's Administration. (Amended 8/21/07)
- b. Nothing in this provision will be construed to authorize or direct the placing of the name of any person on any eligible list who does not meet the physical standards set by the Human Resources Director for the position for which the eligible list has been created.

Section 7. Penalty for Deceit in Examination.

Where deceit in an examination is alleged, and the examinee denies the fact of deceit, or if the examiner in charge of the examination believes extenuating circumstances to exist, the examinee will be permitted to finish the examination, and a full report shall be submitted immediately to the Human Resources Director, who will conduct an appropriate investigation. Should the Director find that the applicant engaged in deceitful conduct in connection with the examination, the applicant will be disqualified. (Amended 8/21/07, 9/17/13)

Section 8. Duration of Eligible Lists.

The Human Resources Director will compile lists of eligible promotional candidates for job classifications and maintain them as necessary and appropriate. Eligible lists other than reinstatement and transfer lists will normally expire 6 months from the date they are certified unless extended by the Human Resources Director.. (Amended 1/24/89, 8/21/07, 9/17/13)

Section 9. Removal from the Promotional List of Persons Permanently Separated from Service.

The names of persons permanently separated from the service on account of resignation, discharge or other cause, will be removed from all promotional applicant lists by the Human Resources Director.

Section 10. Removal from Lower List if Appointed from Higher List.

Regular employees whose names are on promotional eligible lists of different grades or lists with different salary schedules will be removed from the lower grade promotional eligible lists or promotional lists with a lower salary schedule upon promotion to a higher grade position or one with a higher salary schedule. (Passed 3/28/91 and Amended 8/21/07)

Section 11. Required Licenses or Certificates

All employees who are required to have a license or certificate as a condition of employment shall maintain such licenses or certificates in a current status as long as their job specification requires it. Failure to maintain or obtain such license or certificate as required by the employee's job specification shall constitute just cause for disciplinary action as described in Rule 8. (Passed 8/25/89)

REVISED 1/20/15; 11/15/16; 3/7/17; 9/19/17; 11/28/17



Section 12. Transfer to Same Class and Grade.

Whenever an employee in any department of the City wishes to transfer to a position in another department, the employee must be recommended by the transferring department and must have not been disciplined or placed on a performance improvement plan in the last 12 months. Employee shall retain his grade and pay rate, provided: (Amended 7/31/07, 8/25/09, 9/17/13)

- a. The position is in the same class and grade as the one from which transfer is made; or
- b. The employee has been performing services substantially similar in nature and having similar requirements as to education and experience to those of the new position, as determined by the Human Resources Director. Seniority credit where applicable will be given to the employee for the number of years he has been performing similar work in the former department. (Amended 2/1/94 and 7/31/07)

Section 13. Transfer During Probationary Period.

a. In order to have a request for a transfer approved, a person must have completed a probationary period in the class to which transfer is being requested, except as provided in paragraph b.

b. In cases where a position is abolished, a transfer request may be made by either the employee or the City. In such cases, a transfer may be approved while the employee is still serving in a probationary period for the class to which transfer is requested, provided that the balance of the employee's probationary period not yet served be retained by the employee in the new department, and that the rules regarding transfer and the order of certification and all provisions regarding transfers are met. (Passed 1/2/85) (Amended 9/13/05)



Attachment B





ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: Applications and Appeals Policy
Creation Date: October 18, 2011
Revision Date: August 5, 2013; May 30, 2015
Prepared By: HR Department
Approved By: City Manager
Legal Review: Elizabeth Ruhmann

DESCRIPTION: APPLICATIONS AND APPEALS POLICY

I. POLICY

It is the City's policy to allow all interested job seekers to apply for available positions and to provide a method for appealing a disqualification determination, pursuant to the procedures set forth in this policy.

II. PROCEDURES

A. Acceptance of Applications

1. The Human Resources Director or Designee will establish a filing period to accept applications for a particular position
 - a. All job seekers must complete an application for a particular position through the City's online application system.
 - b. A filing period with a specific closing date may be established for a job posting.
 - c. When the need exists for a limited number of applicants, the filing period will only remain open until an adequate number of applications have been received.
 - d. When necessary to fill positions for which there is a constant need for qualified applicants, or for hard to fill positions, the Human Resources Director may establish an open filing period and accept applications for employment on a continuous basis until all anticipated vacancies are filled, or the need for accepting and processing of applications no longer exists.



B. Review of Applications

1. **Human Resources Director:** As required, the Human Resources Director or designee will review applications and identify candidates based solely on qualifications.

The Human Resources Director will permit education to substitute for experience as stated in the Equivalency Guidelines. Experience will be counted from the first day of entry into a qualifying job, to the day of the first component of the examination for which they have applied.

2. **Hiring Official:** When requested and as appropriate, applications may be referred to the hiring official to pre-screen.

C. Disqualification:

1. The Human Resources Director will refuse to examine an applicant, or after examination refuse to certify the applicant as eligible and will remove the name from the eligible list, for any of the following reasons, in each case to be fully documented:

- a) **Lacks Minimum Qualifications:** The applicant lacks the minimum qualifications established in the classification for the position:

- Applicants lacking three (3) months or less of the required job related work experience at the time of list promulgation may be placed on the eligible list. However, applicants lacking the required experience will not be certified for the appointment until after it is determined by the Human Resources Director that they have met the minimum experience required. Applicants may be asked to provide additional details concerning current or past work experience.

- b) **Criminal History:** The applicant has a criminal history within the seven (7) years preceding the date the application was submitted, which is determined to be job related to the position sought. For purposes of this subsection, criminal history includes conviction of a felony or misdemeanor. Additionally, the dates of release from prison, probation and/or parole for the relevant convictions will be evaluated and factored into the determination. *All applicants for Public Safety positions may be subject to more stringent criminal history standards deemed to be job related by the respective department or as required by regulatory agencies, or;*



- c) **Dismissed from Public Service:** The applicant has been dismissed from public service (to include City employment) for delinquency or misconduct, which is determined to be job-related to the position sought.

D. False Statement on Application

- 1. Any false statement knowingly made by an applicant in an application for admission to an examination or any other fraudulent conduct related to the application process will cause the Human Resources Director to:
 - a) Exclude the applicant from such examination;
 - b) Remove the applicant's name from any eligible list;
 - c) Remove the applicant permanently from the position if the applicant has secured appointment from such examination; and/or
 - d) Exclude the applicant from consideration for any City position for a period of two (2) years from the date the falsified application was submitted or discovered, whichever is later.

E. Appeals from Disqualification:

- 1. Appeals for disqualification from taking an examination, or from not being certified after examination, or from being removed from an eligible list, may be submitted as follows:
 - a) **Regular Employee:** A regular employee may file a written appeal to the Civil Service Commission. The appeal must be filed within three (3) working days on a form prescribed by the Human Resources Director. The three (3) working days period begins the date the notice was emailed to the applicant. Late appeals will not be accepted.
 - b) **Original Applicant:** With the exception of C.1.(b) above, Criminal History, which applicants may file a written appeal to the Civil Service Commission in the form and manner described, original applicants who are not regular employees may file a written appeal to the Human Resources Director. The appeal must be filed within three (3) working days on a form prescribed by the Human Resources Director. The three (3) working days period begins the date the notice was emailed. Late appeals will not be accepted.
 - c) **Appeal Form:** Applicants may obtain an appeal form by visiting the Human Resources Department website or office.



d) **Timeline:** Untimely appeals will not be accepted. If the employee or applicant fails to update their contact information or respond within the timelines set, no further action will be taken.

e) **Administrative Dismissal:** If the examination is held before the appeal is reviewed, the Human Resources Director may allow the applicant to take the examination pending the disposition of the appeal. If the applicant fails to achieve a passing grade on the examination, the appeal shall be administratively dismissed.

F. **Application Retention and Reuse:** Applications and/or supporting documentation filed with the City will become the property of the City. Applications for one examination will not be used for any other or later examinations.


G. **Contact Information:** An applicant may update contact information by logging onto their Personal Account Profile. All applicants have the responsibility to update their Personal Account Profile through the City's online application system with any changes in their contact information.

H. **Non-Disclosure of Examinations:** Examination questions, and answers to test questions that do or may reveal examination questions, are exempt from public disclosure under the Texas Public Information Act (the "Act"). Accordingly, requests for a copy of the examinations and/or such examination answers will be denied pursuant to the relevant provisions of the Act.

APPROVED BY:

FOR 
TOMAS GONZALEZ, City Manager

DATE:

 14, 2015

