



Civil Service Commission Appeal

Applicant Name: Eric De La Riva
Current Position and Grade: Firefighter FS1
Position and Grade Applying For: Fire Suppression Technician FS2
Exam Plan: 73330-0226

Reason for Disqualification: Rule 5.1 (b) Convicted of a felony, or a misdemeanor within 7 years from date of conviction, end of parole, or release from prison, which is determined to be job related to the position sought.

Minimum Qualifications: Two and one half (2½) years of experience with the El Paso Fire Department in firefighter, fire prevention or fire medical positions that included two and one half (2½) years of state certified structural firefighting. (The time, from the date the individual graduated from the training academy for structural firefighting, will count for purposes of meeting the minimum requirement of two and one half (2½) years of state certified structural firefighting.)

Applicant Qualifications:

Education: Some College

<u>Experience:</u> Firefighter - EPFD	02/2010 – Present	16 yrs.1 mo.
--	-------------------	--------------

Comments:

During a standard revision of a supplemental questions by job report, Fire Human Resources found Mr. Eric De La Riva failed to truthfully answer his questionnaire. He indicated "N/A" when asked if he had been convicted of a felony or a misdemeanor within the last seven (7) years. In accordance with section C. 1 b. of the Applications and Appeals Policy "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". Mr. De La Riva filed an appeal with his previous Fire Suppression Technician application that was sent to the Civil Service Commission on February 08, 2024, his appeal was denied due to him being under community supervision (probation). Per his court documents, Mr. De La Riva fulfilled the conditions of his probation on October 17, 2025.

Applicable City Rules and Policies:

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

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

Prepared By: Denise Reynosa

Reviewed By: *Andrea Gonzalez*

HR-HCM Review: HR Manager Name Julia Farmer

Date: 5/26/2026

Recruitment Factsheet

Exam Plan Title: Fire Suppression Technician 73330-0226

Recruiting Department: El Paso Fire Department

Total Applications

Rec'd: 120

of Internal Applicants: 116

of External Applicants: 4

Total # of Applicants Failed

Minimum Qualifications: 7

Lacked Education: 4

Lacked Experience:

Lacked Ed & Exp: 3

Other: 2

Total # of qualified to taking

Exam: 109

Total # Failed the
Exam:

of Internal Applicants:

of External Applicants:

No-Show to Exam:

of Internal Applicants:

of External Applicants:

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

Qualified City Employees:

Qualified External Applicants:

Appeal Form

To Whom It May Concern:

I, Eric De La Riva, hereby appeal my disqualification to take the
examination for: Fire Suppression Technician [Examination Title]

Date notified of disqualification: 03/06/2026

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) ☐	Convicted of a felony, or a misdemeanor – Rule 5.1.(b) ☒
Human Resources Policy: Dismissed from Public Service ☐	Dismissed from City Employment ☐
OTHER ☐ _____ (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?	☒	☐
Can you provide official proof of Education or other requirements, official transcripts, original or certified copies of diplomas?	☒	☐
Do you meet the minimum required experience as stated in the job specification for this position?	☒	☐
Did you list your education and/or experience on your application?	☒	☐

Detail your qualifying experience (use additional paper if necessary)
 Please see the attached word document outlining my qualifying experience.

C.S.C. Rule 5.1.(b) Conviction of Felony or Misdemeanor	YES	NO
Is your conviction job related to the position sought?	☐	☒
Will the conviction hinder your ability to perform the duties of this position?	☐	☒

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

Please see the attached word document regarding my conviction in regards to job performance.

HR Policy: Dismissed from Public Service HR Policy: Dismissed from City Employment	YES	NO
Are the circumstances of your dismissal related to the duties of the position being sought?	☐	☒
Please detail the circumstances involving your dismissal from public service. Please provide any supporting documentation regarding this issue.		
Other _____ (cite specific Rule or HR Policy you are appealing).		
Please explain what you are appealing Appealing my disqualification for the the upcoming promotional exam. see attached document.		

Name:	Address:	City/State/Zip	
Telephone:	Person ID #:	(Neogov)	
Applicant Signature:	<u>Eric De La Riva</u>	Date:	<u>03/06/2026</u>
			Stamp Received by CSC
Please note: In accordance with the <u>Texas Public Information Act</u> , 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 ☐			

To Whom It May Concern,

I respectfully submit this letter as a formal appeal regarding the consideration of my eligibility for the promotional lateral position of Fire Suppression Technician.

As defined in the Texas Penal Code, a Class A misdemeanor assault occurs when an individual “intentionally, knowingly, or recklessly causes bodily injury to another person.” My case fell under the category of reckless conduct. In February 2023, I returned home and encountered my then-wife with a friend of mine. A verbal altercation followed, during which my wife contacted the Sheriff’s Office. In a heated moment during the argument, I struck and broke a glass candle on our kitchen table before removing myself from the situation. After I left the residence, deputies arrived. During the incident, fragments from the broken glass inadvertently struck the male individual present, resulting in minor bodily injury. The individual chose to pursue charges, which ultimately resulted in my assault conviction.

Prior to this incident, I had never had any involvement with the criminal justice system. Due to my lack of experience with legal proceedings, I relied on the advice of a public defender who recommended that I plead guilty in order to avoid the uncertainty of trial and the possibility of incarceration. Based on that legal guidance, I entered a guilty plea, which resulted in my conviction.

As part of the court’s sentence, I was placed on two years of community supervision, which I completed successfully and without any violations. I also completed the mandatory anger management course as ordered by the court. Documentation verifying both the completion of my community supervision and the required course is attached. Additionally, all court-ordered fines and fees were paid in full and on time, and I complied fully with every condition imposed by the court.

With that context in mind, I respectfully submit that this conviction does not have a direct relationship to the duties or responsibilities of the promotional lateral position of Fire Suppression Technician. Furthermore, it does not impact my ability to perform my current role or the role for which I am seeking promotion.

As a uniformed employee with the City of El Paso, I typically work between 108 and 114 twenty-four-hour shifts per year, not including overtime or extra board assignments. Despite my conviction, the department has continued to entrust me with significant responsibilities by assigning me to work out of class in higher positions.

In 2024, I worked out of class in the Fire Suppression Technician position for a total of 24 shifts. In addition, I served 25 shifts as the officer of the ambulance—two positions above my current rank—bringing the total number of out-of-class assignments for that year to 49 shifts. In 2025, I worked 26 shifts in the Fire Suppression Technician position and 30 shifts as an officer, totaling 56 out-of-class shifts.

These assignments demonstrate that nearly half of my working time each year has been spent performing duties in the very position for which I am applying, as well as in positions above it.

Throughout these assignments, I have never been reprimanded, counseled, or disciplined for my performance. I have consistently carried out these responsibilities professionally and effectively.

Given that the City and the department have continued to trust me with out-of-class assignments in the Fire Suppression Technician role following my conviction, I respectfully question why I would not be permitted to formally promote into the same position. Denying the opportunity for advancement while continuing to assign me the duties of that position due to staffing needs appears inconsistent, particularly when the conviction itself has no direct correlation to the job description or operational responsibilities of a Fire Suppression Technician.

I respectfully request that my qualifications, performance record, and demonstrated ability to successfully fulfill the responsibilities of the position be fully considered in evaluating my eligibility for promotion.

Thank you for your time and consideration.

Respectfully,
Firefighter/Paramedic Eric De La Riva
Pumper 6 "C"

To Whom it may concern,

My qualifying experience for the lateral promotional position, I believe, exceeds the minimum requirements outlined in the job description. I have served as a Firefighter with the El Paso Fire Department for 16 years, during which time I have frequently worked out of class performing duties associated with the position for which I am currently applying. In fact, for nearly half of my career I have regularly assumed responsibilities aligned with this role.

Throughout these assignments, I have consistently exhibited safe and proficient emergency vehicle operation, maintaining the secure transport of my crew during responses to and from emergency incidents. I have also applied rapid decision-making and technical knowledge to provide interior crews with accurate pump calculations, ensuring the appropriate water supply for effective fire suppression operations.

Additionally, I take a proactive approach to understanding the apparatus to which I am assigned, specifically Pumper 6. This entails thoroughly reviewing the vehicle's specifications and operational limitations, adhering to established protocols for placing the apparatus in and out of service, performing routine maintenance inspections, and consistently applying safe driving practices, particularly under adverse weather conditions. I am also knowledgeable about the laws and regulations governing emergency vehicle operations.

Through years of hands-on experience and continued learning, I have developed strong confidence and proficiency in apparatus operation. After 16 years of service, I believe I have gained the knowledge, judgment, and practical experience necessary to successfully serve in the role of Fire Suppression Technician (Driver). I am committed to applying these skills to continue providing the highest level of service and safety to the citizens of El Paso.

Respectfully,
Firefighter/Paramedic Eric De La Riva
Pumper 6 "C"

IN THE DISTRICT COURT OF EL PASO COUNTY, TEXAS
34th JUDICIAL DISTRICT COURT

THE STATE OF TEXAS

VS.

ERIC DE LA RIVA

CAUSE NO. 20230D00928

TRN/TRS: 9055423777/A001

Offense: BURGLARY OF HABITATION
Probated Offense: lesser ASSAULT CAUSE BODILY INJURY
☒ Adjudicated ☐ Deferred ☐ Eligible for Judicial Review

Degree: F2

Degree: MA

TERMS AND CONDITIONS OF COMMUNITY SUPERVISION

On the 16th day of October, A.D., 2023, you were placed on community supervision for the period of two (2) years on the following terms and conditions as checked below:

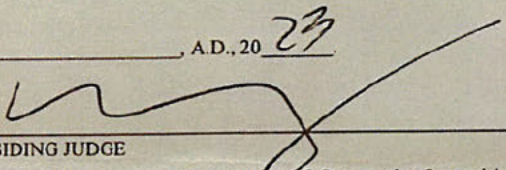
- ☒ A. Commit no offense against the laws of this state or of any other state or of the United States of America.
- ☒ B. Avoid injurious or vicious habits.
- ☒ C. Avoid persons or places of disreputable or harmful character, including any person, other than a family member of the defendant, who is an active member of a criminal street gang;
- ☒ D. Report to your assigned Supervision Officer as directed by the Judge or Supervision Officer and obey all rules and regulations of the Community Supervision and Corrections Department. Ysleta Office-9521 Socorro Rd, Ste A-4, El Paso, TX 79927 (915) 859-9866
- ☒ E. Permit the Supervision Officer to visit you at your home or elsewhere.
- ☒ F. Work faithfully at suitable employment to the extent possible.
- ☒ G. You shall submit to testing to determine your educational skill level, and if determined to be needed, you shall participate in an educational program or vocational training program as directed by your Supervision Officer.
- ☒ H. Remain within a specified place:
 - ☒ (1) El Paso County, Texas.
 - ☐ (2) _____
 - ☒ (3) You shall be subject to curfew and be within your place of residence, as previously designated, between the hours of 9:00 p.m. and 6:00 a.m. each and every day, unless suitably employed during those same hours.
- ☒ I. Pay the following, in one or several sums, and make restitution in any sum that the court shall determine to the El Paso County Community Supervision and Corrections Department:
 - ☒ (1) Supervision Fee of \$60.00 per month.
 - ☐ (2) Sex Offender Supervision fee of \$5.00 per month.
 - ☐ (3) \$140.00 to DPS for Lab Analysis or to EPPD for Lab Analysis.
 - ☐ (4) Restitution : _____
 - ☐ (5) \$300.00 Transfer Fee each time you transfer to another jurisdiction, a Supervision Fee of \$60.00 per month during any period of time that you are not supervised by another department outside the State of Texas.
 - ☐ (6) \$100.00 Intrastate Transfer Fee each time you transfer to another jurisdiction within Texas.
 - ☒ (7) El Paso Crime Stoppers Program (not to exceed \$50.00): \$ 2.00
 - ☐ (8) Court Appointed Counsel: \$ _____
- ☒ J. You shall abide by the Bill of Costs as assessed and which are a part of the Judgment in this case.
- ☒ K. Support your dependent(s).
- ☒ L. Work 100 hours at a community service project(s) in any community based program including a community based project under Article 42A.304; and/or may pay up to _____% in lieu of community service hours to an approved food bank, pantry or an organization engaged in performing charitable functions for veterans that is on a list approved by the Council of Judges. *In accordance with Art.*
- ☐ M. Attend, participate fully, and successfully complete psychological and/or psychiatric treatment, or any other outpatient or inpatient mental health treatment, at the direction of the Supervision Officer and at your own expense, as follows: _____
- ☒ N. Submit to a period of detention in the El Paso County Detention Facility for a period of 30 days or any portion thereof at the Court's discretion.
 - ☐ (1) Submit to a period of detention of _____ days as a condition of probation.
- ☒ O. Submit to testing for alcohol or controlled substances;
- ☒ P. Alcohol and Drug Education/Treatment Program:
 - ☐ (1) Report immediately to a program licensed by the Department of State Health Services, register and pay the required tuition fee, and attend all classes of said programs to which you are assigned by your Supervision Officer.
 - ☐ (a) Alcohol Education/Traffic Safety classes (DWI School).
 - ☐ (b) Drug Offender Education classes.
 - ☐ (c) Educational program for repeat offenders.
 - ☐ (d) Drug/Alcohol Counseling.
 - ☒ (2) Participate in Treatment Alternative to Incarceration Program (T.A.I.P.) as deemed necessary.
 - ☐ (3) Submit to a period in The El Paso County West Texas Behavioral Health Residential Treatment Center.
 - ☐ (4) Submit to a period of confinement at a Substance Abuse Felony Punishment Facility (SAFPF) as per attached Supplement/Addendum to Community Supervision.
- ☐ Q. You shall not operate a motor vehicle unless the vehicle is equipped with a device that uses a deep-lung breath analysis mechanism. You shall be responsible for the cost of obtaining and maintaining such mechanism.

Cause No. 20230D00928

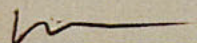
- ☐ R. If you return to El Paso County and/or the United States, you will immediately report to the El Paso County Community Supervision and Corrections Department at 800 E. Overland, El Paso, Texas 79901, for further instructions.
- ☒ S. You shall not possess or transport any type of firearm, prohibited weapon, or body armor.
- ☒ T. You shall participate fully and attend the following treatment program as directed by your Supervision Officer and until successfully completed or otherwise ordered by the Court:
- ☐ (1) Participate in the EPCCSCD Special Programs _____ Caseload.
- ☐ (2) You shall participate in the EPCCSCD Intensive Supervision Sex Offender Program.
- ☐ (a) You shall not supervise or participate in any program that includes as participants or recipient persons who are 17 years of age or younger and that regularly provides athletic, civic or cultural activities.
- ☐ (b) You shall not go in, on, or within _____ feet of premises where children commonly gather including a school, daycare facility, playground, public or private youth center, public swimming pool, or video arcade.
- ☐ (c) You shall register or verify registration with the Sex Offender registration program.
- ☐ (3) You shall abide by the attached supplement/addendum to these conditions of probation.
- ☐ (4) Provide a DNA sample to the Texas DPS for the purpose of creating your DNA record.
- ☒ (5) Anger Management classes _____.
- ☒ U. Avoid all direct and indirect communication with the victim and maintain a minimum distance of _____ feet from the victim's residence, place of employment, or daycare or similar facility where a dependent child of the victim may be found.
No offensive contact w/Melissa De La Riva
- ☐ V. _____

YOU ARE HEREBY ADVISED THAT UNDER THE LAWS OF THIS STATE, THE COURT HAS THE AUTHORITY AT ANY TIME DURING THE PERIOD OF YOUR COMMUNITY SUPERVISION TO ALTER OR MODIFY THE CONDITIONS OF YOUR COMMUNITY SUPERVISION. ANY VIOLATION OF THE CONDITIONS SET OUT ABOVE WHICH ARE MARKED COULD RESULT IN YOUR IMMEDIATE ARREST AND MAY RESULT IN REVOCATION OF YOUR COMMUNITY SUPERVISION.

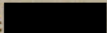
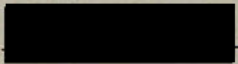
Signed this 14th day of Oct, A.D., 2023

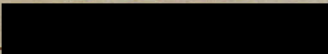

PRESIDING JUDGE

I, the Defendant in the above styled and numbered cause, acknowledge receipt of these terms and conditions of Community Supervision and understand all terms and conditions and the same has been translated to me in the Spanish language, if necessary, and I fully understand the same.


Defendant

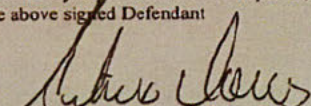
10-16-2023
Date

DOB:  SSN: XXX-XX- Phone Number: 

Address: 

ATTEST:

On 10/16/2023 the preceding terms and conditions of community supervision were completed, explained and delivered to the above signed Defendant


Court Liaison Officer, E.P.C.C.S.C.D.

REGISTER OF ACTIONS

CASE NO. 20230D00938

State of Texas vs ERIC DE LA RIVA

§
§
§
§
§

Case Type: **Adult Felony**
 Date Filed: **02/23/2023**
 Location: **34th District Court**

PARTY INFORMATION

Defendant DE LA RIVA, ERIC

Lead Attorneys
PUBLIC DEFENDER
Public Defender
 915-546-8185(W)

State State of Texas

EVENTS & ORDERS OF THE COURT

DISPOSITIONS																	
10/16/2023	Plea (Judicial Officer: Moody, William E.) 1. ASSAULT CAUSES BODILY INJ Guilty																
10/16/2023	Disposition (Judicial Officer: Moody, William E.) 1. ASSAULT CAUSES BODILY INJ Convicted - Lesser Charge																
10/16/2023	Sentenced - Probation/ Community Supervision (Judicial Officer: Moody, William E.) 1. ASSAULT CAUSES BODILY INJ Confinement to Commence 10/16/2023 365 Days , El Paso Detention Facility, El Paso Detention Facility Suspended 365 Days CSCD 24 Months with Community Service of 100 Hours Fee Totals:																
	<table border="0" style="width: 100%;"> <tr> <td style="text-align: right;">Fine</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td style="text-align: right;">Base Criminal Fees</td> <td style="text-align: right;">\$267.00</td> </tr> <tr> <td style="text-align: right;">Misdemeanor 1.1.20</td> <td></td> </tr> <tr> <td style="text-align: right;">Commitment 1.1.20</td> <td style="text-align: right;">\$5.00</td> </tr> <tr> <td style="text-align: right;">Release 1.1.20</td> <td style="text-align: right;">\$5.00</td> </tr> <tr> <td style="text-align: right;">Arrest Fee Program</td> <td style="text-align: right;">\$35.00</td> </tr> <tr> <td style="text-align: right;">1.1.20</td> <td></td> </tr> <tr> <td style="text-align: right;">Fee Totals \$</td> <td style="text-align: right;">\$312.00</td> </tr> </table>	Fine	\$0.00	Base Criminal Fees	\$267.00	Misdemeanor 1.1.20		Commitment 1.1.20	\$5.00	Release 1.1.20	\$5.00	Arrest Fee Program	\$35.00	1.1.20		Fee Totals \$	\$312.00
Fine	\$0.00																
Base Criminal Fees	\$267.00																
Misdemeanor 1.1.20																	
Commitment 1.1.20	\$5.00																
Release 1.1.20	\$5.00																
Arrest Fee Program	\$35.00																
1.1.20																	
Fee Totals \$	\$312.00																

OTHER EVENTS AND HEARINGS	
02/24/2022	Certificate of Magistrate
02/23/2023	Indictment (OCA)
03/14/2023	Order of Court Setting
03/14/2023	Discovery and Pre-Trial Order
04/14/2023	CANCELED Arraignment (8:00 AM) (Judicial Officer Moody, William E.) <i>Other</i>
06/14/2023	Application for Court Appointed Attorney and Financial Affid
06/14/2023	Order Appointing Attorney Index # 3
06/15/2023	Pre-Trial Hearing (1:30 PM) (Judicial Officer Moody, William E.)
06/16/2023	Request for Notice of Extraneous Offenses or Convictions
06/16/2023	Formal Request for Compliance with Art. 39.14 of the Tx. CCP Index # 5
06/16/2023	Request for Notice of Discovery & Compliance Art. 2.1397
06/16/2023	Request to Disclose Expert Witnesses
08/17/2023	28.01 Plea (10:00 AM) (Judicial Officer Moody, William E.)
10/02/2023	Request Index # 6
10/02/2023	Written Notice of Prospective Witnesses
10/12/2023	Docket Call (9:00 AM) (Judicial Officer Moody, William E.)
10/16/2023	Jury Trial (9:00 AM) (Judicial Officer Moody, William E.)
10/16/2023	Notice of Rights/ Admonishments/ Court's Approval
10/16/2023	Trial Courts Certification/ Defendants Right of Appeal
10/16/2023	Article 39.14 Disclosure Form
10/16/2023	Bill of Cost Index # 7
10/16/2023	Terms/ Condition of Community Supervision
10/16/2023	Waiver Index # 8
10/16/2023	Notice of Judicial Clemency



TEXAS
Health and Human
Services

Texas Department of State
Health Services

**EMS CRIMINAL HISTORY
REPORT FORM**

MAIL, FAX, OR E-MAIL COMPLETED FORM TO:

EMS/TRAUMA SYSTEMS- MC 1876 TEXAS DEPT OF
STATE HEALTH SERVICES
P. O. BOX 149347
AUSTIN, TEXAS 78714-9347

FAX: 512/821-4510 or 512/834-6713

E-Mail: EMS_Complaint@dshs.texas.gov

This form is intended for EMS personnel currently certified/licensed to report an arrest, indictment, conviction, deferred adjudication community supervision, and/or deferred disposition for a criminal offense as required under the *Health and Safety Code Chapter 773*, and *Texas Administrative Code 157.36 and 157.37*. EMS statutes and rules are available to view on our website at <http://www.dshs.state.tx.us/emstraumasystems/>. You are required to furnish the following additional documentation:

- **EXPLANATION STATEMENT:** Provide a detailed explanation statement describing the nature and circumstances for each criminal offense. (Who, What, Where, Why, When) **Be sure to include your signature and date on the letter.** (See page 4)
- **COURT RECORDS:**
 - Complaint/Information, Indictment
 - Judgment, Order of Deferred Adjudication and/or Pretrial agreement (if available)
 - Conditions of Probation/Parole (if applicable)

The EMS Certificant/Licensee may be required to provide more documentation such as a fingerprint based background check. They are also responsible for keeping the Department of State Health Services apprised of any upcoming court dates and outcomes.

DSHS EMS CRIMINAL HISTORY REPORT FORM

Page 2

TYPE OR PRINT IN BLACK INK

Name of Person/Agency Completing this form:	Eric De La Riva
---	-----------------

EMS Certificant/Licensee Name:	Eric De La Riva
DSHS ID No:	709070
Date of Birth:	[REDACTED]
Email:	[REDACTED]
Phone Number:	[REDACTED]
Mailing Address: (include city, state and zip)	[REDACTED]

EMPLOYER INFORMATION:

Provider and/or Agency Name:	El Paso Fire Department
EMS Provider License Number (if applicable) :	071013
Agency phone number:	915-212-5600

DSHS EMS CRIMINAL HISTORY REPORT FORM
Page 3

EMS Certificant/Licensee Name:

Eric De La Riva

PLEASE PROVIDE INFORMATION REGARDING ANY CRIMINAL OFFENSE(S):

	☒ Arrest ☐ Indictment ☐ Deferred adjudication ☐ Conviction
Date:	02/23/22
Offense/Charge:	Burglary of Habitation (dropped)
City/County/State:	El Paso, TX 79925

	☐ Arrest ☐ Indictment ☐ Deferred adjudication ☒ Conviction
Date:	10/16/2023
Offense/Charge:	Assault causing bodily injury
City/County/State:	El Paso, TX 79925

	☐ Arrest ☐ Indictment ☐ Deferred adjudication ☐ Conviction
Date:	
Offense/Charge:	
City/County/State:	

	☐ Arrest ☐ Indictment ☐ Deferred adjudication ☐ Conviction
Date:	
Offense/Charge:	
City/County/State:	

DID ANY OF THESE ARRESTS OCCUR WHILE ON EMS DUTY? ☐ YES ☒ NO

DID ANY OF THESE ARRESTS OCCUR WHILE DRIVING AN EMS VEHICLE? ☐ YES ☒ NO

EMS Certificant/Licensee Name:

Eric De La Riva

EXPLANATION STATEMENT

The above two arrest and conviction are related to the same incident. however i was unaware of a warrant that was placed on me for the above charges nor was i aware of any charges until i was told by an acquaintance with the police department. When i did find out that i had warrant i immediatly proceeded to turn myself in. not knowing this counted as an arrest i failed to submit the documentation within the 5 business days as requested from DSHS. the second is the conviction for the above charge in which i pleaded to the lower charge of assault causing bodily injury this conviction was placed on monday 10/16/23.

the circumenstances of the incident are as follows:

on the evening of 12/30/21 I had proceeded to my house in which my wife was staying at the time during a separation to pick up a few belongings. during that visit i was made aware of a friend of mine who was sleeping with my wife. after a verbal altercation, i broke a glass candle on the kitchen island resulting in wax getting on the clothing of myself, my wife, and her boyfriend immediatly after i gathered my belongings and left which led to the above charges.

It was an honest mistake in not thinking that turning myself once i was made aware was the same as being placed in handcuffs and arrested at the time of the incident. in the 16 years certified with the state of texas i have not had any disiplinary issues nor do i ever intend to have another.

Respectfully,
Eric De La Riva

Signature: **Date:** 10/19/2023

Use separate sheets of paper if necessary. Please number, sign, and date each page.

Date Received	Texas Commission on Fire Protection Fire Service Standards & Certification Division P.O. Box 2286, Austin, Texas 78768-2286 (512) 936-3838 FAX (512) 936-3808	Date Approved
		Approved By

Notice of Conviction

A certificate holder, fire department or local government regulated by the commission shall report to the commission, any known conviction, other than minor traffic offense (Class C misdemeanor) under the laws of this state, another state, the United States, or foreign country, within fourteen days of the conviction.

IMPORTANT: Fingerprint data must be submitted as part of this notification. See instructions regarding how and where to submit fingerprint data.

FDID No.	Department Name	Dept. Phone Number
GB803	El Paso Fire Department	(915) 212-5600

FIDO Pin No.	Last Name	Suffix	First Name	Middle Name or Initial
9962017	De La Riva		Eric	
Home Address		City	State	Zip Code
314 Hector Porras		El Paso	TX	79928

Offense Conviction(s)	Sentence(s)		
Assault Cause Bodily Injury	Community Supervision		
Court(s)	Court Location(s)	Cause Number(s)	
34th Judicial District Court	El Paso, TX	20230D00928	

Mitigating Factors (Include any information to be considered by the Commission regarding action to be taken.) Attach additional sheets if necessary.

The circumstances of the incident above are as follows:

On the evening of 12/30/2021 I had proceeded to my house in which my wife was staying at the time during a separation to pick up a few belongings. During that visit i was made aware of a friend of mine who was sleeping with my wife. After a verbal altercation, i broke a glass candle on the kitchen island resulting in wax getting on the clothing of myself, my wife, and her boyfriend. Immediately after i gathered my belongings and left which in turn led to the above charge.



 Signature

Firefighter

 Title (If not Individual)

10/19/2023

 Date

TCFP-014	Notice of Conviction
----------	----------------------

Purpose: This form is to be completed and submitted to the Texas Commission on Fire Protection within **fourteen (14) days** of the date of final conviction, revocation of probation, revocation of parole, or revocation of mandatory supervision for any felony offense or any misdemeanor which are punishable by a fine greater than \$200.00, or imprisonment, or both fine and imprisonment, of any person holding any license or certification issued by this agency.

*******DO NOT SUBMIT INSTRUCTIONS WITH APPLICATION*******

Required Criminal History Checks

Schedule an appointment to be electronically fingerprinted by MorphoTrust USA at one of their IdentoGo enrollment centers.

- Internet based scheduling is the quickest and most convenient way to obtain a fingerprint appointment.
 - a. **You may begin the process now by simply clicking on this link:**
<https://uenroll.identogo.com/servicecode/11G69S>
 - b. Provide all required pre-enrollment data and select a convenient date and time for your appointment
- If you prefer to schedule over the telephone, you must:
 - a. Have your Service Code ready (**11G69S**), then call **888.467.2080**;
 - b. MorphoTrust will prompt you for the Service Code (**11G69S**);
 - c. Provide all required pre-enrollment data and select a convenient date and time for your appointment
- 2. Arrive at your scheduled appointment with your photo identification and fee
 - If you plan on bringing a form of identification other than a valid (unexpired) TX Driver License, please refer to the Department of Public Safety's acceptable document types here:
http://www.dps.texas.gov/administration/crime_records/docs/ProveIdForFingerprinting.pdf
 - MorphoTrust accepts Visa/MasterCard/Discover/American Express, business checks, money orders and coupon codes (employer accounts) at the time of service.
 - **Please note that personal checks and cash are not accepted.**
- 3. Your fingerprints will be submitted electronically to DPS and the FBI. You will not receive a printed fingerprint card.
- 4. At the conclusion of your appointment, the MorphoTrust enrollment agent will provide you with an IdentoGo receipt stating that you were fingerprinted.
 - Do not throw away the receipt;
 - You may check status on your submission by clicking on this link:
<https://uenroll.identogo.com/servicecode/11G69S> and then click "**Check Status**"

IMPORTANT NOTE: Criminal history information based upon submitted fingerprints is only available to the Commission for a limited time. Therefore, submission of your Application for Certification to the Commission should be coordinated with a fingerprint submission.

El Paso County - 34th District Court



CASE NO. 20230D00938

THE STATE OF TEXAS

v.

De La Riva, Eric, Defendant

§
§
§
§
§IN THE 34TH DISTRICT COURT

OF EL PASO COUNTY, TEXAS

ORDER OF DISCHARGE FROM COMMUNITY SUPERVISION (PROBATION)

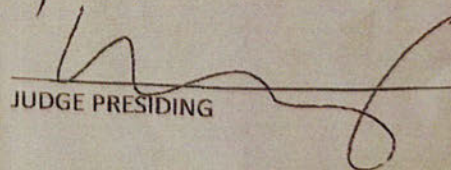
Defendant has satisfactorily fulfilled the conditions of his/her community supervision (hereinafter "probation"), and the term of Defendant's probation has expired.

Accordingly, the Court hereby **ORDERS**:

- ☒ Defendant discharged from probation; or
- ☐ Defendant discharged from probation. The Court **FURTHER ORDERS** that the Defendant's plea be withdrawn and the verdict be set aside. The Court **FURTHER ORDERS** that the accusation, complaint, information, or indictment be dismissed, and that the Defendant be released from all penalties and disabilities resulting from the conviction or plea in the case, except that (1) proof of the Defendant's conviction or plea shall be made known to the judge if the Defendant is convicted of any subsequent offense, and (2) if the Defendant is an applicant for or the holder of a license issued by the Department of Family and Protective Services (hereinafter "Department"), the Department may consider the fact that the Defendant previously received probation in issuing, renewing, denying, or revoking a license under Chapter 42, Human Resources Code.

SIGNED and ENTERED on Click on date.

Oct 17, 2025


 JUDGE PRESIDING

THIS FORM DOES NOT REPLACE THE CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS) REPORTING FORM OR THE CURRENT ELECTRONIC REPORTING THAT A CLERK OF THE COURT MAY USE IN REPORTING INFORMATION TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY.

EMPLOYMENT APPLICATION



CITY OF EL PASO
 300 N. Campbell
 El Paso, Texas, 79901
 915-212-0045
<http://www.elpasotexas.gov>

De La Riva, Eric - Person ID: 14916585
73330-0226 FIRE SUPPRESSION TECHNICIAN
(PROMOTIONAL)

Received: 2/14/26, 5:52 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: FIRE SUPPRESSION TECHNICIAN (PROMOTIONAL)		EXAM ID#: 73330-0226
NAME: (Last, First, Middle) De La Riva, Eric		SOCIAL SECURITY NUMBER: XXX-XX-
ADDRESS: (Street, City, State/Province, Zip/Postal Code) [REDACTED]		EMAIL ADDRESS: [REDACTED]
HOME PHONE: [REDACTED]		
DRIVER'S LICENSE: ☒ Yes ☐ No	DRIVER'S LICENSE State: TX Number: [REDACTED]	LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Some College		

PREFERENCES

Nothing Entered For This Section

EDUCATION

DATES: From 5/2011 To 3/2012	SCHOOL NAME: El Paso Community College	
LOCATION: (City, State) El Paso, Texas	DID YOU GRADUATE? ☐ Yes ☒ No	DEGREE RECEIVED: No Degree
MAJOR: paramedic	UNITS COMPLETED: - Quarter	

WORK EXPERIENCE

DATES: From 2/2009 To Present	EMPLOYER: El Paso fire department	POSITION TITLE: Firefighter
ADDRESS: (Street, City, State, Zip/Postal Code) 416 n. Stanton, El Paso, Texas, 79925		COMPANY URL: Elpasotexas.gov
PHONE NUMBER: (915) 485-5600	SUPERVISOR: Matt Thomas - Battalion chief	MAY WE CONTACT THIS EMPLOYER? ☒ Yes ☐ No
HOURS PER WEEK: 56	SALARY: \$3,000.00/month	# OF EMPLOYEES SUPERVISED: 1
DUTIES: Respond to and mitigate emergency situations, to include fire, medical, hazmat, and any emergency deemed necessary.		
REASON FOR LEAVING: Still employed		

CERTIFICATES AND LICENSES

TYPE: National Registry Paramedic	
LICENSE NUMBER: [REDACTED]	ISSUING AGENCY: National Registry of Emergency Medical Technicians
TYPE: CPR	
LICENSE NUMBER:	ISSUING AGENCY: American Heart Association
TYPE: Advanced Cardiac Life Support	

LICENSE NUMBER:	ISSUING AGENCY: American Heart Association
TYPE: Pediatric Advanced Life Support	
LICENSE NUMBER:	ISSUING AGENCY: American Heart Association
TYPE: FireFighter Basic	
LICENSE NUMBER:	ISSUING AGENCY: Texas Commission on Fire Protection
TYPE: EMT-P	
LICENSE NUMBER: 709070	ISSUING AGENCY: Texas Department of State Health Services

SKILLS

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

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 Eric De La Riva on 2/14/26, 5:52 PM



City of El Paso
Fire Suppression Technician 56 Hours

CLASS CODE	73335 FS 2	SALARY	\$28.19 - \$41.64 Hourly \$2,255.04 - \$3,331.48 Biweekly \$4,885.93 - \$7,218.21 Monthly \$58,631.12 - \$86,618.48 Annually
ESTABLISHED DATE	November 17, 2002	REVISION DATE	September 11, 2025

Minimum Qualifications

Education and Experience: Two and one half (2½) years of experience with the El Paso Fire Department in firefighter, fire prevention or fire medical positions that included two and one half (2½) years of state certified structural firefighting. (The time, from the date the individual graduated from the training academy for structural firefighting, will count for purposes of meeting the minimum requirement of two and one half (2½) years of state certified structural firefighting.)

Licenses and Certificates: Texas Class "B" Driver's License or equivalent from another state (with exemption for heavy firefighting vehicles). Texas Commission on Fire Protection certification as a Driver/Operator-Pumper.

If assigned to Fire Prevention or Fire Investigations, must be certified as Texas Fire Inspector in compliance with Texas Commission on Fire Protection Standards of Education (TCFPSE).

If assigned to Fire Investigations, must be licensed as Texas Peace Officer in compliance with Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE), as provided by state statutes, and be certified as Texas Arson Investigator in compliance with TCFPSE prior to assignment.

If assigned to the Communications Division, successfully complete and obtain within six (6) months of assignment, the Emergency Medical Dispatch and Emergency Fire Dispatch courses and International Academy of Emergency Dispatch (IAED) certification; Texas Crime Information Center (TCIC) certification, to include on-line Texas Law Enforcement Telecommunications System (TLETS) certification course; and Priority Dispatch Pro-QA certification. Successfully complete the Basic Telecommunicator Certificate Course, Crisis Communication Telecommunicator Course, and obtain Telecommunicator License from the Texas Commission on Law Enforcement (TCOLE) within one (1) year of appointment. Temporary Telecommunicator License must be obtained within two (2) weeks of assignment and maintained until permanent license is received.

All licenses and certificates must be maintained during course of employment, to include Department and Division requirements for continuing education credits.

Item #3

Must be personally responsible for maintaining the following licenses or certificates while employed in this job class: Structural Firefighter certification from the Texas Commission on Fire Protection with sponsorship by the El Paso Fire Department and current Texas certification at the Emergency Medical Technician Basic, Intermediate or Paramedic level. Employees appointed prior to January 1985 must maintain and be personally responsible for Texas certification of Emergency Care Attendant or higher level of certification. Must meet applicable Texas State Health and safety code requirements and Texas statute and administrative rules.

General Purpose

Under general supervision, perform assigned fire suppression services of a technical nature in addition to firefighting and lifesaving activities such as fire prevention inspector, fire investigator, fire equipment operator, training instructor, or medical duties.

Typical Duties

Respond to fire alarm and other emergency calls. Involves: Participate in firefighting and lifesaving activities. Render first aid. Participate and attend all training.

Perform functions of fire prevention inspector as assigned. Involves: Inspect interiors and exteriors of commercial, industrial and other buildings to detect fire hazards, efficiency of fire protective equipment, and adequacy of fire escapes and exits. Inform and discuss conditions of building storage and equipment with owner or manager and make recommendations regarding unsafe conditions. Issue summons for uncorrected fire hazards from previous inspections and enforcing codes. Inspect gasoline distributors, delivery trucks and issue permits in compliance with fire safety regulations. Conduct fire prevention programs at public buildings and commercial businesses for employees, and school fire drills.

Perform functions of fire investigator as assigned. Involves: Investigate and document origins and causes of fires. Collect evidence and photograph fire scenes. Arrest and detain suspects involved in fire related criminal activity. Prepare and deliver court testimony in criminal cases. Participate in juvenile fire setters program as directed. Present public education programs related to arson. Provide support to fire prevention inspectors for Fire Prevention and Texas Insurance Code offenses that require arrest.

Perform functions of fire equipment operator as assigned. Involves: Drive fire engine to scene of fire or other emergencies. Ensure that firefighting equipment and tools are on apparatus and in working condition, and that water pump maintains constant water pressure. Operate aerial ladder controls. Inspect building.

If assigned to Logistics, test, repair and maintain fire extinguishers, self-contained breathing apparatus and resuscitators. Operate hose coupling and testing machine, and replace or repair defective section of high-pressure fire hoses and pipe lines.

Perform functions of training instructor as assigned. Involves: Develop lesson plans. Conduct recruit and advanced academy and fire station sessions pertaining to subjects such as firefighting, medical procedures, hazardous materials, disaster response and defensive driving. Evaluate effectiveness of instructions.

Perform medical duties while assigned to a fire suppression or medical unit locally credentialed as Emergency Medical Technician (EMT)-Basic, EMT-Intermediate, or EMT-Paramedic. Involves: Perform specialized emergency medical care as instructed or approved by the Medical Director or Medical Control physician while assigned to a

fire suppression or medical unit as outlined in current Emergency Medical Services System (EMSS) Protocols, State law, and department policy and procedures.

Perform related work as required. Involves: Keep records and write reports. Take charge of company in absence of superior officer.

Perform functions of a Fire Dispatcher, 911 Call Taker, or Police Dispatcher as assigned. Attend and successfully complete classroom sessions and floor training to gain knowledge, skills and abilities necessary to perform the duties of a Telecommunicator. After success completion of classroom and training perform function of assignment. Involves: Process emergency and non-emergency telephone calls and dispatch, monitor and coordinate activities of emergency personnel. Dispatch and monitor police, fire and medical communications using a multi-channel radio system and enter information into computer aided dispatch (CAD) system. Provide accurate and understandable directions to citizens, field personnel, and other law enforcement agencies and ask relevant questions to ascertain type of call for service. Monitor a variety of electronic equipment and radio channels. Perform related incidental duties contributing to realization of unit or team objectives as required.

Knowledge, Skills, and Abilities

- Application of considerable knowledge of fire prevention inspection methods and techniques.
- Application of good knowledge of operation, maintenance and repair of fire apparatus and related equipment.
- Application of good knowledge of fire hazards associated with various types of construction and storage of flammable materials and explosives.
- Application of good knowledge of laws and ordinances pertaining to fire prevention and the crime of arson.
- Application of good knowledge of departmental policies, rules and regulations.
- Application of good knowledge of juvenile fire safety programs and practices.
- Application of good knowledge of radio procedures.
- Application of good knowledge of location of fire districts, stations, hydrants, and fire alarm equipment.
- Ability to make quick and accurate decisions in emergencies.
- Ability to determine the origin and cause of fires.
- Ability to identify and solve mechanical problems.
- Ability to follow safety procedures.
- Ability to establish and maintain effective working relationships with co-workers and the public.

Item #3

- Ability to communicate effectively both orally and in writing.
- Ability to skillfully use and care in safe operation and care of firefighting equipment and hand tools.
- Ability to skillfully use and care in safe operation and care of fire department motor vehicles in order to drive through city traffic under normal or emergency conditions.

Other Job Characteristics

- Subject to periods of prolonged and arduous work under adverse and hazardous conditions.
- Work other than standard workday or work week hours, which includes being subject to call back during non-working hours and mandatory overtime.
- Perform duties requiring good physical condition.

Classification Status

(Ordinance 15289 11/18/02) (HR 07/22/10), (HR 06/28/11), (HR 02/08/16), (HR 03/21/18), (HR 04/17/19), (HR 05/09/19) (HR 09/01/2020), (HR 09/01/2021), (HR 12/16/2022)

, (HR 09/10/23)

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. Equivalencies for education or experience shown may be more specifically defined by CSC approved guidelines.

Public Safety Series

Current Job Code	New Proposed Job Code	Job Code	Current Job Title	Type of Position	Current Grade	FLSA Status	Education Requirement	Lead or Supervisory Experience Requirement	Job Family
19010	U7500	U7500	Fire Chief	Unclassified	EX 2	Exempt	Education and Experience: A Bachelor's degree in fire science, business or public administration or a related field, and ten (10) years fire operations experience; including six (6) years of fire management experience; Incumbents in an executive level	BA	6
73480		73480	Fire Assistant Chief	Uniform	FS 9	Exempt	Education and Experience: Certified fire fighters with the El Paso Fire Department for a minimum of twelve (12) years, holding the rank of FS6 or above. Licenses and Certificates: None.	BA	
73470		73470	Fire Deputy Chief	Uniform	FS 8	Exempt	Education and Experience: A Bachelor's Degree and twelve and one-half (12½) years of El Paso Fire Department firefighting and fire prevention experience, including either two and one half (2½) years at the rank of FS 6 or above. Employees hired after August 27, 2015, must have a Bachelor's Degree and ten (10) years of firefighting and fire prevention experience with the El Paso Fire Department, including two and one half (2½) years as a Captain. Employees hired after August 27, 2015, must have a Bachelor's Degree and ten (10) years of firefighting and fire prevention experience with the El Paso Fire Department, including two and one half (2½) years as a Captain.	BS	2.5
73390		73390	Fire Battalion Chief	Uniform	FS 6	Non-Exempt	Education and Experience: A Bachelor's degree (Associate Degree) or 63 (sixty-three) credit hours that are applicable in a singular Bachelor degree program. Seven and one-half (7½) years of firefighting and fire prevention experience with the El Paso Fire Department, including two and one half (2½) years as a Captain.	BS	2.5
73380		73380	Fire Captain	Uniform	FS 5	Non-Exempt	Education and Experience: A two (2) year degree (Associate Degree) or 63 (sixty-three) credit hours that are applicable in a singular Bachelor degree program. Seven and one-half (7½) years of firefighting and fire prevention experience with the El Paso Fire Department, including two and one half (2½) years as a Captain.	AA or 63 College Credit Hours	2.5
73370		73370	Fire Lieutenant	Uniform	FS 4	Non-Exempt	Education and Experience: Five (5) years of firefighting, fire prevention, or fire medical experience with the El Paso Fire Department including five (5) years of state certified structural firefighting, and two and one-half (2½) years service as a Captain.		2.5
76030	73360	73360	Fire Medical Lieutenant	Uniform	FS 4	Non-Exempt	Education and Experience: A combination of five (5) years pre-hospital emergency medical experience in either the City of El Paso Fire Department or Emergency Medical Services Department including two and one-half (2½) years in the rank of Fire Paramedic.		2.5
73330		73330	Fire Suppression Technician	Uniform	FS 2	Exempt	Education and Experience: Two and one half (2½) years of experience with the El Paso Fire Department in firefighter, fire prevention or fire medical positions that included two and one half (2½) years of state certified structural firefighting. (The time, from the date the individual graduated from the training academy for structural firefighting, will count for		

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)

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

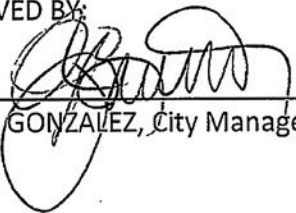
1. Any false statement knowingly made by an applicant in an application for admission to an examination or any other fraudulent conduct related to the application process will cause the Human Resources Director to:
 - a) Exclude the applicant from such examination;
 - b) Remove the applicant's name from 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:

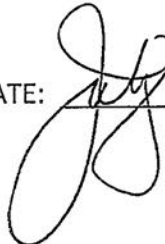
1. Appeals for disqualification from taking an examination, or from not being certified after examination, or from being removed from an eligible list, may be submitted as follows:
 - a) Regular Employee: A regular employee may file a written appeal to the Civil Service Commission. The appeal must be 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:

 July 14, 2015