



# Department of Human Resources

**MAYOR**  
Oscar Leaser

**TO:** Santos Morales, Environmental Services Dept  
**FROM:** Mary Wiggins, Chief Human Resources Officer *MW*  
**DATE:** December 6, 2024

**CITY COUNCIL**

**District 1**  
Brian Kennedy

**SUBJECT:** Discussion and Action on Disqualification Appeal to take Examination and/or Removal of Names from Eligible List for Streets and Maintenance Dept, in accordance with C.S.C. Rule 5.1.(a) and City's Application Policy

**District 2**  
Dr. Josh Acevedo

**District 3**  
Cassandra Hernandez

Your appeal has been placed on the Civil Service Commission Agenda as Item #3 for their meeting to be held on **Thursday evening, December 12, 2024**. The meeting will be at **6:00 P.M.**, in the **Main Conference Room, 2<sup>nd</sup> 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 Failure to attend the meeting to address the Commission may result in your appeal being deemed withdrawn.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

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 5**  
Isabel Salcido

**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

**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:** Santos Morales  
**Current Position and Grade:** Lead Solid Waste Truck Driver GS 051  
**Position and Grade Applying For:** Operations Assistant GS 053  
**Exam Plan:** 17640-1024

**Reason for Disqualification:**  
 Applicant is lacking five (5) months of lead or supervisory experience.

**Minimum Qualifications:**

**Education and Experience:** Completion of tenth grade, plus three (3) years of operating heavy equipment, storm water construction, solid waste operations or other field operations experience, including one (1) year of lead or supervisory experience.

**Licenses and Certificates:** Texas Class "C" Driver License or equivalent from another state. Some positions may require a Texas Class "A" or Class "B" Commercial Driver License. Some positions may require a Texas Municipal Solid Waste Operator Class A License from the Texas Commission on Environmental Quality within one (1) year of appointment.

**Applicant Qualifications:**

**Education:** Technical College – Medical Assistance

<b>Experience:</b>	Solid Waste Truck Driver	03/2017 – 02/2024	6 yrs 11 mos
	Lead Solid Waste Truck Driver	03/2024 – present	7 mos

**Comments:**

Mr. Morales promoted to the Lead Truck Driver position on 03/10/2024, giving him seven (7) months of lead or supervisory experience. He is lacking five (5) months of lead or supervisory experience to meet the minimum requirements.



**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:** Jennifer Fulmer  
**Reviewed By:** Karla Mora

**HR-HCM Review:** Erica Salamanca

**Date:** 11/26/2024



# Civil Service Commission Appeal

## Recruitment Factsheet

**Exam Plan Title: Operations Assistant 17640-1024**

**Recruiting Department: Streets and Maintenance**

**Total Applications**

**Rec'd/took the Exam: 46**

# of Internal Applicants: 32

# of External Applicants: 14

**Total # of Applicants who failed the Exam (supplemental questions): 10**

Lacked Education: 0

Lacked Experience: 9

Lacked Ed & Exp: 0

Other: 1

**Total # of Applicants who failed the application review 17**

Lacked Education: 0

Lacked Experience: 14

Lacked Ed. & Exp.: 0

Other: 3

**Total # of Applicants who passed the application review 19**

Qualified City Employees 19

Qualified External Applicants: 0



## Appeal Form

To Whom It May Concern:

I, Santos Merales, hereby appeal my disqualification to take the examination for: Operations Assistant [Examination Title]

Date notified of disqualification: 10-30-2024

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 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 type="checkbox"/>	<input checked="" type="checkbox"/>
Did you list your education and/or experience on your application?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Detail your qualifying experience (use additional paper if necessary)

*My first position with the city was as a manual driver. I floated on all routes for about a year while teaching the dealings of both trash and recycle. Soon afterwards I accepted the automation driver position working still with trash and recycle. I gained several years experience working different routes driving any trucks while following the routenace. I was able to assist anyone as needed in any region. Earlier this year, I moved up to a lead driver/trainer. I do recognize that I do not have the full year experience required. However, I believe my previous experiences will allow me to perform any duty as an Operations Assistant.*

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 type="checkbox"/>
Will the conviction hinder your ability to perform the duties of this position?	<input type="checkbox"/>	<input type="checkbox"/>

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

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<b>HR Policy: Dismissed from Public Service</b>	<b>YES</b>	<b>NO</b>
<b>HR Policy: Dismissed from City Employment</b>	<input type="checkbox"/>	<input type="checkbox"/>

Are the circumstances of your dismissal related to the duties of the position being sought?  YES  NO

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

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**Other** \_\_\_\_\_ (cite specific Rule or HR Policy you are appealing).

Please explain what you are appealing

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Name: *Santos Dominick Morales* Address: [Redacted] City/State/Zip [Redacted]  
 Telephone: [Redacted] Person ID #: [Redacted] (Neogov)  
 Applicant Signature: *[Signature]* Date: *11-14-24*

Stamp  
 Received by CSC

Please note: In accordance with the Texas Public Information Act, information from your application and/or resumé 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

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### SUPPLEMENTARY WORK EXPERIENCE

**City of El Paso**  
300 N. Campbell, 1<sup>st</sup> Floor, El Paso, TX 79901  
915-212-0045  
<http://www.elpaso.tx.us>

NAME:(Last, First, Middle)

*Morales Santos Dominick*

Person ID#

SS #: (last 4 digits)

Additional experience for the position of:

*Operations Assistant*

#### WORK EXPERIENCE

DATES: *March February*  
From: *2017* To: *2024*

EMPLOYER: *Environmental Services*  
*City of El Paso*

PHONE NUMBER:

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

*7468 San Paulo Dr El Paso TX 79907*

POSITION TITLE:

*Solid Waste Truck Driver*

SUPERVISOR:

*Matthew Workman*

HOURS PER WEEK:

*40*

SALARY:

*19,000 Annual*

MAY WE CONTACT THIS EMPLOYER?

Yes  No

DUTIES:

*Worked as an ASL Driver performing in both garbage and recycling aspect. I understand both jobs and I have dealt with all types of issues, and provided solutions. I can easily do any route and complete it as required.*

REASON FOR LEAVING:

*I accepted the position for Lead Solid Waste Driver/Trainer.*

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.  Initials or  check for electronic initials

Signature

*[Signature]*

Date

*11/1/24*

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**SUPPLEMENTARY WORK EXPERIENCE**

**City of El Paso**

300 N. Campbell, 1<sup>st</sup> Floor, El Paso, TX 79901  
916-212-0045  
http://www.elpasotexas.gov

NAME:(Last, First, Middle)

Morales Santos Dominick

Person ID#

SS #: (last 4 digits)

Additional experience for the position of:

Operations Assistant

**WORK EXPERIENCE**

DATES:

From: February 2024 To: Present

EMPLOYER: Environmental services  
City of El Paso

PHONE NUMBER:

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

7968 San Paulo Dr El Paso TX 79907

POSITION TITLE:

Lead Solid Waste Trainer

SUPERVISOR:

Danny Zuniga

HOURS PER WEEK:

40

SALARY:

20,000 Annual

MAY WE CONTACT THIS EMPLOYER?

Yes  No

DUTIES:

Train individuals how to perform as a driver in solid waste, in a safe and efficient manner. I changed from another region into a new one and I was able to learn my new routes and shortly afterwards teach another how to complete them.

REASON FOR LEAVING:

Current position.

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. SM Initials or  check for electronic Initials

Signature

*[Handwritten Signature]*

Date

11/1/24

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17640-1024 - Operations Assistant

**Contact Information -- Person ID:** [REDACTED]

**Name:** Santos Dominick Morales      **Address:** [REDACTED] US  
**Home Phone:** [REDACTED]      **Alternate Phone:** [REDACTED]  
**Text Messaging:** [REDACTED]      **Email:** [REDACTED]  
**Mobile No:** [REDACTED]  
**Former Last Name:** [REDACTED]      **Month and Day of Birth:** [REDACTED]

**Personal Information**

**Driver's License:** Yes, Texas, [REDACTED]  
**Can you, after employment, submit proof of your legal right to work in the United States?** Yes  
**What is your highest level of education?** Technical College

**Preferences**

**Are you willing to relocate?**  
**Types of positions you will accept:** Regular, Temporary  
**Types of work you will accept:** Full Time, Part Time  
**Types of shifts you will accept:** Day, Evening, Rotating, Weekends

**Objective**

**Education**

**College/University**      **Did you graduate:** Yes  
Western Technical College      **Major/Minor:** Medical Assistance  
1/2010 - 12/2010      **Degree Received:** Other  
El Paso, Texas

**High School**      **Did you graduate:** Yes  
San Elizario      **Degree Received:** High School Diploma  
8/2004 - 6/2008  
San Elizario, Texas

**Work Experience**

**Truck Driver**      **Hours worked per week:** 40  
3/2017 - 12/2017      **Monthly Salary:** \$0.00  
                                 **Name of Supervisor:** Rudy Tellez - Supervisor  
City of El Paso Environmental Service Department      **May we contact this employer?** Yes  
7968 San Paulo Dr  
El Paso, Texas 79907  
915 212 6048

**Duties**  
Drive manual trucks, pre-trip and post trip assessments. Operate both recycle and garbage trucks. Assisting in the dumping of garbage cans, tagging any cans in violation of codes, finishing routes on time while insuring safety procedures are taken including safely backing up.

**Reason for Leaving**  
Accepted Solid Waste Driver position.





**Water Truck Driver**  
8/2015 - 8/2016

Mortenson Construction  
McCamey , Texas

Hours worked per week: 50  
Monthly Salary: \$0.00  
Name of Supervisor: Chris Conville - General Foreman  
May we contact this employer? Yes

**Duties**

Water Truck driver, operated skid steer loader, operated remote compactor, leveled trenches, stubbed wire in conduit, passed compaction test, spotter for heavy machinery

**Reason for Leaving**  
job site ended/Laid-off

**driver**  
4/2015 - 5/2015

F.A.L.C trucking  
3730 Taylor  
El Paso, Texas 79915

Hours worked per week: 20  
Monthly Salary: \$0.00  
May we contact this employer?

**Duties**

Did pre-trip assessments on truck and drive a belly dumb.

**Reason for Leaving**  
Not enough hours, needed a job with more hours offered and adequate schedule.

**dishwasher/custodian**  
5/2011 - 12/2014

S.E.I.S.D  
13705 Socorro Rd  
San Elizario, Texas 79849  
915-872-3942

Hours worked per week: 37  
Monthly Salary: \$0.00  
May we contact this employer? Yes

**Duties**

Dishwasher, set up cafeteria, kept dry storage, freezer and walk in organized, put away new merchandise and food that came in also helped prepare food.

**Reason for Leaving**  
seeking better employment

**Solid Waste Driver / Operator**  
12/2017 - /

City of El Paso Environmental Services  
Department  
7968 San Paulo Dr  
El Paso, Texas 79907  
9152126048

Hours worked per week: 40  
Monthly Salary: \$2,400.00  
Name of Supervisor: Matthew Workman - Supervisor  
May we contact this employer? Yes

**Duties**

Currently operating automation garbage /recycling trucks. Thoroughly doing pre and post trip inspections on trucks. Assisting in cleaning truck and maintaining equipment. Dispose of trash or waste. Assist other regions and teammates with completing their routes when needed.

**Reason for Leaving**  
Present Job



**Solid Waste Lead Trainer**  
2/2024 - /

Hours worked per week: 40  
Monthly Salary: \$2,400.00  
Name of Supervisor: Danny Zuniga -  
Supervisor  
May we contact this employer? Yes

City of El Paso Environmental Service Department  
7968 San Paulo Dr  
El Paso, Texas 79907  
9152126048

**Duties**

Train in solid waste truck driving functions including safety and emergency practices, disposal procedures, departmental requirements policies and procedures. Assist in customer service skills and public relations. Operating automation garbage /recycling trucks. Thoroughly doing pre and post trip inspections on trucks. Assisting in cleaning truck and maintaining equipment. Dispose of trash or waste. Assist other regions and teammates with completing their routes when needed.

**Reason for Leaving**

Currently still in this position.

**Certificates and Licenses**

Type: Forklift

Number: [REDACTED]

Issued by: OSHA compliance

Date Issued: [REDACTED] Date Expires: [REDACTED]

Type: CDL A licence

Number: [REDACTED]

Issued by:

Date Issued: [REDACTED] Date Expires: [REDACTED]

**Skills**

Office Skills

Typing:

Data Entry:

**Languages**

English - Speak, Read, Write

Spanish - Speak, Read, Write

**Additional Information**

**References**

City of El Paso has chosen not to collect this information for this job posting.

**Resume**

Text Resume

Attachments

**Supplemental Questions**

1. Q: Required supplemental questions and answers are considered an examination component and will generate a score.

A: I understand my answers to the supplemental questions will generate a score.

2. Q: 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.



A: I understand that I am being tested on a conditional basis pending review of my minimum qualifications.



<b>Street Operations Group</b>							
<b>Job Code</b>	<b>Current Job Title</b>	<b>Type of Position</b>	<b>Current Grade</b>	<b>FLSA Status</b>	<b>Education Requirement</b>	<b>Experience Requirement</b>	<b>Lead or Supervisory Experience Requirement</b>
U7100	Streets & Maintenance Director	Unclassified	EX 2	Exempt	BA	8	6
U7105	Streets and Maintenance Assistant Director	Unclassified	EX 3	Exempt	BA	6	3
U7110	Transportation Planning Administrator	Unclassified	EX 4	Exempt	BA	6	2
U7120	Transportation Planning & Programs Manager	Unclassified	EX 4	Exempt	BA	6	2
17625	Transportation Manager	Classified	PM 132	Exempt	BA	5	2
U7130	Active Transportation Program Manager	Unclassified	PM 134	Exempt	BS	4	0
17626	Transportation Planner	Classified	PM 127	Exempt	BA	2	0
17627	Pavement Coordinator	Classified	PM 126	Exempt	BS or AA	4 or 6	2
17628	Graffiti Abatement Program Coordinator	Classified	GS 56	Non-Exempt	HSD/GED	5	1
17630	Operations Supervisor	Classified	GS 57	Exempt	HS/GED	4	2
17640	Operations Assistant	Classified	GS 53	Non-Exempt	10TH GRADE	3	1
17650	Resurfacing Inspector	Classified	GS 47	Non-Exempt	HS/GED	2	0

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# City of El Paso Operations Assistant

<b>CLASS CODE</b>	17640 GS 053	<b>SALARY</b>	\$19.06 - \$31.77 Hourly \$1,525.00 - \$2,541.54 Biweekly \$3,304.17 - \$5,506.67 Monthly \$39,650.00 - \$66,080.00 Annually
<b>ESTABLISHED DATE</b>	March 18, 2008	<b>REVISION DATE</b>	September 08, 2024

### Minimum Qualifications

**Education and Experience:** Completion of tenth grade, plus three (3) years of operating heavy equipment, storm water construction, solid waste operations or other field operations experience, including one (1) year of lead or supervisory experience.

**Licenses and Certificates:** Texas Class "C" Driver License or equivalent from another state. Some positions may require a Texas Class "A" or Class "B" Commercial Driver License. Some positions may require a Texas Municipal Solid Waste Operator Class A License from the Texas Commission on Environmental Quality within one (1) year of appointment.

### General Purpose

Under general supervision, monitor and participate in street storm water, or solid waste construction, maintenance and repair activities, transportation and disposal operations.

### Typical Duties

Perform skilled and lead work on medium and heavy equipment. Involves: Safely operate any type of motorized equipment that excavates, loads or moves dirt, gravel or other material to maintain or construct streets, drainage, storm water infrastructure and other public properties. Safely operate equipment for the disposal, processing or transportation of waste or other materials. Inspect, clean and perform routine equipment preventive maintenance to ensure suitable operating condition. Provide technical guidance as leader of designated crew employees.

Assist in planning, coordinating and scheduling stormwater construction, maintenance and repair, or solid waste management activities. Involves: Schedule, prioritize and assign daily work orders to crews. Inspect job sites for compliance to health, safety and transportation rules and regulations. Ensure safe, efficient work methods and practices. Make changes to work orders to resolve problems. Recommend alternative solutions. Direct crews to make emergency repairs. Coordinate work with other utilities, contractors, City and State inspectors, customers and any entity that is essential to completion of each assignment.

Respond to requests for service and emergencies to investigate situations, as assigned. Involves: Travel to and visually examine site and structures to determine extent of required remedial action, report circumstances to superiors, and notify available qualified personnel and organizations, following established procedures. Perform



emergency service on roads or storm water facilities in conjunction with other departments and agencies. Ensure proper placement of barricades and warning signs.

Perform miscellaneous related duties contributing to the realization of department objectives as assigned. Involves: Substitute for own supervisor, co-workers or subordinates during temporary absences as qualified by carrying out specified duties to maintain continuity of normal operations, if delegated. Assist supervisor in training and orientation of less knowledgeable employees by explaining and demonstrating work performed.

Supervise assigned staff. Involves: Schedule, assign, guide and check work. Review operational and procedural activities. Prioritize and coordinate divisional activities. Appraise employee performance and review evaluations by subordinates. Enforce personnel rules, regulations, and work standards. Counsel, motivate and maintain harmony. Interview applicants. Recommend hire, termination, transfers, discipline, merit pay or other employee status changes.

### Knowledge, Skills, and Abilities

- Application of considerable knowledge of medium and heavy construction equipment operation and servicing methods.
- Application of considerable knowledge of maintenance, repair, replacement and construction of water distribution systems.
- Application of considerable knowledge of the state health regulations on water distribution, construction, and maintenance.
- Application of considerable knowledge of traffic laws, ordinances and regulations related to equipment operation.
- Application of considerable knowledge of tools, equipment, materials, and supplies utilized in the construction, maintenance and repair of water distribution systems or in the management, disposal, processing and transportation of solid waste.
- Application of considerable knowledge of solid waste management, disposal, processing and transportation operations.
- Application of good knowledge of Texas solid waste rules and regulations and solid waste operational procedures.
- Interpretation of federal, state, and City laws, rules, regulations, related to water distribution system construction, maintenance and repair, state and local labor and occupational safety and health rules and regulations.
- Application of good knowledge of occupational hazards and safe working practices and procedures.
- Safe operate various types of motorized equipment.
- Application of good knowledge of personal computers and word processing software.
- Accurately, efficiently, understand and follow oral and written instructions.
- Application of good knowledge of decisions making techniques in normal and emergency situations according to rules, regulations and policies.
- Application of good knowledge of managerial skills to lead a crew performing unskilled and semi-skilled tasks.
- Establish and maintain effective working relationships with coworkers, officials, customer departments, vendors, contractors, regulatory and funding agencies and the public.



- Perceive auditory signals such as various tones and beeps.
- Ability to follow graphic instructions such as blueprints, layouts, schematic drawings or other visual aids.

**Other Job Characteristics**

- Occasional heavy manual labor such as moving objects weighing up to fifty (50) pounds.
- Frequent exposure to hazardous conditions, inclement weather, uneven or unstable terrain, climbing ladders, confined spaces, hazardous materials, chemicals, air and/or water borne pathogens during construction site supervision and/or inspections.
- Subject to on-call during non-working hours and mandatory recall for emergencies.
- Positions requiring a CDL or positions of a safety sensitive nature are subject to drug and alcohol testing in accordance with federal regulations.

**Classification Status**

*(HR 03/20/08), (CC 01/27/09), (HR 08/27/10), (HR 10/11/11), (CC 07/29/12), (HR 05/22/22), (HR 09/11/22), (03/12/2023), (HR 09/10/2023), (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. Equivalencies for education or experience shown may be more specifically defined by CSC approved guidelines*



# Attachment A

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## 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)

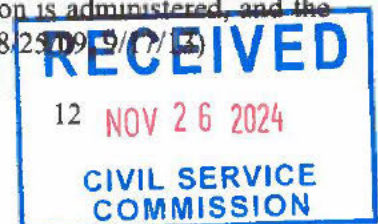
#### Section 3. Frequency and Examination.

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 8/25/09)

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.

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**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.

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- 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:

