

PUBLIC NOTICE
Civil Service Commission Meeting

The Civil Service Commission has scheduled a meeting on **Tuesday, November 13, 2018**, at **6:30 pm**, at City Hall, 308 W. San Antonio Street, Lockhart, Texas:

Agenda

1. Discussion and/or action regarding approval of Commission minutes of October 22, 2018. 2-3
2. Discuss and elect a Commission Chairperson and Vice-Chairperson to serve from January 1, 2019 to December 31, 2019.
3. Discussion and/or action regarding approval of opening the current Fire Captain Exam (date to be determined) to all Fire Engineers within the Lockhart Fire Department, regardless of tenure; waiving the 4 years of service in the department requirement; and waiving the rule of "3" to ensure a competitive exam – for this exam and this exam only. 4-10
4. Discussion and/or action regarding amending Section 143.033 of the City of Lockhart Fire Fighters' and Police Officers' Civil Service Commission Rules and Regulations regarding promotional examination grades and seniority point requirements. 11-14
5. Discussion and/or action regarding amending Section 143.0251 of the City of Lockhart Fire Fighters' and Police Officers' Civil Service Commission Rules and Regulations regarding reappointment of police officers. 15-18
6. Director's Report.
 - Police Sergeant exam scheduled for December 10, 2018.
 - Police Officer exam scheduled for December 15, 2018.
 - TML/TMHRA Annual Civil Service Workshop Jan 31 & Feb 1 in Arlington.

7. Adjournment.

If, during the course of the meeting, any discussion of any item on the agenda should be held in executive or closed session, the Lockhart Firefighters' and Police Officers' Civil Service Commission will convene in such executive or closed session, in accordance with the provisions of the Government Code, Title 5, Subchapter D to consider one or more matters pursuant to the following:

Section 551.071. Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; (2) and/or a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with this chapter.

Section 551.072. To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.073. To deliberate a negotiated contract for a prospective gift or donation to the state or the governmental body if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

Section 551.076. To deliberate the deployment, or specific occasions for implementation, of security personnel or devices.

Section 551.086. To deliberate vote or take final action on any competitive matters relating to public power utilities.

Section 551.087. To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

Section 551.088. To deliberate a test item or information related to a test item if the governmental body believes that the test item may be included in a test the governmental body administers to individuals who seek to obtain or renew a license or certificate that is necessary to engage in an activity.

After discussion of any matters in executive session, any final action or vote taken will be in public by the Lockhart Firefighters' and Police Officers' Civil Service Commission.

I hereby certify that the above public notice of meeting was posted on this the 9th day of **November, 2018**, at 3:25 pm, on the City Hall Public Notice Board located at the rear of 308 W. San Antonio Street, Lockhart, Texas.

Signed:



Julie Bowermon
Civil Service Director

**CITY OF LOCKHART-
FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION**

Civil Service Commission Meeting Monday, October 22, 2018 6:30 P.M.

Commissioners present:

Chairman Worlanda Neal
Commissioner Yolanda Strey
Commissioner Ray Sanders

Staff present:

Randy Jenkins, Fire Chief
Julie Bowermon, Civil Service Director

Chairman Neal called the meeting of the Civil Service Commission to order on this date at **6:30 p.m.**

Agenda

1. Discussion and/or action regarding approval Commission minutes of August 13, 2018.

Chairman Neal requested corrections to the Civil Service Commission minutes of August 13, 2018. Commissioner Sanders requested a grammar change to the language of the motion made for Item 3. There were no other corrections.

Commissioner Sanders made a motion to approve Civil Service Minutes of August 13, 2018. Commissioner Strey seconded. The motion carried by a vote of 3-0.

2. Discussion and/or action regarding approval of opening the current Fire Engineer exam (date to be determined) to all Firefighters in the Lockhart Fire Department in order to ensure a competitive exam – for this exam and this exam only.

Ms. Bowermon stated that an Engineer vacancy exists. Chapter 143.030(b) requires that the exam be opened to employees in the next lower class with 2 years of experience. There are currently no Firefighters within the department that meet the 2 year requirement. The Commission can then open the exam to Firefighter with less than 2 years, in other words all Firefighters within the department.

There was further discussion.

Commissioner Sanders made a motion to approve opening the current Fire Engineer exam (date to be determined) to all Firefighters in the Lockhart Fire Department in order to ensure a competitive exam – for this exam and this exam only. Commissioner Strey seconded. The motion carried by a vote of 3-0.

3. Director's Report.

- Police Sergeant exam scheduled for December 10, 2018.
- Police Officer exam to be scheduled for December 15, 2018.
- TML/TMHRA Annual Civil Service Workshop Jan 31 & Feb 1 in Arlington.

4. Adjournment.

Commissioner Sanders made a motion to adjourn the meeting. Commissioner Strey seconded. The motion carried by a vote of 3-0. The meeting was adjourned at 6:47pm

PASSED and APPROVED this 13th day of November, 2018.

Signed:

Worlanda Neal, Chairman

Yolanda Strey, Commissioner

Ray Sanders, Commissioner

ATTEST:

Julie Bowermon, Civil Service Director

**CITY OF LOCKHART
FIRE FIGHTERS' AND POLICE OFFICERS'
CIVIL SERVICE COMMISSION
AGENDA ITEM**

Commission Meeting Date: November 13, 2018

Department: Civil Service

Department Head: Julie Bowermon

Signature *Julie Bowermon 11.9.18*

CAPTION

Discussion and/or action regarding approval of opening the current Fire Captain Exam (date to be determined) to all Fire Engineers within the Lockhart Fire Department, regardless of tenure; waiving the 4 years of service in the department requirement; and waiving the rule of "3" to ensure a competitive exam – for this exam and this exam only.

SUMMARY OF ITEM

A Captain vacancy exists and it is necessary to hold a Fire Captain promotional exam.

Chapter 143.030(b) requires that the exam be first opened to Engineers with 2 years of experience. Chapter 143.028(a) requires that a firefighter must have served 4 years in the fire department to be eligible for a promotion to Captain.

- By opening the exam to Engineers with 2 years in that position and 4 years of service in the department, no employees would be eligible for the exam.

Chapter 143.030(d) requires that if there is not an adequate number of Engineers with 2 years of experience, the Commission may open the exam down to Engineers with less than 2 years of experience (in other words, all Engineers).

- By opening the exam to all Engineers with 4 years of service in the department, still no employees would be eligible.

To prevent a delay in filling the Captain vacancy, staff requests that the Commission open the Captain exam to all Engineers, regardless of tenure AND waive the 4 years of service in the department requirement, which would make 3 employees eligible.

Our Commission Local Rules require that 3 employees sit for a promotional exam. To prevent delay in filling the promotional vacancy, staff also requests that the Commission waive the rule of "3" and allow that only 2 employees must sit to take the Captain exam – for this exam only.

STAFF RECOMMENDATIONS

Staff recommends approval of opening the current Fire Captain Exam (date to be determined) to all Fire Engineers within the Lockhart Fire Department, regardless of tenure; waiving the 4 years of service in the department requirement; and waiving the rule of "3" to ensure a competitive exam – for this exam and this exam only.

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Julie Bowermon

From: Randy Jenkins
Sent: Thursday, November 08, 2018 1:39 PM
To: Julie Bowermon
Subject: RE: Fire Captain Vacancy

Yes, it is accurate.

Randy Jenkins

Lockhart Fire Rescue
Fire Chief
Fire Marshal / EMC
rjenkins@lockhart-tx.org
512-398-2321 (office)

From: Julie Bowermon
Sent: Thursday, November 08, 2018 1:00 PM
To: Randy Jenkins <rjenkins@lockhart-tx.org>
Subject: Fire Captain Vacancy

As we have discussed, with the recent Fire Captain vacancy, there is a need to schedule a Fire Captain promotional exam. Currently of the 3 Fire Engineer positions, 2 Engineers have been in that position for less than a year and 1 is vacant. An Engineer promotional exam is scheduled for December 4, 2018 to fill the vacant Engineer position. As we discussed, I will place on the agenda for the Commission to consider opening the Fire Captain exam to all Engineers and waiving the rule of 3, as the 3rd Engineer position may not be filled at the time of the Captain's exam AND waiving the statutory 4 years of service in the department requirement as no one below the rank of Captain currently holds 4 years in the department.

Is this accurate?

Thanks!
Julie
(512) 398-3461

CHAPTER 143.028 TLGL

Sec. 143.028. ELIGIBILITY FOR PROMOTION. (a) Except as provided by Sections 143.013 and 143.102, a fire fighter is not eligible for promotion unless the person has served in that fire department in the next lower position or other positions specified by the commission for at least two years at any time before the date the promotional examination is held. A fire fighter is not eligible for promotion to the rank of captain or its equivalent unless the person has at least four years' actual service in that fire department.

(b) Except as provided by Sections 143.013 and 143.102, a police officer is not eligible for promotion unless the person has served in that police department in the next lower position or other positions specified by the commission for at least two years immediately before the date the promotional examination is held. A police officer is not eligible for promotion to the rank of captain or its equivalent unless the person has at least four years' actual service in that police department.

(c) If a person is recalled on active military duty for not more than 60 months, the two-year service requirements prescribed by Subsections (a) and (b) do not apply and the person is entitled to have time spent on active military duty considered as duty in the respective fire or police department.


Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:


Acts 2005, 79th Leg., Ch. 833 (S.B. 863), Sec. 2, eff. June 17, 2005.

CHAPTER 143.030 TLAC

Sec. 143.030. ELIGIBILITY FOR FIRE DEPARTMENT PROMOTIONAL EXAMINATION. (a) This section does not apply to a municipality with a population of 1.5 million or more.

 (b) Each promotional examination is open to each fire fighter who at any time has continuously held for at least two years a position in the classification that is immediately below, in salary, the classification for which the examination is to be held.

(c) If the department has adopted a classification plan that classifies positions on the basis of similarity in duties and responsibilities, each promotional examination is open to each fire fighter who has continuously held for at least two years a position at the next lower pay grade, if it exists, in the classification for which the examination is to be held.

 (d) If there are not enough fire fighters in the next lower position with two years' service in that position to provide an adequate number of persons to take the examination, the commission may open the examination to persons in that position with less than two years' service. If there is still an insufficient number, the commission may open the examination to persons with at least two years' experience in the second lower position, in salary, to the position for which the examination is to be held.

(e) If a fire fighter had previously terminated the fire fighter's employment with the department and is subsequently reemployed by the same department, the fire fighter must again meet the two-year service requirement for eligibility to take a promotional examination. In determining if a fire fighter has met the two-year service requirement, a fire department may not consider service in another fire department.

(f) This section does not prohibit lateral crossover between classes.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

COMMISSION LOCAL RULES

Section 143.030

ELIGIBILITY FOR FIRE DEPARTMENT PROMOTIONAL EXAMINATION

See Section 143.030, Chapter 143

The length of service for determining the eligibility for taking a promotional examination shall include the probationary period in the Lockhart Fire Department.

A fire fighter's prior service, whether part-time or full-time, with the City does not count toward meeting the two (2) year requirement established in 143.030(b) and (e). A fire fighter, who is rehired, is not given credit for prior service to determine eligibility to take a promotional examination.

Before being eligible for promotion, a fire fighter must successfully pass a drug test and a criminal conviction check.

Section 143.031

ELIGIBILITY FOR POLICE DEPARTMENT PROMOTIONAL EXAMINATION

See Section 143.031, Chapter 143

- (1) For an employee hired after October 30, 2007, the length of service for determining the eligibility for taking a promotional examination shall include the probationary period in the Lockhart Police Department. For an employee hired prior to October 30, 2007, the probationary period shall be counted towards eligibility for taking a promotional examination. The length of the probationary periods for employees hired prior to October 30, 2007, may be different.
- (2) The qualifications for a Lockhart Police Captain shall include advanced certification as a peace officer, as established by TCLEOSE, at time of examination.
- (3) The qualifications for a Lockhart Police Lieutenant shall include intermediate certification as a peace officer, as established by TCLEOSE, at time of examination.
- (4) The qualifications for a Lockhart Police Sergeant shall include intermediate certification as a peace officer, as established by TCLEOSE, at time of examination.

Section 143.032 PROMOTIONAL EXAMINATION PROCEDURE

See Section 143.032, Chapter 143

- (1) **EXAMINATIONS**—An examination shall be of such nature that it will test the relative capacity and fitness of the person examined to discharge the duties of the particular position to which he/she seeks appointment.

The actual conduct of every examination shall be under the direction of the Director who shall be responsible to the Commission. The Director shall have the authority to designate a Test Administrator, who shall be responsible for

administering the examination. The Director may also select one or more persons as Test Monitor to assist in the administering, proctoring and grading of an entrance examination. An examination shall be conducted on an "as needed" basis. Written exams shall be purchased from an outside vendor, as determined by the Director.

The Commission or Director may, because of the small number of eligible promotional candidates for any position, or because of any other good and sufficient reasons, such as death in the immediate family, public emergency, unavailability of test site, etc., postpone an examination to a later date.

To provide for a competitive promotional examination so as to better serve the public, at least three (3) qualified candidates in the next lower position with two years' service shall sit for an examination. If there are not three (3) candidates in the next lower position, the Commission shall follow the procedures relating to eligibility for promotional examinations outlined in Section 143.030(d) and 143.031(c) until at least three (3) qualified candidates sit for the examination. When more than one vacancy exists at the time an examination is to be given, the Director shall determine whether the number of examinees who have filed Notices of Intent to Test is competitive. If necessary, the Director shall make a recommendation to the Commission to open the examination to additional employees, as outlined in Section 143.030(d) and 143.031(c).

When there are not enough candidates eligible to take a promotional examination to make it competitive under this Rule, and if the promotional examination process exceeds ninety days as a result of obtaining enough qualified candidates to take the examination, then retroactive back pay may be paid to the applicant eventually appointed to the vacancy, if the applicant was qualified to be promoted on the 90th day.

No person shall deceive or obstruct any person in respect of his/her right of examination under the provision of these rules and the Civil Service Act; or falsely mark, grade or report the examination or standing of any person examined hereunder; or aid or furnish any special information for the purpose of either improving or injuring the rating of any such person for appointment or promotion. No promotional candidate shall deceive the Commission for the purpose of improving his/her chance for appointment or promotion.

- (2) **NOTICE OF INTENT TO TEST**—An employee shall complete a Notice of Intent to Test, as prescribed by the Director, in order to take a promotional examination. Failure to make application in the manner prescribed in the "Notice of Promotional Examination" and failure to file the application with the Director within the time limits prescribed in the "Notice of Promotional Examination" shall render the employee ineligible to take the examination.
- (3) **PROMOTIONAL EXAMINATION ADMINISTRATION PROCEDURES**
- (a) Smoking shall be prohibited at all times in the testing area.
- (b) Check In – An examinee shall be checked in and provide proof of identity with a valid Driver's License. No examinee shall be admitted once test

Civil Service Commission Meeting

Lockhart, Texas

November 13, 2018

ACTION ITEM RECORD

We, the below named members of the Civil Service Commission, Lockhart, Texas, have met on **Tuesday, November 13, 2018**, at 6:30 p.m. at City Hall, 308 W. San Antonio Street, for the purpose of conducting a public meeting to consider among other things the **approval of, opening the current Fire Captain Exam (date to be determined) to all Fire Engineers within the Lockhart Fire Department, regardless of tenure; waiving the 4 years of service in the department requirement; and waiving the rule of "3" to ensure a competitive exam – for this exam and this exam only.** We have been assured by the Civil Service Director that this meeting was posted in full compliance with the State of Texas Open Meetings Act.

After participating in a discussion regarding the item it was our determination to vote on the approval of, **opening the current Fire Captain Exam (date to be determined) to all Fire Engineers within the Lockhart Fire Department, regardless of tenure; waiving the 4 years of service in the department requirement; and waiving the rule of "3" to ensure a competitive exam – for this exam and this exam only.**

We, the current members of the Civil Service Commission, Lockhart, Texas, voted as follows on the above action item:

Approve () Disapprove ()

Worlanda Neal, Commissioner

Date

Approve () Disapprove ()

Yolanda Strey, Commissioner

Date

Approve () Disapprove ()

Ray Sanders, Commissioner

Date

ATTEST:

Julie Bowermon, Civil Service Director

This document shall become part of the official Civil Service Commission file to be maintained by the Civil Service Director, or his/her successors.

**CITY OF LOCKHART
FIRE FIGHTERS' AND POLICE OFFICERS'
CIVIL SERVICE COMMISSION
AGENDA ITEM**

Commission Meeting Date: November 13, 2018

Department: Civil Service

Department Head: Julie Bowermon

Signature: *Julie Bowermon 11.8.18*

CAPTION

Discussion and/or action regarding amending Section 143.033 of the City of Lockhart Fire Fighters' and Police Officers' Civil Service Commission Rules and Regulations regarding promotional examination grades and seniority point requirements.

SUMMARY OF ITEM

In 2007 when the local rules were adopted, Local Rule Section 143.033 included a requirement that both fire and police promotional candidates must score a minimum of 70 on the written exam to receive seniority points. In 2013 the Police Department elected an alternate promotional system that created a different standard of scoring and awarding seniority points to police promotional candidates. Later, in the court ruling of City of New Braunfels v. Tovar (Austin Court of Appeals) interrupted the Texas Local Government Code to mean that police officers did not have to make a 70 to get seniority points, which trumps local rules. However at that time, Lockhart was operating under an alternate promotional system. So, the case law had no effect on Lockhart. In August 2018, the alternate promotional system was terminated. To harmonize current case law with the Local Rules, LR Section 143.033 should be amended to remove the requirement of police promotional candidates scoring a minimum of 70 to receive seniority points.

STAFF RECOMMENDATIONS

Staff recommends amending Section 143.033 of the City of Lockhart Fire Fighters' and Police Officers' Civil Service Commission Rules and Regulations regarding promotional examination grades and seniority point requirements.

Section 143.033 PROMOTIONAL EXAMINATION GRADES

See Section 143.033, Chapter 143

- (1) **SENIORITY POINTS**—Up to ten (10) seniority points shall be added to the score of an examinee who receives a grade of at least 70 percent on the written examination, based upon whole years of service as a certified fire fighter in the Lockhart Fire Department or police officer in the Lockhart Police Department:

(a) Fire Department applicants scoring a minimum passing grade on the written examination of seventy (70) shall be awarded seniority points;

(b) Police Department applicants shall be awarded seniority points, with or without scoring a minimum passing grade on the written examination of seventy (70).

Each full year of service equals one point. Seniority points shall be awarded only for whole years of service, and shall not be awarded for years of part-time employment.

- (2) **TIE-BREAKERS**—Whenever two (2) or more competitors for promotion attain the same grade, including seniority points, the tie shall be broken in the order listed below:

(a) **Highest Test Score** – If a tie exists, the candidates shall be ranked in the order according to which candidate had the highest examination raw score prior to the addition of seniority points and after the Commission's determination of appeals, if any.

(b) **Time in Rank** – If a tie still exists, the candidates shall be ranked in the order according to which candidate has the most recent continuous seniority in the position immediately below and above the position for which the examination was given.

(c) **Seniority in the Lockhart Fire or Police Department** - If a tie still exists, the candidates shall be ranked in the order according to which candidate has the most seniority with the respective Department in a certified position, whether interrupted or uninterrupted.

(d) **Certification Level** – If a tie still exists, the candidates shall be ranked in the order according to which candidate has the highest certification level.

(e) **College Degree** – If a tie still exists, the candidates shall be ranked in the order according to which candidate has the highest level college degree, i.e., Bachelor's and then Associate's degree.

(f) **Total Years of Experience as a Certified Fire Fighter or Police Officer** - If a tie still exists, the candidates shall be ranked in the order according to which candidate has the (i) most years of experience as a full-time, paid fire fighter for a position in a Fire Department; or (ii) most years of experience as an active, full-time, paid peace officer for a position in a Police Department.

(g) **Total City Service** – If a tie still exists, the candidates shall be ranked in order according to which candidate has the most total service time with the City, including time in a non-classified position.

(h) **Earliest Date of Initial Application** – If a tie still exists, the candidates shall be ranked in order according to the earliest stamped date and time of initial application for the promotion.

(i) **By Lot** – If a tie still exists, the candidates shall be ranked by lot as determined by the Director.

Civil Service Commission Meeting
Lockhart, Texas
November 13, 2018
ACTION ITEM RECORD

We, the below named members of the Civil Service Commission, Lockhart, Texas, have met on **Tuesday, November 13, 2018**, at 6:30 p.m. at City Hall, 308 W. San Antonio Street, for the purpose of conducting a public meeting to consider among other things **amending Section 143.033 of the City of Lockhart Fire Fighters' and Police Officers' Civil Service Commission Rules and Regulations regarding promotional examination grades and seniority point requirements**. We have been assured by the Civil Service Director that this meeting was posted in full compliance with the State of Texas Open Meetings Act.

After participating in a discussion regarding the item it was our determination to vote on **amending Section 143.033 of the City of Lockhart Fire Fighters' and Police Officers' Civil Service Commission Rules and Regulations regarding promotional examination grades and seniority point requirements as follows:**

Section 143.033 PROMOTIONAL EXAMINATION GRADES
See Section 143.033, Chapter 143

- (1) **SENIORITY POINTS—Up to ten (10) seniority points shall be added to the score of an examinee who receives a grade of at least 70 percent on the written examination, based upon whole years of service as a certified fire fighter in the Lockhart Fire Department or police officer in the Lockhart Police Department:**
- (a) Fire Department applicants scoring a minimum passing grade on the written examination of seventy (70) shall be awarded seniority points;**
- (b) Police Department applicants shall be awarded seniority points, with or without scoring a minimum passing grade on the written examination of seventy (70).**

Each full year of service equals one point. Seniority points shall be awarded only for whole years of service, and shall not be awarded for years of part-time employment.

- (2) **TIE-BREAKERS—Whenever two (2) or more competitors for promotion attain the same grade, including seniority points, the tie shall be broken in the order listed below:**
- (a) **Highest Test Score – If a tie exists, the candidates shall be ranked in the order according to which candidate had the highest examination raw score prior to the addition of seniority points and after the Commission's determination of appeals, if any.**
- (b) **Time in Rank – If a tie still exists, the candidates shall be ranked in the order according to which candidate has the most recent continuous seniority in the position immediately below and above the position for which the examination was given.**
- (c) **Seniority in the Lockhart Fire or Police Department - If a tie still exists, the candidates shall be ranked in the order according to which candidate has the most seniority with the respective Department in a certified position,**

whether interrupted or uninterrupted.

- (d) **Certification Level – If a tie still exists, the candidates shall be ranked in the order according to which candidate has the highest certification level.**
- (e) **College Degree – If a tie still exists, the candidates shall be ranked in the order according to which candidate has the highest level college degree, i.e., Bachelor’s and then Associate’s degree.**
- (f) **Total Years of Experience as a Certified Fire Fighter or Police Officer - If a tie still exists, the candidates shall be ranked in the order according to which candidate has the (i) most years of experience as a full-time, paid fire fighter for a position in a Fire Department; or (ii) most years of experience as an active, full-time, paid peace officer for a position in a Police Department.**
- (g) **Total City Service – If a tie still exists, the candidates shall be ranked in order according to which candidate has the most total service time with the City, including time in a non-classified position.**
- (h) **Earliest Date of Initial Application – If a tie still exists, the candidates shall be ranked in order according to the earliest stamped date and time of initial application for the promotion.**
- (i) **By Lot – If a tie still exists, the candidates shall be ranked by lot as determined by the Director.**

We, the current members of the Civil Service Commission, Lockhart, Texas, voted as follows on the above action item:

Approve () Disapprove ()

Worlanda Neal, Chair-person

Date

Approve () Disapprove ()

Yolanda Strey, Commissioner

Date

Approve () Disapprove ()

Ray Sanders, Commissioner

Date

ATTEST: _____
Julie Bowermon, Civil Service Director

This document shall become part of the official Civil Service Commission file to be maintained by the Civil Service Director, or his/her successors.

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**CITY OF LOCKHART
FIRE FIGHTERS' AND POLICE OFFICERS'
CIVIL SERVICE COMMISSION
AGENDA ITEM**

Commission Meeting Date: November 13, 2018	
Department: Civil Service	
Department Head: Julie Bowermon	Signature: <i>Julie Bowermon 11.9.18</i>
CAPTION	
Discussion and/or action regarding amending Section 143.0251 of the City of Lockhart Fire Fighters' and Police Officers' Civil Service Commission Rules and Regulations regarding reappointment of police officers.	
SUMMARY OF ITEM	
<p>The Police Chief has the option of reappointing a police officer that has resigned from the Lockhart Police Department. Under civil service this is available to police officers only, not to fire fighters.</p> <p>Currently Local Rule Section 143.0251 limits the reappointment to classified police officers, in other words police officers that have completed their 12 – 18 month civil service probation. The proposed amendment allows for a police officer to be reappointed regardless if their probation has been completed. For example, if a police officer that has been with the department for 11 months resigns and then requests to be reappointment, under the proposed amendment the Police Chief would have the discretion to grant the reappointment.</p> <p>The City Manager, Police Chief, and Civil Service Director recommend this proposed amendment.</p>	
STAFF RECOMMENDATIONS	
Staff recommends amending Section 143.0251 of the City of Lockhart Fire Fighters' and Police Officers' Civil Service Commission Rules and Regulations regarding reappointment of police officers.	

Section 143.0251 REAPPOINTMENT OF POLICE OFFICERS

See Section 143.0251, Chapter 143

A ~~classified employee~~ Police Officer who voluntarily resigns from the City of Lockhart Police Department may be reappointed as a Police Officer with the Department without taking another entrance examination or being placed on an Eligibility List. Reappointment of a ~~classified employee~~ Police Officer is totally at the discretion of the Police Chief.

- (1) The former officer shall submit a written request to be reappointed to the Police Chief, who makes the final recommendation to the City Manager for reappointment. A candidate for reappointment shall not be considered unless recommended by the Police Chief and unless his/her re-appointment occurs within twelve (12) months from the date of separation. A candidate for reappointment may not appeal his/her rejection by the Police Chief.
- (2) Prior to recommending reappointment of a former ~~classified employee~~ Police Officer to the department, the Police Chief may review past performance records of the officer, conduct a background investigation, require appropriate alcohol and drug tests and require any other portion of the employment process he/she deems appropriate.
- (3) Upon receiving a conditional offer of reappointment, the Police Officer shall pass a drug test and a physical examination prescribed by the City.
- (4) A candidate for reappointment shall fully meet the requirements of the Texas Commission on Law Enforcement Officer Standards and Education.
- (5) A candidate for reappointment may be appointed regardless of the availability of a list of eligibles. A candidate for reappointment has priority over candidates on a list of eligibles.
- (6) In addition to the reasons for rejection listed in Section 143.023, a candidate for reappointment may be rejected for reasons related to previous work performance as a Lockhart Police Officer.
- (7) Any candidate reappointed to the Police Department shall serve a one (1) year probationary period and prior service shall not count toward service for promotional eligibility. Any candidate reinstated shall not be credited with accrued sick leave or vacation.
- (8) The candidate's years of prior service may be counted to determine placement in the salary step system.
- (9) The candidate's years of prior service shall not count for determining vacation eligibility and rate.
- (10) Age limitations, as provided under Section 143.023(c), do not apply to reappointments.

Civil Service Commission Meeting
Lockhart, Texas
November 13, 2018
ACTION ITEM RECORD

We, the below named members of the Civil Service Commission, Lockhart, Texas, have met on **Tuesday, November 13, 2018**, at 6:30 p.m. at City Hall, 308 W. San Antonio Street, for the purpose of conducting a public meeting to consider among other things **amending Section 143.0251 of the City of Lockhart Fire Fighters' and Police Officers' Civil Service Commission Rules and Regulations regarding reappointment of police officers**. We have been assured by the Civil Service Director that this meeting was posted in full compliance with the State of Texas Open Meetings Act.

After participating in a discussion regarding the item it was our determination to vote on **amending Section 143.0251 of the City of Lockhart Fire Fighters' and Police Officers' Civil Service Commission Rules and Regulations regarding reappointment of police officers**. as follows:

Section 143.0251 REAPPOINTMENT OF POLICE OFFICERS

See Section 143.0251, Chapter 143

A ~~classified employee~~ Police Officer who voluntarily resigns from the City of Lockhart Police Department may be reappointed as a Police Officer with the Department without taking another entrance examination or being placed on an Eligibility List. Reappointment of a ~~classified employee~~ Police Officer is totally at the discretion of the Police Chief.

- (1) The former officer shall submit a written request to be reappointed to the Police Chief, who makes the final recommendation to the City Manager for reappointment. A candidate for reappointment shall not be considered unless recommended by the Police Chief and unless his/her re-appointment occurs within twelve (12) months from the date of separation. A candidate for reappointment may not appeal his/her rejection by the Police Chief.**
- (2) Prior to recommending reappointment of a former ~~classified employee~~ Police Officer to the department, the Police Chief may review past performance records of the officer, conduct a background investigation, require appropriate alcohol and drug tests and require any other portion of the employment process he/she deems appropriate.**
- (3) Upon receiving a conditional offer of reappointment, the Police Officer shall pass a drug test and a physical examination prescribed by the City.**
- (4) A candidate for reappointment shall fully meet the requirements of the Texas Commission on Law Enforcement Officer Standards and Education.**
- (5) A candidate for reappointment may be appointed regardless of the availability of a list of eligibles. A candidate for reappointment has priority over candidates on a list of eligibles.**
- (6) In addition to the reasons for rejection listed in Section 143.023, a candidate for reappointment may be rejected for reasons related to previous work performance as a Lockhart Police Officer.**

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- (7) Any candidate reappointed to the Police Department shall serve a one (1) year probationary period and prior service shall not count toward service for promotional eligibility. Any candidate reinstated shall not be credited with accrued sick leave or vacation.
- (8) The candidate's years of prior service may be counted to determine placement in the salary step system.
- (9) The candidate's years of prior service shall not count for determining vacation eligibility and rate.
- (10) Age limitations, as provided under Section 143.023(c), do not apply to reappointments.

We, the current members of the Civil Service Commission, Lockhart, Texas, voted as follows on the above action item:

Approve () Disapprove ()

Worlanda Neal, Chair-person

Date

Approve () Disapprove ()

Yolanda Strey, Commissioner

Date

Approve () Disapprove ()

Ray Sanders, Commissioner

Date

ATTEST: _____
Julie Bowermon, Civil Service Director

This document shall become part of the official Civil Service Commission file to be maintained by the Civil Service Director, or his/her successors.