

**Rules and Regulations of the
Municipal Civil Service Commission**

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RULE VIII

ELIGIBLE LISTS

A. Creation by Competitive Examination

1. Open Examinations. After the completion of each open competitive examination, a preferred eligible list shall be prepared including the names of
 - a. all provisional employees serving in the tested class who attained a final passing grade;
 - and
 - b. those employees eligible for reallocation pursuant to Rule X(G)(1) who attained a final passing grade.

An open eligible list shall be prepared for all other applicants who: 1.) attained a final passing grade; or, 2.) in the case of the Police Officer classification, the applicant possesses Ohio Basic Peace Officer Training certification or comparable state peace officer certification; and, in either case, submit any required supplementary materials identified for the exam. The names of eligibles on preferred or open eligible lists shall be arranged in the order of the final ranking based on test grades earned, except for certified peace officer applicants whose name will be placed in the highest band on the current Police Officer eligible list as a result of their certification. No preferred eligible list shall be created for any of the uniformed ranks.

2. Promotional Examinations.
 - a. Except as otherwise provided by the Commission, seniority points shall be added to the passing scores as provided in Rule VII.
 - b. On promotional exams in the nonuniformed ranks, an applicant may earn up to ten seniority points for continuous service which accrued as of the last date of the test filing period in any eligible class. One-half point shall be awarded for each six months of such full-time service. One half-point shall be awarded for each twelve months of such part-time service.
 - c. In the uniformed ranks, seniority points shall be given for all half years of accredited service which have been accrued as of the test date. Accredited service shall mean all time elapsed from the date of appointment to a

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position in the lowest ranking uniformed classification in the appropriate division as reflected in the division's Official Seniority Roster in effect at the close of the filing period.

- d. On promotional examinations for Police Sergeant and Fire Lieutenant, an applicant may earn up to ten seniority points. Points shall be computed as follows:
 - (1) One point shall be awarded for each of the first four years of accredited service in the division.
 - (2) Six-tenths of a point shall be awarded for each of the next ten years of accredited service in the division.
- e. On promotional examinations for ranks above Police Sergeant and Fire Lieutenant, (d) above shall apply, and in addition, an applicant shall be awarded one point for each of the first five years of accredited service in the class or classes which makes the applicant eligible for the examination.

B. Creation by Noncompetitive Examination

After the completion of each noncompetitive examination for which there is no qualifying test, a certification list shall be prepared including the names of all applicants, placed in alphabetical order, who met the minimum requirements for the examination. After the completion of each noncompetitive examination which has a qualifying test, an eligible list shall be prepared including the names of all applicants, placed in alphabetical order, who met the minimum requirements for the examination and passed all tests.

C. Addition by Reinstatement

- 1. Upon written request, the name of an individual may be reinstated to an eligible list for any classification in which the employee served or for any lower class in the same class series, if all of the following apply:
 - a. the individual previously received an original, promotional, or noncompetitive appointment to a position in the class or to a position in a higher class in the same series,
 - b. for individuals who have left City employment, the request is made within three years from the date of separation; and
 - c. any separation of the individual from service and/or the position was without fault and in good standing.

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If a question arises as to whether the individual separated from the service in good standing or was reduced in rank without fault, the Executive Secretary shall investigate the cause and circumstances surrounding the separation or reduction and determine eligibility for reinstatement. An individual who resigned in lieu of disciplinary action shall be deemed not to have resigned in good standing. At the request of the Public Safety Director, the limitation identified in subsection (C)(1)(a) above may be waived for a former police officer who resigned in good standing if the officer was continuously employed full time as a sworn officer in a governmental law enforcement agency during the interim.

All individuals reinstated to a list will be designated as such, and in accordance with Rule IX(C)(2), are not to be counted in determining the number of eligibles to be certified, or in determining whether the eligible list contains a sufficient number of names to require appointment.

2. Following a layoff. The name of an employee who is reduced in rank or separated from employment as a result of a layoff shall automatically be reinstated in accordance with Rule XII(C)(4) to the eligible list for the classification from which the layoff occurred:

- a. if the employee has permanent status in the class; or
- b. if the employee had received an original appointment to the class and was serving a probationary period at the time of the layoff.

3. Following a probationary termination. Upon written request, the name of an employee removed by an appointing authority during or at the end of a probationary period may be restored to the eligible list from which the name was certified, provided that:

- a. the Commission determines that the employee would be suitable for appointment to another position in the class; and
- b. the request for reinstatement is submitted to the Civil Service Commission within one year from the effective date of the probationary termination.

4. Following a disability retirement in the uniformed ranks. When a former member of the Police Division or Fire Division meets the requirements as set forth in Columbus City Codes Sections 1905.08, 1905.09, 1927.07 and 1927.08, as applicable, upon written request, the name of the individual shall be reinstated to the appropriate eligible list.

5. A name reinstated to an eligible list, unless removed in accordance with these Rules, shall remain on the list for a period of two years, provided that the name of a former employee so reinstated may remain on the list up to three years; but in no event shall the name continue to remain on the list past the three year anniversary date of the employee's separation from City.

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6. Names shall be reinstated to the top of an eligible list pursuant to Sections 1, 2 and 4 of this Rule only with the approval of the Executive Secretary. If more than one such name appears on an eligible list, the reinstated names shall be ordered based on seniority in the class, with the name having the greatest amount of seniority being placed highest on the list. Except as otherwise provided in Rule XII as pertains to layoffs, in filling vacancies the appointing authority may consider the names so reinstated for appointment; however, such a name reinstated to the competitive eligible list shall not be counted in calculating the number of names to be certified according to Rule IX.

7. Individuals who are not reinstated pursuant to their request shall be notified in writing. [See Rule XIII(G) Applicant Appeals]

8. In unique situations where a Commission staff member has previously been appointed from an eligible list associated with a group exam for which they have subsequently been involved in test development or grading, and now the staff member is seeking appointment to a different job class associated with the group exam, placement on the associated eligible list, in a comparable band, may be considered and approved by official Commission action.

D. Processing of Eligible Lists

1. In the event a test is given on both a promotional and open basis, the promotional eligible list shall be established first and shall be used until exhausted. In the event a preferred eligible list is created pursuant to Rule VIII(A)(1), it shall be established and certifications made therefrom prior to the open list.

2. In the event that an eligible list already exists at the time new test results are released, the Executive Secretary will determine whether a new list will be created to replace the old list in its entirety or whether the new results will be merged into the existing list according to test score.

3. All eligible lists shall automatically terminate when exhausted or when replaced by a new list.

4. Except as otherwise provided by Commission action, no name shall remain on any eligible list for more than two years, unless pursuant to the retesting provisions of Rule VII(B)(7)(a) or pursuant to subsection C(5).

E. Applicant Withdrawal from an Eligible List

1. An applicant whose name appears on an eligible list may request, in writing, one (1) temporary withdrawal from the selection process.

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2. No temporary withdrawal from an open competitive eligible list shall remain in effect beyond the expiration or replacement of the eligible list from which the temporary withdrawal was requested or, in cases where a conditional offer of employment had been made prior to the requested temporary withdrawal, beyond the expiration of the conditional offer of employment.

No temporary withdrawal from a promotional competitive eligible list shall remain in effect beyond an employee's termination from a position in a lower qualifying classification.

3. An applicant may request, in writing, that his/her name be reinstated to the selection process at any time prior to the expiration or replacement of the eligible list or the expiration of a conditional offer of employment.

4. Applicants reinstated to an eligible list pursuant to this rule shall re-enter the selection process in accordance with Commission policy.

5. Applicants no longer interested in participating in the selection process may request, in writing, that their name be permanently withdrawn from further consideration. Names permanently withdrawn from an eligible list shall not be restored to that list.

Amended as of: April 24, 2023
