

Rules of the Board of
Civil Service Commissioners

City of Los Angeles

Los Angeles City Personnel
Department

Revised Through
February 2012

**The Rules of the Board of Civil Service Commissioners of the
City of Los Angeles**

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RULE 1

DEFINITIONS

Sec. 1.1. These Rules shall be known as "The Rules of the Board of Civil Service Commissioners of The City of Los Angeles."

Sec. 1.2. ALLOCATION means the official assignment of a position to a class.

Sec. 1.3. APPLICANT or CANDIDATE means a person who has filed an application to take an examination.

Sec. 1.4. APPOINTING AUTHORITY or APPOINTING OFFICER or APPOINTING POWER means any person or group of persons, including any board, general manager, or other officer, having the power by law to make an appointment to a position.

Sec. 1.5. APPOINTMENT:

- a) EMERGENCY APPOINTMENT or TEMPORARY APPOINTMENT means an appointment made in accordance with Charter Section 1013 (a) & (b) and which must be terminated when a regular appointment can be made.
- b) INTERMITTENT APPOINTMENT means an appointment from an eligible list to an intermittent position.
- c) LIMITED APPOINTMENT means an appointment from an eligible list to a limited position or to substitute in a permanent position for an incumbent temporarily absent.
- d) REGULAR APPOINTMENT means an appointment from a reserve list to any position or an appointment from an eligible list to a permanent position of half time or more. ORIGINAL REGULAR APPOINTMENT means an employee's first appointment to a permanent position of half time or more from an eligible list or his/her first regular appointment after his/her last break in service, whichever is the more recent.

Sec. 1.6. BOARD or COMMISSION means the Board of Civil Service Commissioners of the City of Los Angeles.

Sec. 1.7. CALENDAR YEAR means any twelve-month period beginning January 1 and ending December 31.

Sec. 1.8. CERTIFICATION means providing to an appointing authority the names and addresses of persons who are legally qualified for consideration for appointment.

Sec. 1.9. CHARTER means the Charter of the City of Los Angeles.

Sec. 1.10. CITY means The City of Los Angeles.

Sec. 1.11. CLASS means a position or a group of positions sufficiently similar in duties and responsibilities that they are grouped under a common title pursuant to Charter Section 1003.

HIGHER CLASS means a class that has been determined by the Commission to be of higher level than another class for purposes of Charter Section 1015 based on a comparison of the duties, responsibilities, requirements, and compensation.

Sec. 1.12. CLASS GROUP includes all the positions in a class in a department. THE CLASS GROUP for an employee being laid off includes all positions determined by the Board to have been created from such class group subsequent to his/her original regular appointment therein.

Sec. 1.13. CLASSIFICATION PLAN means an orderly arrangement of classes to which positions are allocated and for which there are written specifications describing the duties, responsibilities, and qualifications of each class.

Sec. 1.13.5 DEMOTION OR DEMOTED pursuant to the provisions of Charter Section 1017 means an involuntary change from one class to a lower class.

a. DEMOTION IN LIEU OF DISCHARGE pursuant to the provisions of Charter Section 1019(b) means movement of an employee from one class to another class in accordance with the Rules of the Board of Civil Service Commissioners.

Notwithstanding the definitions contained in this Rule, the City Charter does not provide for demotion by an appointing authority.

Sec. 1.14. DEPARTMENT means an office or a department created by, or pursuant to the provisions of the Charter. Where a department of the City is divided into major divisions in accordance with the provisions of Charter Section 1015, DEPARTMENT means a major division. (See Appendix D for list of departments.)

Sec. 1.15. DISPLACE means the act of replacing an employee with another employee who has greater displacement seniority pursuant to Charter Section 1015 (b).

Sec. 1.16. ELIGIBLE means a person whose name is on an eligible list as the result of qualifying by examination.

Sec. 1.17. EMPLOYEE means a person occupying a position in the classified civil service.

a) EMERGENCY EMPLOYEE means one who is appointed in accordance with Charter Section 1013 (a) & (b) and who must be terminated when a regular appointment can be made.

b) EXEMPT EMPLOYEE means one who is exempted or who occupies a position exempted from the civil service provisions of the Charter.

- c) INTERMITTENT EMPLOYEE means a person appointed from an eligible list to an intermittent position.
- d) LIMITED EMPLOYEE means a person appointed from an eligible list to a limited position.
- e) REGULAR EMPLOYEE means one who is appointed to any position from a reserve list or to a permanent position of half time or more from an eligible list or who has been granted regular status in accordance with the Charter.

Sec. 1.17.5 ENTRANCE LEVEL or ENTRY LEVEL means a class which is the beginning class in any series of classes, and which requires either no experience or experience which cannot be obtained in the City service.

Sec. 1.18. EXAMINATION means a test or a combination of tests which determine the relative capacity of candidates to discharge the duties and responsibilities of the class in which they are seeking appointment.

- a) CONTINUOUS EXAMINATION means an examination which is open for filing for an indefinite period of time and which is held on a periodic basis.
- b) OPEN COMPETITIVE EXAMINATION means an examination open to any person who meets the requirements as specified in these Rules and the examination announcement.
- c) PROMOTIONAL EXAMINATION means an examination open to any employee in the classified service in a lower rank who meets the requirements specified in these Rules and the examination announcement and who:
 - (1) has received a regular appointment or an appointment under Section 5.30 of these Rules to a temporary position or temporary training position and has not had a subsequent break in service as defined in Section 1.34 of these Rules or has been reactivated as a member of the Fire or Police Department in accordance with Section 1306 or 1410 of the City Charter.
(Amended 1-10-84)
 - Limited or intermittent appointments from a list or exempt or temporary (emergency) appointments do not qualify under this section.
(Amended 10-14-77)
 - (2) is on a reserve list or on leave of absence.
(Amended 4-27-63)
 - (3) has received an appointment under Section 5.30 of these Rules to a temporary position and has been separated from the City service for lack of work within the past five years.
(Amended 12-17-76)

PROMOTIONAL EXAMINATIONS may be announced on an INTERDEPARTMENTAL PROMOTIONAL basis or on a DEPARTMENTAL PROMOTIONAL basis. A DEPARTMENTAL PROMOTIONAL EXAMINATION restricts competition to employees of a particular department.

(Amended 9-26-60)

An employee shall be deemed to be in a lower rank if appointment from the eligible list resulting from an examination could result in increased promotional opportunity or a higher maximum salary.

(New 6-21-63)

Sec. 1.19. EXAMINATION ANNOUNCEMENT OR BULLETIN means the official public written notice of an examination.

Sec. 1.20. EXAMINING PHYSICIAN means any physician who is authorized by the General Manager to conduct medical examinations.

Sec. 1.20.5 EXAMINING PSYCHOLOGIST means a psychologist who is authorized by the General Manager to conduct psychological examinations. (Amended 9-01-84)

Sec. 1.21. FINAL GENERAL AVERAGE means the final score of a candidate in an examination, as computed according to Section 4.4 of these Rules, including any promotional seniority credit or veterans credit allowed.

(Amended 11-28-91)

Sec. 1.22. GENERAL MANAGER means the General Manager of the Personnel Department.

(Amended 6-28-68)

Sec. 1.23. LAYOFF means separation resulting from lack of work, lack of funds, or abolishment of position.

Sec. 1.24. MEDICAL REVIEW PANEL means the independent committee of physicians appointed by the Commission to consider appeals from medical findings or assigned limitations in medical examinations by the Commission's Examining Physician.

(Amended 7-20-84)

Sec. 1.25. POSITION means any office or employment requiring the full or part-time services of one person.

- a) CLASSIFIED POSITION means a position not specifically excepted by the Charter from the Civil Service provisions requiring competitive tests of fitness for appointment.
- b) HALF TIME POSITION means a position of half time or more but less than full time.
- c) INTERMITTENT POSITION means a position of the duties of which are performed on a recurrent basis. Positions of less than half time are considered to be intermittent positions.
- d) LIMITED POSITION means a position the duties of which are expected to terminate in less than the length of the probationary period.
- e) PERMANENT POSITION means a position which is expected to last longer than the length of the probationary period.

Sec. 1.25.5 PROMOTION, for purposes of transfer under Charter Section 1014, means the placement of an employee in a different class which is at a higher level than the employee's current class as determined by a comparison of the duties, responsibilities, requirements, and compensation.

(Effective 8-14-75)

When the class to which transfer is requested is found to be at a higher level than the employee's current class, a transfer shall not be considered a promotion if it does not result in an immediate pay increase (excluding general pay increases). If the transfer is to a class with multiple pay levels, some of which exceed the employee's current pay level, advancement within that class to a higher pay level shall not be made for at least six months, or until an eligible list is established for the new class, whichever occurs first. However, Charter Section 1014 transfers for the purpose of allowing employees who are "legally employed" because of a class consolidation to obtain status in a new class will not be considered a promotion.

(Amended 12-22-98)

Sec. 1.26. PROBATIONARY PERIOD means the working test period during which an employee is required to demonstrate his/her fitness by the actual performance of the duties and responsibilities of his/her position and during which he/she may

be terminated without right of appeal to the Board of Civil Service Commissioners.

Sec. 1.26.5 PSYCHOLOGICAL REVIEW PANEL means the independent committee of psychologists appointed by the Commission to consider appeals from disqualifications in psychological evaluations by the Commission's Examining Psychologist.

(Amended 7-20-84)

Sec. 1.27. REALLOCATION means the official reassignment of a position from one class to a different class.

Sec. 1.28. REGISTER OF ELIGIBLES or ELIGIBLE LIST for a class means the list of names of those persons who have qualified by examination and who are ranked in the order of their final general averages. Persons with the same final general average will have the same rank on the list.

(Amended 11-28-91)

Sec. 1.29. REPORT OF EXAMINATION means the report made to the General Manager of the results of an examination.

Sec. 1.30. RESERVE LIST means the list by class of the names in order of layoff seniority as of the time of layoff of those persons who have completed the probationary period and have been laid off.

- a) DEPARTMENT RESERVE LIST means the reserve list by class for a specific department.
- b) GENERAL RESERVE LIST means the list by class resulting from the merger, in the order of the greatest amount of layoff seniority, of the reserve lists for all departments except the department to which certification is being made.

Sec. 1.31. RESIGNATION means the voluntary separation, other than retirement, of an employee from his/her position.

Sec. 1.32. REVERSION means the change of an employee from one class to another class in which the employee formerly had a regular appointment or an appointment from an eligible list to a temporary training position as defined in Section 5.30 of these Rules.

(Amended 5-19-78)

Sec. 1.33. SENIORITY:

- a) DISPLACEMENT SENIORITY is the length of service in a class group and in all higher classes since original regular appointment to such class, after deducting all absences without seniority credit.
- b) LAYOFF SENIORITY in a class means the length of continuous service in that class and all higher classes since original regular appointment to that class, after deducting all absences without seniority credit.
(Amended 8-9-73)
- c) PROMOTIONAL SENIORITY CREDIT means the credit given in promotional examinations for continuous service.
- d) RESERVE LIST SENIORITY is the amount of LAYOFF SENIORITY at the time of layoff.

Sec. 1.34. SERVICE or CITY SERVICE or SENIORITY means service in a class or position as the result of having received a regular appointment or having been granted regular status in accordance with Charter provisions.

- a) BREAK IN SERVICE means a separation from City employment caused by abandonment of position, resignation, retirement, or discharge for cause.
(Amended 1-10-84)
- b) CONTINUOUS SERVICE means service in the classified civil service since original regular appointment, excluding all time prior to a break in service and all periods of absence without seniority credit.

Sec. 1.35. STATUS CLASS means the class in which an employee was examined, certified, and appointed to a position or in which he/she was granted status in accordance with the Charter.

Sec. 1.36. SUSPENSION when used in these Rules means a suspension without pay under Charter Section 1016 involving personal delinquency. Suspension as used in Charter Section 1015, for the purposes of these Rules, is designated as LAYOFF.

Sec. 1.37. TEST means one of the parts of an examination, such as a written test, performance test, or evaluation of general qualifications.

- a) PERFORMANCE TEST means a test consisting of a standard task or series of tasks used to measure the relative skill or abilities of candidates.
- b) PHYSICAL ABILITIES TEST means a test used to measure the capacity of a candidate to do the physical tasks of the class involving strength, stamina, and/or coordination.

(Amended 3-23-79)

- c) QUALIFYING TEST means a test in which a minimum standard of performance is required as a condition of eligibility to compete in the examination or as a condition to appointment.
(Effective 8-14-68)
- d) WRITTEN TEST means a test composed of multiple-choice or essay questions or problems.
(Amended 6-20-60)
- e) INTERVIEW means a personal meeting with candidates to evaluate their training, experience, and personal qualifications.
(Amended 9-12-67)
- f) Training and Experience Evaluation means any method used to evaluate candidates in which information provided by the candidates on application forms, questionnaires, resumes, and/or other documents is rated in accordance with a specific plan.
(Amended 4-23-09)

Sec. 1.38. TRANSFER:

- a) REGULAR TRANSFER means the change of an employee from one department to a position to which he/she may be legally assigned in another department.
- 2) TENTATIVE TRANSFER means the change, on a trial basis for a maximum of six months, of an employee who has completed his/her probationary period, from one department to a position to which he/she may be legally assigned in another department.
- c) TENTATIVE TRANSFER UNDER CHARTER SECTION 1014 means the change, on a trial basis for a maximum of six months, of an employee from one class to another class under provisions of Charter Section 1014.
(Amended 2-15-79)

Sec. 1.39. VETERANS CREDIT or MILITARY CREDIT means the credit given for military service to an applicant in an open competitive examination in accordance with Charter Section 1006 provided that the five year period of eligibility defined under Charter Section 1006 and elsewhere in these Rules refers to the time during which the application for employment in the affected class must be received by the Personnel Department.

Sec. 1.40. REVIEW PERIOD means the time during which a candidate can review appropriate test materials and submit claims against certain portions of an examination. The Rules provide for up to three review periods during an examination.

- a) PROTEST means a supported written statement disagreeing with the content or conduct of a test.

Unsupported claims, late claims, and claims against the judgement of the raters shall not be considered to be protests.

- b) SUPPORT for a protest on the written test content, grading criteria or answer key means citing an authoritative independent source, either a document or expert, that agrees with the protest.
- c) SUPPORT for a protest on the administration or conduct of a test means citing specific circumstances that occurred which were inappropriate and that clearly indicate a reference to the alleged impropriety.

(Effective 3-23-79)

RULE 2
CLASSIFICATION PLAN*

Sec. 2.1. The classification plan shall serve as a guide in the handling of all personnel activities and transactions. It shall be considered as an administrative tool and not a part of the Commission's Rules.

Sec. 2.2. The classification plan may be amended by the Commission at any meeting. Action leading to such amendment may be initiated by the Commission or the General Manager or upon request of any person.

Sec. 2.3. Whenever a new position is created or whenever the General Manager determines that any position is not allocated to its proper class, he/she shall, subject to the approval of the Commission, allocate or reallocate such position to one of the classes established in accordance with Charter Section 1003.

See Sections 4.49, 4.50, 4.54, and 4.131 of the Los Angeles Administrative Code, Ordinance Number 138,300, as amended, for procedure affecting Council-controlled departments.

Sec. 2.4. Whenever the General Manager believes there is urgent necessity for establishing a new class, he/she may add such new class tentatively to the classification plan. Such action shall be subject to the Commission's approval at its next regular meeting, and, if approved, shall be effective as of the time of the General Manager's action.

Sec. 2.5. Class specifications are descriptive and explanatory and not restrictive. They are intended to indicate the kinds of positions that should be allocated to the various classes and shall not be construed as declaring to any extent or in any way what the duties and responsibilities of any position shall be, or as limiting or modifying the power of any appointing authority to assign duties to, and to direct and control the work of, employees under its supervision. Provided, however, that except for training purposes or to maintain essential operations no employee shall regularly be assigned to perform duties which differ substantially from those that were included in the class for which the employee was examined and appointed. The use of a particular expression or illustration as to duties shall not be held to exclude others not mentioned that are of similar kind.

(Amended 2-20-76)

See Section 2.11

* See Charter Sections 1003 and 1020; Sections 4.49 to 4.57, and 4.131 of the Los Angeles Administrative Code, Ordinance Number 138,300, as amended; and Sections 4 to 12 of the Salary Standardization Ordinance for Firefighter's and Police Officer's, Ordinance Number 89,935 as amended.

Sec. 2.6. In determining the class to which any position should be allocated, the specification of each class shall be

considered in its entirety. Consideration shall be given to the general duties, specific tasks, responsibilities, qualifications desired, and relation to other classes, as affording together, a picture of the kind of employment that the class is intended to include.

Sec. 2.7. Qualifications commonly required of all employees, such as the physical, mental, and emotional ability to perform the essential duties of their positions without threat of hazard to themselves or others, a legal right to work, respect for and awareness of sexual and cultural differences, honesty, sobriety, and industry shall be implied as requirements for each class even though they may not be specifically mentioned in the specification.

(Amended 7-3-79)

Sec. 2.8. The statement of qualifications in the class specification shall be a guide for the establishment of minimum requirements for admission to examinations, for the tests to be included in the examinations, for the evaluation of the qualifications of applicants, and for other purposes.

Sec. 2.9. Class titles shall be used when referring to positions, for all records and communications of the Commission, the Controller, and the Treasurer and in all reports and payrolls providing for the payment of personal services. Any other title desired by the appointing power may be used to designate any position for purposes of internal administration.

Sec. 2.10. It shall be presumed that each employee is entitled to the position which he/she holds unless the Commission finds that he/she been illegally appointed to the position or that, after appointment, he/she been assigned duties contrary to Charter provisions or these Rules.

See City Attorney Opinion to the Personnel
Committee of the City Council, November 26,
1945.

Sec. 2.11. Whenever the Commission finds that any regular employee is performing duties or responsibilities for which he/she not been examined, certified, and appointed, the Commission shall withhold payroll approval of that employee.

See City Attorney Opinion to the Civil
Service Commission, March 12, 1942.

Sec. 2.12. Increase or decrease in the compensation of any position shall not affect the right of the incumbent to continue in the position, unless the Commission finds that such change involves a change in duties or responsibilities for which the incumbent has not been examined, certified, and appointed.

RULE 3
APPLICANTS AND APPLICATIONS FOR EXAMINATION*

Sec. 3.1. In order to qualify for examination, an applicant must:

- a) Have a legal right to work as required by state and federal laws.

(Amended 2-1-75)

See City Attorney Opinion to the Civil
Service Commission, August 20, 1974.

- b) File an application on the form furnished by the Commission on or before the date established for that examination as the last date to file.

(Amended 9-25-82)

- c) Deleted 7-1-67.

- d) Meet all the requirements specified in these Rules and in the examination announcement.

See City Attorney Opinion to the Civil
Service Commission, December 16, 1940.

- 1. Experience gained while working out of class will not be accepted as qualifying. However, credit may be given for experience gained through a training program approved through the Personnel Department or obtained through the temporary performance of duties outside the employee's status class as a result of unique operational needs.

(Added 9-25-82)

- 2. Appropriate types of job-related experience and/or education will be established as meeting examination requirements. Experience at certain levels within multiple pay level classes may be designated as qualifying.

(Added 9-25-82)

Sec. 3.2. Applicants need not be residents of the City except when residence is stated as a qualification in the examination announcement.

See City Attorney Opinion to the Civil
Service Commission, April 25, 1940.

Sec. 3.3. Applications shall be marked with the date and time filed.

(Amended 9-25-82)

*See Charter Sections 1005 and 1019(c).

Sec. 3.4. Applications shall not be accepted unless an examination is open for filing, except from persons to be employed on emergency appointments.

Sec. 3.5. Any applicant or eligible candidate may be rejected or disqualified at any time prior to appointment who:
(Amended 9-25-82)

- a) Lacks any of the published examination requirements.

See City Attorney Opinion to George M. Ulh,
M.D., Health Department, March 11, 1947.

- b) Is physically or mentally unfit for the type of employment for which the eligible is being examined.
- c) Practices or has attempted to practice any deception or fraud in making application or in securing eligibility or appointment.

See City Attorney Opinion to the Civil
Service Commission, September 27, 1956.

- d) Has a history of poor work performance or experience which would interfere with or prevent effective performance in the type of employment sought.
- e) Has committed any act which constitutes a crime and which is of such a nature that it would interfere with or prevent effective performance in the type of employment sought.
- f) Has engaged in conduct which would interfere with or prevent the individual's effective performance in the type of employment sought.

(Amended 3-22-74)

Sec. 3.6. Any applicant who is rejected shall be advised of the reasons for the rejection.

(Amended 08-16-07)

Sec. 3.7. Promotional applicants who are rejected for not filing applications within prescribed times may request late acceptance of their applications. These requests must be made timely and may be granted for good and sufficient reasons provided the applicant is without personal negligence. Requests for review will not be accepted after the first test administration in a regular examination or the last administration of any portion of a continuous examination.

(Amended 08-16-07)

Sec. 3.8. Applications will be evaluated and processed for examinations in an equitable and consistent manner.

(Added 9-25-82)

Sec. 3.9. Promotional Applicants who have been rejected for not filing applications within prescribed times or failing to meet minimum examination requirements may request the General Manager to conduct a final review of their rejection. (Amended 08-16-07)

Sec. 3.10. The Commission shall not entertain requests to review the General Manager's actions on late or lacking minimum qualifications applications unless there are supported claims of failure to comply with the provisions of the Civil Service Commission Rules or Personnel Department Policies. (Added 9-25-82)

RULE 4

EXAMINATIONS*

Sec. 4.1. The type of examinations are Open Competitive, Departmental Promotional, and Interdepartmental Promotional. Examinations may be postponed by the Commission or the General Manager.

(Amended 8-7-67)

Sec. 4.2. The General Manager may announce an examination, provided there is no limit placed on the number of applicants tested nor any change in the requirements or tests of fitness from the examination last approved by the Commission. When any of these occur, the General Manager may announce the examination, subject to approval by the Commission at its next regular meeting. In announcing examinations, public notice must be given for a period of not less than two weeks.

(Amended 02-05-12)

Sec. 4.3. Examinations shall include one or more tests to which weights are assigned. The weight assigned to each test shall be stated in the examination announcement and shall represent its relative value in determining the fitness of the applicant. When its purpose is stated in the examination announcement, an unweighted test may be used.

Sec. 4.4. Each test shall be graded independently; the resulting grade shall be multiplied by the weight assigned to each test; the sum of the resulting products rounded to the nearest whole score shall be the final general average except where promotional seniority credit or veterans credit is added. Promotional seniority credit will be added prior to rounding the final score. Veterans credit will be added to the final general average of passing Open Competitive candidates.

(Effective 11-28-91)

Sec. 4.5. The passing mark in an examination shall be seventy percent.

(Amended 5-19-61)

Sec. 4.6. An applicant whose test score or scores make it impossible for him/her to attain a final general average of at least seventy percent, including promotional seniority credit, may be excluded from the remaining tests and shall be considered as having failed the examination.

(Amended 4-27-63)

*See Charter Sections 1005 and 1007.

Sec. 4.7. In all open competitive examinations, veterans credit shall be given to each person passing the examination who has served in the armed forces of the United States during a period identified below and who presents for inspection satisfactory proof of honorable discharge. Veterans credit shall be added to the passing score during the five years following release from active military service, provided that the five-year period may be extended for the time during which the veteran is engaged as a full-time student or vocational trainee, or is hospitalized due to service-related injury or illness. Veterans credit shall be added to the passing score of the spouse of a person killed or unable to work due to disabilities resulting from military service as identified below. The credit shall be added to the passing score of such spouse during the five-year period following the death of the person or during the five year period following the date on which the person was determined to be unable to work, such determination to be made by the Board.

(Effective 2-15-79)

(Amended 11-13-03)

A lifetime veterans credit shall be added to the passing score of a person who served during a period identified below and who has been certified by the Veterans Administration as disabled.

(Effective 2-15-79)

Such evidence of military service may be presented with an application or at any time thereafter. An eligible who presents evidence of his/her military service after the Report of Examination has been adopted by the Board shall have the final general average on this Report adjusted and reported to the Board. Credit will be given for military service only if it meets the following criteria:

(Amended 11-13-03)

Service during December 7, 1941 to December 31, 1946 (World War II); June 25, 1950 to July 27, 1953 (Korean War); January 1, 1964 to August 15, 1973 (Vietnam Operations); August 2, 1990 to April 11, 1991 (Persian Gulf War).

(Amended 11-13-03)

OR

Service during periods in which the City Council grants continued employee benefits for City employee reservists called to active duty.

(Effective 11-13-03)

See Charter Section 1006 and City Attorney Opinion to the Civil Service Commission, August 20, 1974.

Sec. 4.8. If passing a qualifying test is to be a condition of eligibility, it shall be stated in the examination announcement. If such qualifying test can be rated competitively, the Commission may use the ratings of those candidates who meet or

exceed the minimum standard in determining their final general averages, provided that such use of the ratings and the weights assigned thereto are stated in the examination announcement.
(Effective 8-14-68)

Sec. 4.9. Deleted 6-21-63.

Sec. 4.10. In promotional examinations, promotional seniority credit for each year of continuous service shall be allowed for service in classes from which promotion is limited and shall be computed as follows:

a) Seniority credit in examinations for classes designated by the Board as management classes shall be granted at a rate of 0.10% for each year of continuous service. Said seniority shall be granted only for service in those classes in which the candidate has obtained the experience required to qualify to compete in the examination in question; and the maximum amount of seniority credit which may be granted to any candidate in such examinations shall be 1.00%.

(Amended 11-4-86)

b) In promotional examinations for all other classes, seniority credit of 0.25% for each year of continuous service shall be allowed for service in classes from which promotion is limited.

Upon original regular appointment an employee shall be credited with that percentage of such seniority credit that bears a relation to the numbers of days remaining in the calendar year. Thereafter, on the first of each calendar year each employee shall be credited with additional seniority credit at a rate as appropriate above. Deductions from such credit shall be made for all absences of six months or more except leaves of absence with seniority.

(Amended 8-30-85)

See Charter Section 1009 and City Attorney Opinions to Joseph W. Hawthorne, Civil Service Department, November 1, 1945, and August 26, 1947; to the Civil Service Commission, July 24, 1940, and June 23, 1942; to the City Librarian, August 12, 1941; to G. Vernon Bennett, City Councilman, October 31, 1941; and to Arthur Eldridge, Harbor Department, December 17, 1945.

Sec. 4.11. The minimum score for a weighted written test shall be 65%, including promotional seniority credit. The General Manager may establish a minimum score other than 65%, subject to approval by the Board at its next regularly scheduled meeting. Any candidate who fails to attain the minimum score shall be considered as having failed in the entire examination.

(Amended 2-13-03)

Sec. 4.12. No applicant shall be admitted to a written test after any candidate who has seen the questions has left the examination room. However, if an applicant is unable to take a

written test at the scheduled time and place because of extended active duty in the armed forces or because of circumstances not involving negligence on his/her part, the General Manager may approve later administration of the written test to the applicant. Each applicant taking a written test under the provisions of this section must state in writing under oath or affirmation that he/she did not, prior to taking the test, either see or have knowledge of any of the questions used.

Sec. 4.13. The identity of candidates in written tests shall not be revealed until after the test papers of all candidates are scored except where the General Manager authorizes the identification of a candidate suspected of cheating or other improper practices during a test. Each time the General Manager authorizes such identification, he/she shall submit a report and a recommendation thereon to the Board within thirty calendar days following such identification. Any candidate in a written test who discloses his/her identity in any manner may be disqualified in the examination.

(Amended 5-16-60)

Sec. 4.14. In administering a written test, all necessary explanations shall be made to all the candidates. No written test question shall be explained to any individual candidate separately.

Sec. 4.15. Unauthorized communication between candidates during a test shall be strictly prohibited.

Sec. 4.16. During a test, no candidate shall be permitted to leave the room except in case of necessity and with the permission of the person in charge.

Sec. 4.17. The time limit, if any, prescribed for each test shall be announced at the beginning of the test.

Sec. 4.18. Unless specifically stated in advance, no help of any kind shall be allowed during any test. Any unauthorized material that might be of aid in a test must be handed in before the test begins.

Sec. 4.19. The Board may authorize the publication of keyed written tests, or any portion thereof, after the written test has been administered.

Sec. 4.20. The four working days specified on the cover page of a written test shall be a review period for the written test and the tentative answer key or grading criteria for the test questions. During this period a candidate who took the written test may inspect a copy of the question booklet at locations designated by the General Manager, and may submit a protest against any part of the written test. Candidates may copy only such test material, as is needed for the protest submitted, but no copied test material may be removed from the examination review room. After this review period no further appeals on the content, correctness of the key, grading criteria or the administration of the written test shall be accepted. However, when so indicated on the cover page of the test booklet, the ten working days immediately following the end of the review period may be used by candidates to submit additional support for the protests submitted during the review period. After this time, no further information shall be accepted. Standardized tests, written tests used in continuous examinations, and written tests for entrance level classes held on an open competitive basis for which standard keys have been established through expert review and through a candidate review period, shall not be subject to inspection. Written tests for which test content has been shown to be job-related on the basis of a systematic, documented content or criterion-related validation study may be withheld from inspection with the approval of the General Manager by notice given on the examination announcement.

(Amended 3-23-79)

Sec. 4.21. All protests received during the review period (designated in Section 4.20) shall be reviewed by staff, with the assistance of a competent authority when necessary. Unsupported claims, late claims and claims not submitted in writing shall not be reviewed. The resulting answer key or grading criteria for the test questions which is established as a result of this review shall be the final scoring key or grading criteria for all candidates' papers. Any disagreements with staff's analysis of the protests which concern individual test questions will be submitted to a review panel of from one to three mutually agreed upon subject matter experts for a final resolution prior to the establishment of the final scoring key or criteria. The recommendation of the review panel shall be accepted by the General Manager as final.

The Civil Service Commission shall not entertain any subsequent appeals on the review panel's recommendation. All such actions taken by the General Manager shall be periodically submitted to the Commission for approval. Any disagreements with staff's analysis of protests which concern the administration of the written test or the job-relatedness of the entire test may be appealed to the Commission.

(Amended 3-23-79)

Sec. 4.22. The two working days immediately following a candidate's interview, physical abilities test, performance test, or pre-employment polygraph tests shall be designated as a review period during which the candidate may submit a protest against the conduct of his/her test or the competency of the raters. After this review period, no further appeals on the conduct of the interview/physical abilities test/performance test or competency of the raters shall be accepted, except as specified in Sec. 4.23.
(Amended 01-10-02)

Protests received during this review period shall be reviewed by staff. Any disagreements with staff's analysis of these protests may be appealed to the Commission. Unsupported claims, late claims and claims not submitted in writing shall not be reviewed.

(Amended 3-23-79)

Sec. 4.23. After all the tests in an examination have been scored, candidates shall be notified of a review period of four working days during which they may check their test papers for scoring accuracy. Question booklets shall not be provided for review during this period, nor shall candidates be allowed to copy any test material. Candidates who believe there is clerical error in the scoring of their answer sheets; or who believe there has been fraud, or prejudice in the conduct of any part of the examination process, may file a protest during this period. Unsupported claims, late claims and claims not submitted in writing shall not be reviewed.

(Amended 3-23-79)

All protests received during this review period shall be reviewed by staff. Any disagreements with staff's analysis of the protests concerning the conduct of the examination may be appealed to the Commission.

(Amended 3-23-79)

Sec. 4.24. Unsupported claims of misconduct and all claims against the judgment of the raters in assigning scores for essay, interview, physical abilities, performance, or pre-employment polygraph tests shall not be grounds for a protest under Sec. 4.20, 4.22 or 4.23. The General Manager shall have the authority to make final determination on all claims. The Commission shall not entertain any subsequent appeals on the General Manager's decision.

The Commission may, upon advance notification to candidates, combine the review periods specified in Sec. 4.20, 4.22 and 4.23 of this Rule.

The examination results finally established after consideration of any appeals thereto shall contain the names of the candidates on a list to be adopted by the General Manager as the Report of Examination.

(01-10-02)

Sec. 4.25. The name of each candidate who attains a passing mark in a continuous examination shall be placed on the register of eligibles as soon as his/her final general average is computed.

Candidates may not inspect a copy of the question booklet and answer key but may inspect their scored answer sheets in any written test in a continuous examination and may file a protest, as provided in these Rules, against any part of such examination only during the first four working days beginning the second day after notices are mailed. Any changes in scores made as a result of protests filed against a continuous examination shall not affect appointments already made.

Sec. 4.26. Amendments to Reports of Examinations resulting from corrections of clerical errors, administration of postdate tests or granting of veterans' credit may be made during the period that names on said Reports appear on the register of eligibles, but such amendments shall not affect appointments already made.

Sec. 4.27. The examinations papers of each candidate shall be kept on file until the adoption of the Report of Examination by the General Manager, after which time they may be destroyed, except that the examination papers of those candidates who have filed protests against any part of the examination shall be kept on file for six months from the date of the adoption of the Report of Examination after which they may be destroyed.

Sec. 4.28. Whenever an examination includes an interview or a performance test and a candidate is unable to appear at the time scheduled, he/she may, at the discretion of the General Manager, be given a postdate interview or performance test, provided, however, that such postdate interview or performance test shall not affect or delay the adoption of the Report of Examination.

Sec. 4.29. If a candidate is unable to complete an open competitive examination because of active duty in the armed forces of the United States, he/she may, within ninety days after his/her honorable release, at the discretion of the General Manager, be given an opportunity to complete the examination. Upon approval by the General Manager of the report of such candidate's completed examination, if his/her final general average is seventy percent or higher, his/her name shall be placed on the eligible list for a two-year period unless sooner removed in accordance with these Rules.

(Amended 6-11-60)

Sec. 4.30. Any attempt on the part of an applicant or others, with his/her knowledge, to influence or induce any officer, employee, or assistant of the Personnel Department to give said applicant an advantage or to accord him/her a special rating in an examination, shall be cause for his/her disqualification.

(Amended 6-26-68)

See Charter Sections 1019(c) (2) and 1019(c) (3).

Sec. 4.31. No officer, employee, or assistant of the Personnel Department shall furnish to any person prior to an examination, questions, answers, sources from which questions have

been or will be obtained, or any other information pertaining to an examination that could give any candidate an advantage.

(Amended 6-26-68)

Sec. 4.32. No officer, employee, or assistant of the Personnel Department shall recommend, furnish the name of, or in any way publicize any school or individual offering coaching or other preparation for civil service examinations except public schools or other recognized education institutions which do not specialize in coaching persons for civil service employment.

(Amended 6-26-68)

RULE 5

REGISTER OF ELIGIBLES, CERTIFICATION, AND APPOINTMENT*

*See Charter Sections 1008, 1009, 1010(a) & (c), and 1015(d).

Sec. 5.1. Upon the adoption of the Report of Examination, the names of all candidates whose final general average is not less than seventy percent, and who are otherwise eligible, shall be placed upon the register of eligibles for the class for which the examination was given.

(Amended 6-11-60)

See City Attorney Opinion to the Civil
Service Commission, February 21, 1939.

Sec. 5.2. The names of eligibles shall take rank upon the register of eligibles in the order of their final general average without reference to the date of the examination.

Sec. 5.3. Eligibles in an examination with the same final general average (whole score) will have the same rank on the register of eligibles. When certifying the list, all persons within the same whole score will be certified in random order.

(Effective 11-28-91)

Sec. 5.4. Deleted 4-29-83

Sec. 5.5. Following adoption of the Report of Examination, names shall remain on the register of eligibles for two years unless sooner removed in accordance with these Rules. Names of candidates on open competitive eligible lists established as a result of continuous examinations may be stricken after they have remained thereon for six continuous months. The General Manager may continue names on an eligible list for entry-level classes for not more than an additional two years.

See City Attorney Opinion to the Civil
Service Commission, November 20, 1935,
and to L. Plitt Smeltzer, Department of
Water and Power, February 13, 1945.

Sec. 5.6. Whenever a position is to be filled by certification, the appointing authority shall make requisition upon the form prescribed by the Commission. All requisitions shall be investigated to assure conformance to Board policies and Rules. If the requisition is approved, certification shall be made from the reserve list or register of eligibles for the class to which said position is allocated.

See City Attorney Opinion to the Civil
Service Commission, July 24, 1944.

Sec. 5.7. When certification is from the reserve list for the department in which the vacancy exists, only the name of the person with the greatest amount of reserve list seniority shall be certified for each position to be filled.

See City Attorney Opinion to Joseph W.
Hawthorne, Civil Service Department,
January 14, 1946.

Sec. 5.8. If there is no name on the reserve list for the department in the class to be filled, the General Manager shall certify in order of standing the names of persons in the top three whole scores from the register of eligibles or general reserve list next in order as specified in Charter Sections 1015(e) and 1009. The General Manager shall certify no less than five names more than the number of positions to be filled, and shall certify such additional whole scores as are necessary to provide sufficient eligibles. Notwithstanding the above requirement, where there are remaining on the eligible list less than five available eligibles over and above the number of positions to be filled and the General Manager finds that it is for the good of the service, the names of all available eligibles may be certified and appointments may be made from those available eligibles.

The General Manager may certify the names and addresses of all available eligibles within a range of one or more whole scores whenever such certification is requested by the appointing authority and there are at least five eligibles within such range over and above the number of positions to be filled.

Appointments can be made only from among the persons in the whole scores that are certified to provide three whole scores or five more than the number of vacancies filled. If fewer than the initially intended vacancies are filled, then appointments can be made only from those whole scores that would have been certified for the fewer number of vacancies.

(Effective 11-28-91)

Sec. 5.9. If a person declines appointment or fails to report as the result of certification within the time stated on the notice of certification, then upon notification to the General Manager by the appointing officer, the name of the next person on the reserve list or register of eligibles shall be certified.

Sec. 5.10. Whenever a person requests to have his/her name withheld from certification to certain departments or for certain types of employment, his/her name shall not be certified to said departments or for such types of employment until he/she notifies the General Manager in writing of his/her availability for such employment.

Sec. 5.11. If an eligible who is certified for employment from an open eligible list to permanent positions declines appointment a total of three times, his/her name shall thereafter be withheld from certification. Failure to report to the appointing officer for interview shall constitute a declination of appointment. Upon the written request of an eligible whose name has been withheld from certification by reason of declination, the General Manager may make such eligible's name available for certification if he/she finds such action to be for the good of the City service. Declination of appointments by eligibles certified from promotional eligible lists shall not result in the withholding of the eligible's name from later certification.

(Amended 5-12-88)

Sec. 5.12. If an eligible agrees to accept an appointment, but fails to report for duty as directed, he/she shall be notified in writing that his/her name has been removed from the eligible list. If within fifteen calendar days after such notification, he/she proves to the satisfaction of the General Manager that his/her failure to report was excusable, his/her name shall be returned to its place on the eligible list.

Sec. 5.13. If a person has been appointed to and is serving in a position described in the requisition as permanent full time, his/her name shall not be certified further to any position from the eligible list for that class. If so appointed and while serving in such position, his/her name shall not be further certified from a reserve list for that class except to that department from which he/she was laid off.

(Amended 8-11-61)

See City Attorney Opinion to Lloyd
Aldrich, City Engineer, March 12, 1937.

Sec. 5.14. Names of probationers shall be removed from the register upon completion of the probationary period, upon termination, upon abandonment of position, or upon resignation to avoid termination. If a probationer has been terminated, has abandoned his/her position, or has resigned to avoid termination, the General Manager may restore such probationer's name to the register if his/her request for restoration is on file with the Personnel Department within five calendar days after submitting his/her resignation or receiving notice of his/her termination and if after discussion with the appointing authority of the terminating department, it appears that the candidate would be a fit and suitable City employee. If a probationer, through no negligence on his/her part, fails to file his/her request within the specified time, the General Manager, on his/her own initiative, may restore such probationer's name to the register if after discussion with the appointing authority of the terminating department, it appears that the candidate would be a fit and suitable City employee. The candidate may be certified to the department from which terminated only upon the written request of the appointing authority.

(Effective 10-8-71)

See City Attorney Opinions to E.F.

Scattergood, Department of Water and Power, February 18, 1938; and to the Civil Service Commission, April 7, 1938.

Sec. 5.15. A position is considered by the Board to be a limited position if the appointing authority states on the request for certification that the probable duration of employment is less than the length of a probationary period. If such employment subsequently proves to be longer, the employment of a limited employee in such position shall not exceed two months beyond the length of the probationary period. The Board shall withhold payroll approval of any limited employee whose employment in a limited position exceeds the limits specified in this Rule.

See Charter Sections 1004 and 1013(c)

Sec. 5.16. A person appointed from an eligible list to a limited position cannot complete a probationary period, accumulate seniority, appeal a suspension or discharge, or be retained if persons who received appointments to permanent positions in the same class group are being laid off.

Sec. 5.17. An eligible appointed to an intermittent, half-time, or limited position shall remain on the eligible list for certification to permanent full-time positions during the life of that list except that if he/she is discharged, abandons his/her position, or resigns to avoid discharge, his/her name shall be withheld from certification. The General Manager may make such eligible's name available for certification in the same manner as that prescribed in Section 5.14 of these Rules for terminated probationers.

(Amended 11-27-61)

Sec. 5.18. When an appointment is made to an intermittent or half-time position, such appointment shall not be made permanent full-time without the consent of the Commission.

Sec. 5.19. A person appointed from an eligible list to an intermittent position cannot complete a probationary period, accumulate seniority*, or appeal a suspension or discharge.

* Seniority as used in Sec. 5.19 relates only to seniority for civil service purposes, namely layoff and displacement, and does not affect any department policy related to vacation, salary, reemployment, or placement on a seniority basis.

Sec. 5.20. Deleted 9-11-68.

Sec. 5.21. Deleted 9-11-68.

Sec. 5.22. An eligible whose name is withheld from certification for any reason may appeal to the Commission.

Sec. 5.23. The period during which an eligible's name is withheld from certification shall be counted as part of his/her term of eligibility.

Sec. 5.24. No appointment to any position shall in any manner be influenced by political or religious opinions or affiliations.

Sec. 5.25. No appointing officer shall appoint a person from a promotional eligible list who is not at time of appointment employed by the City or on leave of absence or on a reserve list, or has been separated for lack of work from a position designated as a temporary position under Section 5.30 within the past five years. However, this section shall not prohibit the appointment of a person whose name has been restored to such eligible list. Promotional eligibles who are on military leave shall be considered as available for appointment, and may not be considered as having failed to report, nor may they be reported as having declined appointment unless they so state in writing.

(Amended 9-26-75)

See City Attorney Opinion to Althea
Warren, City Librarian, April 20, 1945.

Sec. 5.26. The probationary period for persons appointed in the class of Police Officer, Police Specialist, Airport Police Officer, General Services Police Officer or Port Police Officer shall be eighteen months of service in that class, except for persons who have previously completed a probationary period as a Police Officer, Police Specialist, Airport Police Officer, General Services Police Officer or Port Police Officer and return to the City of Los Angeles in their former class in which case probation shall be six months of service; and in the class of Firefighter it shall be twelve months. The probationary period for persons appointed to all other entry-level classes shall be six months of service in one class in one department following a regular appointment, unless a different period, not to exceed twelve months, is established by the Board for a specific entry-level class. The probationary period for persons appointed in management classes designated in the examination announcement or by the Board shall be twelve months of service in one class in one department after receiving a regular appointment to that class. The probationary period for persons appointed to all other non-entry level classes shall be six months of service in one class in one department following a regular appointment, unless a shorter period is established by the Board for a specific non-entry level class. However, service in any class in a restricted duty capacity that exceeds seven calendar days as required by a physician, after receiving a regular appointment in that class shall be excluded in computing the period of probation. In computing the period of probation, the following shall be excluded:

(Amended 02-05-12)

See City Attorney Opinion to Lloyd Aldrich,
City Engineer, September 18, 1941.

- a) The entire period or periods of any absence or absences whether on leave or not, if such period or periods, in the aggregate, exceed seven calendar days.

(Amended 10-17-07)

See City Attorney Opinion to the Finance

- b) Service in the class prior to discharge, layoff, or resignation to leave the City service or to return to a former position.

Sec. 5.27. In order to prevent the stoppage of public business or to meet extraordinary exigencies, emergency appointments may be made by the appointing authority except that:

- a) An appointment can be made only after the General Manager has approved the applicant's qualifications as stated in his/her written application. The General Manager may waive this requirement when in his/her opinion an emergency occurs in the conduct of City business.
- b) All emergency appointments must be approved by the General Manager in order to be effective. Provided however, that if the General Manager tentatively determines that an appointment is not necessary to prevent the stoppage of public business or to meet an extraordinary exigency, the General Manager shall within 10 working days after receiving the emergency nomination present a report to the Board regarding the need for the emergency appointment.
(Effective 11-1-74)
- c) If the Board determines, after a full investigation, that an emergency appointment is not necessary to prevent the stoppage of public business or to meet an extraordinary exigency, the Board may disapprove the emergency appointment.
(Effective 11-1-74)
- d) If approved by the General Manager, a position may be filled by an emergency appointment until an eligible list is established but not exceeding one year.
(Amended 02-05-12)

See City Attorney Opinions to Civil Service Commission, March 15, 1938, June 28, 1939, and July 17, 1952; and to Joseph W. Hawthorne, Civil Service Department, August 9, 1955.

Sec. 5.28. A City employee who has been discharged after completing a probationary period shall not thereafter be approved for any emergency appointment except by approval of the General Manager.

Sec. 5.30. The Board may designate, as temporary training positions, those positions which are authorized for the express purpose of training persons for a limited period of time. The period of time for which any position is designated as a temporary training position under this section of the Rules may be extended by the General Manager for a maximum period of six months. The

Board may also designate as temporary positions those which are authorized in connection with a major change in the operation of a department which change will require the temporary utilization of personnel, or those authorized to employ personnel as a result of grant-funded employment programs. In accordance with the provisions of Charter Section 1013(c), a person shall not complete a probationary period, accumulate seniority, or appeal a suspension or discharge while serving in any position so designated.

No person appointed to a temporary position under this Rule shall be transferred to a permanent regular position in the same class unless his or her final general average in the examination from which he or she was appointed would entitle him or her to be certified to the permanent regular position if his or her name were on the eligible list for the class.

(Amended 8-5-77)

Sec. 5.31. When an appointing authority requests certification to fill positions that require special skills, licenses, language proficiency, or specialized training, the appointing authority may request that only those eligibles will be certified who have been identified by the Personnel Department as having the requisite special skills, licenses, language proficiency, or specialized training. The nature of any such special skills, licenses, language proficiencies, or specialized training shall be identified on the bulletin issued for that class or by subsequent action of the Board. If identified by a subsequent action of the Board, advance written notice shall be provided to all current eligibles. Before such names may be certified, the appointing authority must affirm that there are no employees in the class in the department available to fill the position who possess the requisite special skills, licenses, language proficiency, or specialized training. Such certification shall be in order of standing and shall follow the requirements in Section 5.8.

(Amended 11-28-91)

Sec. 5.32. A person who is appointed to a position in accordance with the provisions of Rule 5.31, shall not be transferred to a position which does not require special skills, licenses, language proficiency, or specialized training unless approved by the Personnel Department and:

- a) He/she has completed a probationary period in the class in which transfer is requested, or
- b) His/her final general average in the examination from which he/she received his/her appointment would entitle him/her to such employment if his/her name were on the eligible list.

(Effective 3-27-75)

Sec. 5.33. Certifications from eligible lists must be acted on by the appointing authority within sixty days from the date of issuance except when final action is delayed pending receipt of the results of a medical examination. However, any person

appointed from an eligible list or reserve list may, at the discretion of the appointing authority, report for duty at any time within 120 days from the date of certification.

(Effective 3-26-81)

RULE 6

TRANSFER* AND REVERSION

* See Section 7.13 of these Rules; Charter Section 1004; and City Attorney Opinion to Harold L. Hamill, City Librarian, 4/21/55.

Sec. 6.1. The General Manager may approve the regular or tentative transfer of an employee from a position in one department to a position in another department if:

(Amended 3-28-66)

a) The employee requests transfer on the form prescribed by the General Manager.

(Amended 3-28-66)

b) The appointing officer of the department to which transfer is requested approves in writing.

See City Attorney Opinions to L. Plitt Smeltzer, Department of Water and Power, October 21, 1947, and to the Police Commission, November 16, 1951.

b) The appointing officer of the department from which transfer is requested approves in writing. The General Manager may waive this requirement unless the transfer is tentative.

(Amended 3-28-66)

d) The employee is eligible to be assigned to the position to which transfer is requested.

Sec. 6.2. An employee transferred under Section 6.1 shall not be required to serve another probationary period if he/she has completed the probationary period prior to the transfer. If he/she has not completed his/her probationary period, he/she shall not be transferred unless his/her final general average in the examination from which he/she received his/her appointment would entitle him/her to be certified to the position to which transfer is requested if his/her name were on the eligible list. If he/she has not completed the probationary period prior to the transfer, he/she shall start a new probationary period.

Sec. 6.3. The appointing officer of the department to which transfer is requested under Sections 6.1 or 6.7 may stipulate, with the written approval of the transferring employee, that the transfer shall be tentative for a period of six months after its effective date. During this period, upon written notice given by such appointing officer to the employee, the General Manager, and the appointing officer of the department from which transfer was made, the transferred employee shall be returned to the department and class from which he/she came. If he/she is not returned within six months after the effective date, the transfer is final.

(Amended 6-1-78)

Sec. 6.4. A person who is appointed to a position which is out of the City or has other than regular day hours shall not be reassigned to a position in-town or on regular day hours unless:

- a) The probationary period has been completed in the class in which reassignment is being considered, or
- b) The employee's final general average in the examination from which appointment was received would entitle certification to such position if the employee's name were on the eligible list.

NOTE: The provisions of this section shall not apply when reassignments are necessary for layoff avoidance.

(Amended 4-20-83)

REVERSION

Sec. 6.5. At the written request of an employee, the General Manager may approve the employee's reversion from a position in one class to a position in another class in the same or different department if:

(Amended 3-28-66)

- a) The appointing officer of the department to which reversion is requested states in writing that there is a vacant position to which it will assign the employee if the request is approved.
- b) The employee had received a regular appointment in the class to which reversion is requested and the employee's seniority in that class and higher classes is greater than that of any person on the reserve list of the department to which the employee is requesting reversion; or the employee had received an appointment from an eligible list in the class to which reversion is requested in a temporary training position as defined in Section 5.30 of these Rules and was employed less than the maximum time specified for training.

Note: A reversion to a temporary training position as defined in Section 5.30 of these Rules will be approved only for the training time remaining from the requestee's original appointment to such position. The appointing officer of the department to which reversion is requested must certify that the requestee will be trained for and appointed if eligible to a permanent position within the specified training time remaining or returned to the class from which the requestee reverted. The appointing officer should specify the training program to which the requestee will be assigned and the probable duration of training.

(Effective 5-19-78)

- c) The employee was not separated from the class to which reversion is requested either by discharge, probationary termination, or action taken by the employee or the department as a result of unsatisfactory performance in the class.
(Effective 1-08-72)

Note: Section 6.5 (c) shall not apply for purposes of returning a sworn member of the Police Department to his or her former civil service class subsequent to a demotion imposed in accordance with Section 1070 of the City Charter.
(Amended 7-21-94)

Sec. 6.6. If the employee has completed the probationary period in the class to which reversion is requested, he/she shall not be required to serve another probationary period in that class. If the employee has not completed the probationary period in the class to which he/she is reverting, he/she shall start a new probationary period.

TRANSFER UNDER CHARTER SECTION 1014*

*See Section 7.14 of these Rules

Sec. 6.7. The General Manager may approve the transfer without competitive examination of any employee to a vacant position in a different class in the same or different department if:

(Amended 9-28-67)

- a) The employee requests the transfer in writing,
- b) The appointing officer or officers approve in writing,
- d) The General Manager finds:

(Amended 9-28-67)

- 1) The employee is incapable of performing satisfactorily the duties of his/her position because of injury or sickness or disability or the employee has completed a probationary period in the City service; and

(Amended 9-28-67)

- 2) The employee has the minimum qualifications for the class to which transfer is requested and is capable of performing the duties of the position and

(Amended 3-28-66)

- 3) The position to which transfer is requested does not result in promotion.

(Amended 8-14-75)

- e) When a transfer is requested by an employee who is capable of performing his/her present duties, the General Manager further finds:

(Amended 9-28-67)

- 1) The employee's seniority in the class to which transfer is requested and higher classes is greater than that of any person on the reserve list for the class and department to which he/she is requesting transfer; and
- 2) The transfer is for the good of the service.

Sec. 6.8. An employee transferred under Section 6.7 of this Rule shall not be required to serve a probationary period in the class to which he/she is transferred unless he/she is serving a probationary period at the time of his/her transfer

(Amended 10-10-63)

Sec. 6.9. A tentative or regular transfer, reversion, or a transfer under Charter Section 1014 shall be deemed canceled if it is not consummated within thirty days from the date of approval. If it is thus consummated, the effective date shall be the date as reported by the payroll document sent to the Personnel Department.

(Amended 6-26-68)

Sec. 6.10. The Civil Service Commission may approve the use of Charter Section 1014 transfers to allow employees who are "legally employed" because of a class consolidation the opportunity to obtain status in a new class. The General Manager may also approve the use of Charter Section 1014 transfers for employees who have been affected by class consolidations in the past, who did not obtain status in the consolidated class at the time of the consolidation. Charter Section 1014 transfers approved under this Section will be in accordance with Section 7.14(b).

(Added 12-22-98)

RULE 7

LEAVES OF ABSENCE AND SENIORITY*

*See Charter Section 1004 and City Attorney Opinion to John F. Fisher, Civil Service Department, August 5, 1941.

Sec. 7.1. No employee in the classified civil service shall absent himself/herself from duty without leave except in case of sickness or great emergency.

Sec. 7.2. An employee who is absent without a valid leave of absence for seven consecutive calendar days shall be deemed to have abandoned his/her and to have resigned from the service unless within thirty calendar days from the last day he/she worked or the last day he/she was on a valid leave of absence, he/she proves to the satisfaction of the Board that such failure was excusable. However, nothing in this section shall prevent an appointing authority from suspending or discharging an employee on account of unauthorized absence.

(Amended 3-28-66)

Sec. 7.3. An appointing authority may grant a leave of absence without pay to an employee for a period not exceeding fifteen calendar days without obtaining the consent of the General Manager. The total leaves granted under this section shall not exceed fifteen calendar days in one calendar year.

(Amended 8-10-59)

Sec. 7.4. An appointing authority may grant a leave of absence without pay to an employee upon the employee's written request, for a period not exceeding one year, subject to the approval of the General Manager. The employee's request shall be made upon the form prescribed by the General Manager and shall state the length of time for which leave is requested and the reason for requesting it. No retroactive leave of absence shall be granted unless the failure to grant it causes undue hardship to the employee.

(Amended 3-28-66)

Sec. 7.5. At the expiration of his/her leave of absence, the employee shall report for duty to the department from which he/she was on leave of absence.

Sec. 7.6. An employee shall not report for duty prior to the expiration of his/her leave of absence without the permission of his/her appointing authority, unless he/she is on leave pursuant to the provisions of Section 7.7 of this Rule.

Sec. 7.7. Whenever a regular employee who has completed a probationary period receives another regular, limited, intermittent, or emergency appointment or an appointment to a temporary training position, he/she is considered automatically on leave of absence from his/her former position while serving the

probationary period; limited, intermittent, or emergency appointment; or while serving in the temporary training position. If he/she resigns or is failed on probation from his/her new position, he/she shall, unless otherwise disqualified, be returned to the position from which he/she is on leave.

(Amended 12-14-07)

See City Attorney Opinions to Civil Service Commission, July 19, 1937, and to Dan O. Hoyer, Controller, May 26, 1949.

Sec. 7.8. In computing seniority, credit shall be given for all continuous service. Layoff and displacement seniority shall be allowed for any absence from a position in the classified civil service only in the following cases:

(Amended 12-25-73)

See City Attorney Opinions to Joseph W. Hawthorne, Civil Service Department, August 26, 1947, and to the Board of Public Works, September 8, 1948.

- a) Absence with pay, except that seniority for any such absence resulting from disability not incurred in the line of duty shall be limited to a maximum of one year.
- b) Absence without pay not exceeding seven calendar days.

See City Attorney Opinion to the Finance Committee of the City Council, August 24, 1950.

- c) Absence on leave for active service in the armed forces of this State or of the United States or in other forces or services of this State or the United States which satisfy the requirements of Selective Service.

See Charter Section 17 and Sections 395 and 395.1 of the California State Military and Veterans Code.

- d) Absence on leave to accept an emergency, exempt, intermittent, or limited appointment or an appointment to a temporary training position.

(Amended 9-14-62)

See Section 7.7

- e) Absence on leave while serving a probationary period. However, upon completion of the probationary period, this seniority shall be deleted.

- f) Absence on leave made necessary by disability incurred in the line of duty.

- g) Absence on leave for the purpose of loaning the employee to another governmental agency or a private agency engaged in work of interest to the City. The loan must have been requested by the agency, the employee must intend to return to City employment, and the General Manager must find that the City will benefit from the specific experience to be obtained.

- h) Absence on leave to receive veterans' educational benefits under the provisions of federal or state law.

- i) Absence on leave to serve on a trial jury.

- j) Absence on leave while serving in the Merchant Marine. Employees requesting a leave of absence under this subsection must present proof that they have a valid license issued by the United States Coast Guard prior to the approval of such leave.

(Amended 10-27-67)

- k) Absence on leave while serving in the United States Peace Corps Program.

(Amended 10-26-67)

Sec. 7.9. Every employee retiring from City service on disability or voluntary service retirement shall be considered as being on leave of absence with seniority from the effective date of his/her retirement, as designated in his/her application for such retirement, to the date upon which the board of administration acts upon such application.

Sec. 7.10. Service in a class during a probationary period shall not be credited to that class if the probationary period is not completed because of discharge or resignation from that class.

Sec. 7.11. Service in a class during a probationary period shall be credited to that class if the probationary period is not completed because of a layoff or termination to accept another City position.

Sec. 7.12. Seniority shall not be credited for any period during which an employee is retained in error out of seniority order. Seniority shall be credited for any period that an employee is laid off if it is found that he/she should have been employed during that time.

Sec. 7.13. During the six months' period after the effective date of a tentative transfer, the transferee shall accumulate seniority simultaneously in the class groups from which, and to which he/she is transferred. If the transfer becomes final, seniority accumulated after the effective date of the tentative transfer shall be credited only in the class group to which he/she is transferred. If the transfer does not become final, such seniority shall be credited only in the class group from which tentative transfer was made.

Sec. 7.14. a) An employee transferred under the provisions of Charter Section 1014 to a permanent position shall be credited in the class group to which the employee is transferred with all the seniority in the class from which the employee is transferred. Any employee transferred under the provisions of Charter Section 1014 shall be considered automatically on leave of absence from his or her last class. If the employee is transferred to a permanent position because of injury or sickness and becomes capable of performing satisfactorily the duties of the class from which he or she was transferred, or return to the former class is for the good of the service, the employee may, with the approval of his or her former appointing authority and the General Manager, return from leave of absence. In the event of the return of an employee from a permanent position, the employee shall be credited in the class group to which the employee returns, with all seniority credited to him or her while on leave of absence. Seniority accumulated prior to the employee's transfer to the permanent position shall be credited as if the transfer had not occurred. If the employee is transferred to a temporary training position as defined under Section 5.30 of these Rules and does not promote to another class within the specified training period, the employee automatically shall be returned to his or her former class.

(Amended 6-1-78)

b) Employees transferred in accordance with Section 6.10, under the provision of Charter Section 1014, shall not be credited with any seniority for layoff and displacement purposes from their prior class. Employees not on probation at the time of the transfer will not be required to serve a new probation. Employees who are on probation at the time of the transfer will be required to begin a new probationary period.
(Added 12-22-98)

Sec. 7.15. An employee shall accrue seniority only in his/her status class even though the Board has found that such employee is legally employed in a position in a different class than his/her status class.

Sec. 7.16. Deleted 3-20-64.

Sec. 7.17. Any employee who is by competent City authority certified off duty for temporary total disability because of injury or illness arising out of and in the course of his/her employment with the City shall be automatically on leave of absence for the period he/she is so certified, unless such employee is terminated under other provisions of these Rules or the City Charter.

(New 4-27-63)

Sec. 7.18. Deleted 1-1-80

Sec. 7.19. An employee who is eligible for transfer under Charter Section 1014, but is unable to transfer because there is no vacant position in his/her department for which he/she is qualified shall be considered automatically on leave of absence without pay from his/her former class or position for a maximum of two years. An employee shall not be placed on automatic leave by his/her appointing authority without a written request from the employee and a report from a City physician stating that the employee cannot do the work of his/her position. An employee placed on automatic leave of absence under this section shall have the right at any time to request the General Manager to terminate his/her leave and return him/her to his/her position or transfer him/her in accordance with Charter Section 1014. However, nothing in this section shall prevent an employee from retiring or resigning if he/she desires, or prevent an appointing authority from suspending or discharging an employee for cause.

(New 8-2-63)

RULE 8

LAYOFF*

*See Charter Section 1015

Sec. 8.1. The first person laid off within a class shall be the one in the department in which layoff is being made with the least layoff seniority. The order of layoff of intermittent and limited employees is determined by the appointing authority.

See City Attorney Opinions to the Civil Service Commission, July 24, 1940, and June 23, 1942; to Althea Warren, Library Department, August 12, 1941; to Lloyd Aldrich, Bureau of Engineering, September 19, 1941; to Joseph W. Hawthorne, Civil Service Department, January 9, 1945, November 1, 1945, and August 26, 1947; to Arthur Eldridge, Harbor Department, December 17, 1945; and to the Board of Public Works, September 8, 1948.

Sec. 8.2. If two or more employees have the same layoff seniority, the order of layoff shall be determined by the appointing authority.

Sec. 8.3. The person laid off shall be entitled to displace to a position in a class group in which he/she formerly held a regular appointment and in which there is an employee with less displacement seniority. The employee with the least displacement seniority shall be displaced by the person who is laid off. The employee displaced shall be considered as laid off for the same reason as the person who displaced him/her and shall in the same manner be eligible to displace to a position in a class group in which he/she formerly held a regular position. If two or more employees have the same displacement seniority to a position in a class group, the order of displacement shall be determined by the appointing authority of that class group.

(Amended 1-19-59)

See City Attorney Opinion to Bernard J. Caughlin, Harbor Department, June 4, 1957.

Sec. 8.4. An employee may elect to displace in any class and in any department in which he/she has displacement rights or may waive any or all of his/her rights. In the absence of an election by the employee, he/she shall displace in the highest class in which he/she has displacement rights. If he/she has displacement rights in two or more classes at the same level, he/she shall displace in the class in which he/she has the greater displacement seniority. If he/she has displacement rights in his/her highest class in more than one department, he/she shall displace in the department in which he/she has the most displacement seniority. If his/her displacement seniority is equal in two or more classes or departments, he/she shall displace in that class or department in which the employee with the least displacement seniority is working.

See City Attorney Opinion to Burton L. Hunter,
Civil Service Department, October 3, 1940.

Sec. 8.5. All elections and waivers of displacement rights by employees shall be made in writing.

Sec. 8.6. When a function is transferred from one department to another department, the incumbents of all positions transferred shall remain in the original class group for purposes of layoff and reemployment under Charter Section 1015.

Sec. 8.7. If because of inclement weather or unforeseen reason, work is temporarily interrupted, it is not necessary that layoff seniority order be followed in assigning employees. The interruption of work must be known to be temporary, the appointing authority must act in good faith, and an employee must not be deprived of his/her rights or gain an advantage with respect to his/her employment in the classified civil service.

Sec. 8.8. Whenever simultaneous layoffs occur in a class series, the layoff will occur first in the higher class, followed by displacement to the lower class. When displacements in the lower class have been completed, the layoff in the lower class will occur.

(Effective 11-16-72)

RULE 9

RESTORATION TO REGISTER OF ELIGIBLES*

*See Charter Section 1012(c)

Sec. 9.1. The General Manager may restore the name of a person to the register of eligibles for the class from which the person was appointed in accordance with the person's final general average if:

(Amended 3-28-66)

- a) The person has completed a probationary period in this class.
- b) The person has been reduced in rank or separated from City service without personal delinquency. The period of separation must have been three years or less at the time the person makes his/her request in writing to the appointing authority of the department in which he/she served in this class or to the General Manager. In computing this period of separation, time served on active duty in the armed forces of the United States during this period shall not be included.

(Amended 3-28-66)

Note: A person whose name is on a reserve list is not considered to be separated from City service.

- c) The appointing authority of the department in which the person had served in this class recommends his/her restoration, and he/she is eligible for appointment in that department. This requirement shall not apply after July 1, 1964 to those persons who would otherwise require a recommendation for restoration from the Health Department.

(Amended 7-17-64)

See City Attorney Opinions to the Board of Public Works, January 18, 1943; to the Civil Service Commission, July 26, 1945; and to Chief Alderson, Fire Department, July 30, 1942.

Restoration under this section shall be to the Open eligible list for entrance level classes, and to the Promotional eligible list for all other classes after first deducting any military credit.

(Amended 4-3-64)

Sec. 9.2. A person whose name appeared on an open competitive eligible list and who entered into active duty with the armed forces of the United States prior to appointment from such list, may upon his/her request have his/her name restored or his/her

period of eligibility extended by the General Manager from the date of his/her release from active duty or expiration of the list, whichever is later, for a period equal to the time spent on active duty but not to exceed two years. Request for extension may be made at any time after honorable release from active duty.
(Amended 3-28-66)

Sec. 9.3. The name of a person restored to the register of eligibles under this Rule shall remain thereon for two years unless sooner removed.

Sec. 9.4. If a person is restored to the register of eligibles and appointed, he/she shall serve a new probationary period.

RULE 10

ADMINISTRATION

Sec. 10.1. The President of the Board shall preside at all meetings. The President may vote on all questions before the Board.

See Charter Section 503 and City Attorney Opinion to the City Council, August 13, 1953.

Sec. 10.2. A special meeting may be called at any time by the President, or, if the President is absent from the City or is otherwise unable to act, the Vice President, or by a majority of the members of the Board, by delivering personally or by mail, written notice to each member of the Board and to each local newspaper of general circulation and radio or television station requesting notice in writing. Such notice must be delivered personally or by mail at least 24 hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting by the Board.

See City Attorney Opinion to the City Council, August 13, 1953, and Chapter 1588, State Statutes 1953.

Sec. 10.3. The Secretary shall prepare and deliver such written notice above provided upon order of the President, the Vice President, or a majority of the Members of the Board, as the case may be.

Sec. 10.4. During the absence of the President, the Vice President shall have the powers of the President.

Sec. 10.5. During the absence of the President and Vice President, a temporary chairman may be elected to have all the powers of the President.

Sec. 10.7. Any action taken or decision made by the General Manager pursuant to Sections 6.1 (transfer), 6.5 (reversion), 7.4 (leave of absence), and 9.1 (restoration to list) of these Rules which is adverse to a department or appointing authority or an employee shall be reported to the Board by placing notification thereof in its next regular agenda. Pursuant to Charter Section 1004, any action taken or decision made by the General Manager pursuant to these Rules, the written Policies of the Board, or any other authority may be appealed to the Board. However, where specifically indicated in the Rules and in the Personnel Department's Policies, the Board shall refuse to entertain inappropriate appeals.

(Amended 3-23-79)

Sec. 10.8. In order to keep proper personnel records, each appointing officer shall immediately report on forms prescribed by the Board:

- a) Every position created or abolished.
- b) Every declination of appointment or failure to report on the part of an eligible.
- c) Every appointment made.
- d) Every change in the compensation for any position
- e) Every suspension of an employee.
- f) Every leave of absence granted an employee.
- g) The return of an employee to duty on the expiration of a leave of absence or disciplinary suspension
- h) Every layoff of an employee.
- i) Every termination and its cause.

Sec. 10.9. When a new position is created or when the duties or responsibilities of an existing position are significantly changed, the appointing officer shall send to the Board a written statement outlining the duties and responsibilities and the qualifications for filling such position.

Sec. 10.10. The Board shall keep a record of each employee's service by department and class.

Sec. 10.11. The Board shall have the power to change, amend, revoke, or modify these Rules after ten days' notice of the proposed change.

See Charter Section 1004.

Sec. 10.12 A motion to reconsider may be made by any commissioner on any item on the agenda, provided said member making the motion to reconsider originally voted on the prevailing side of the matter. The motion to reconsider shall only be in order before the meeting is adjourned, or at the beginning of the next regular meeting. However, the motion to reconsider at the next regular meeting is only proper and in order if it relates to a matter where the Civil Service Commission acted on a matter where the Appellant him/herself or the Department representative was not present, and where good cause is provided for the prior absence at the time the motion to reconsider is made. A motion to reconsider is not debatable and shall require an affirmative vote of three (3) members of the Commission.

(Added 6-9-2005)

Sec. 10.13. If any section, subsection, sentence, clause, or phrase of these Rules is found to be illegal, such findings shall not affect the validity of the remaining portions of these Rules.

RULE 11

POLICE AND FIRE SERVICE

Sec. 11.1. Applicants for Firefighter shall have reached their 18th birthday and applicants for Police Officer and Police Specialist shall have reached the age of 20½ by the date of application. Applicants for Police Officer must be at least 21 years of age at the time of appointment.

(Amended 3-23/03)

Sec. 11.2. (Deleted - Effective 8-9-73)

Sec. 11.3. All candidates in the examinations for Police Officer and Firefighter whose final general average is not below the minimum established by these Rules must take a special medical examination before the Examining Physician of the Personnel Department and must conform to the Medical Standards set forth in Appendix C of these Rules.

(Amended 8-9-73)

See City Attorney Opinion to George M. Uhl,
M.D., Health Department, March 11, 1947.

Sec. 11.4. If a candidate is regarded by the Examining Physician as physically or mentally unfit by reason of a condition not specifically listed in the Medical Standards as a cause for rejection, he/she shall, nevertheless, be rejected and a full statement of the reasons shall be given to the Board in the report of medical examination. Even though a candidate has no organic defects or pathological condition, he/she may be rejected if, in the judgment of the Examining Physician, he/she is not sufficiently well developed physically or mentally to perform the strenuous tasks which a Police Officer or Firefighter is called upon to do on occasions. Candidates shall not be accepted subject to the performance of surgical operation for the removal or cure of defects.

(Amended 8-9-73)

Sec. 11.5. Notwithstanding the provisions of Sections 11.3 and 11.4 of these Rules, the Commission may grant waivers of physical and medical requirements for applicants for Police Officer who have qualifications substantially above the minimums required in education or experience, or who have exceptional compensating physical qualifications. The Commission shall appoint a Police Selection Board to consider requests for such waivers, and to make factual determinations and recommendations to the Commission. One member of the Police Selection Board shall be chosen from persons nominated by the Chief of Police. No waiver shall be granted by the Commission unless the Police Selection Board has made its recommendation to the Commission. Waivers shall be limited to applicants, otherwise eligible, who do not meet the requirements for the following:

- a) Weight, except that no waiver shall be granted for more than 3 percent above or 5 percent below the requirement;
- b) Teeth;
- c) Nasal obstructions;
- d) Uncorrected visual acuity, except that no waiver shall be granted to applicants whose binocular vision is less than 20/100 or less than any more restrictive visual acuity requirement set by the California Peace Officer Standards and Training;
- e) Deleted 5-2-97

RULE 12

DISCIPLINARY HEARINGS

Sec. 12.1. Any person in the classified civil service of the City, who has been removed, discharged or suspended in accordance with Charter Section 1016(a) - (e) may make written application to the Board of Civil Service Commissioners that it investigate the grounds for such removal, discharge or suspension. The written appeal must be filed within five calendar days after the notice of removal, discharge or suspension has been served upon the person.

The following rules are adopted to provide information as to the procedure which will be followed. Their purpose is to insure an expeditious and fair investigation and hearing, that all parties concerned shall have full opportunity to be heard and the merits of their causes determined.

Sec. 12.2. The employee's written application to the Board must include, over the signature of the employee or the employee's representative, the address to which notices and such other information pertinent to the investigation shall be mailed. Proof of mailing any letter by the United States mail, with proper postage affixed, addressed to the employee or employee representative at the address so given, shall constitute prima facie evidence of the receipt of such letter by the employee or employee representative in the ordinary course of mail.

Sec. 12.3. Hearings shall be conducted by hearing examiners pursuant to these Rules, Los Angeles Administrative Code Sections 19.29 through 19.35, and Personnel Department Policy 24. The following Rules 12.4 through 12.11 shall be a procedural guide for the hearing examiner in the conduct of a hearing.

Sec. 12.4. Any disciplinary hearing conducted pursuant to Charter Section 1016(a) - (e) shall include, as the first order of business, a factual determination by the hearing examiner relating to the extent to which the appointing authority taking the action complied with the provisions of Personnel Department Policy 33.1DE and 33.1E3. The hearing examiner's determination shall be incorporated in the first section of the hearing examiner's report to the Board.

If the hearing examiner determines that the appointing authority has so complied, the appellant shall be requested to stipulate to this fact. Such stipulation, which should be included in the hearing examiner's report, is intended to expedite the substantive discussion of the merits of the disciplinary action.

(Amended 07-19-07)

Sec. 12.5. Oral evidence shall be taken only under oath or affirmation and shall be reported verbatim.

Sec. 12.6. Each party shall have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination; and to impeach any witness regardless of which party first called the individual to testify. An employee who does not testify may be called and examined as if under cross-examination.

Sec. 12.7. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions, and irrelevant and unduly repetitious evidence may be excluded.

Sec. 12.8. The hearing examiner may direct any person present to testify in a hearing whether or not such person was subpoenaed to testify.

Sec. 12.9. The hearing examiner shall require the maintenance of order in the hearing room, may order the exclusion of witnesses, and may expel anyone who disturbs the hearing.

Sec. 12.10. The hearing examiner shall rule on objections raised by either party of the hearing.

Sec. 12.11. The order of proof in the hearing shall be as follows:

- a) The appointing authority or designee shall present evidence in support of the charges, including material required pursuant to section 12.4 hereinabove.
- b) The employee or employee representative shall present evidence in support of the employee.
- c) Any party may then offer rebuttal evidence.
- d) Any evidence relative to the fitness and suitability of the employee may be introduced with evidence in support of the charges or after such evidence has been presented.

Sec. 12.12. The hearing examiner's report to the Board shall include findings and recommendations relating to the appointing authority's compliance with Policy 33.1D and 33.1E.3, the adequacy of the evidence submitted in support of the charges, the sufficiency of the grounds for removal, discharge, or suspension.

(Amended 07-19-07)

Sec. 12.13. Board hearing-investigations on appeals from disciplinary action shall be open to the public unless otherwise ordered by the Board.

Sec. 12.14. If exceptions to the hearing examiner's report are filed, the presiding officer of the Board shall state for the record that the written exceptions have been received as part of the record and shall be considered by the Board in connection with its evaluation of the report. Failure of any person to file exceptions within the time prescribed by Board Policy shall be deemed an admission of the facts stated in the report unless the Board, for good cause shown, relieves the person from such failure and permits the individual at or before the hearing to take exception to all or any part of the report.

Sec. 12.15. At the time the hearing-investigation is held before the Board, the first order of business shall be the Board's determination relating to the appointing authority's compliance with Personnel Department Policy 33.1D and 33.1E.3. If the Board finds compliance, no further review of the procedural issue will be allowed. If the Board does not find compliance, the appeal may be remanded to the hearing examiner or the Board may proceed with its hearing-investigation.

(Amended 07-19-07)

Sec. 12.16. No former member of the Board or former employee of the Personnel Department shall serve as representative for the employee within a period of one year from the date of the termination of office or employment.

Sec. 12.17. It is not necessary for the Board to make separate findings on each charge laid against the employee or to find that each charge has been proved. The Board shall take one of the following actions:

- a) Find that: (1) All of the charges or certain of the charges are sufficient and sustained, and (2) the discharge or suspension is sustained; or
- b) Find that: The charges are not sufficient and/or are not sustained; or
- c) Initiate action to determine if the appointing authority would consent to (1) a reduction in the length of the suspension, (2) substitution of a suspension for a discharge, or (3) consideration of remedies acceptable to the appellant, the appointing authority, and the Board. Such remedies include, but are not limited to, resignation, transfer, reassignment, leave, voluntary reversion, and Charter Section 1014 transfer.

If the appointing authority consents to a reduction or substitution, the Board will so order. If any other remedy acceptable to the Board is recommended, the Board shall require that the employee withdraw the appeal. The Board shall make such withdrawal a matter of record and shall authorize that the remedy be effected.

Where a reduction, substitution or other remedy is not obtained under this subsection, the Board shall make one of the findings identified in subsections a) and b) above.

(Amended 07-19-07)

RULE 13

MEDICAL GUIDES AND EXAMINATIONS

Sec. 13.1. The Board shall establish, as appendices to these rules, guides to the medical placement of persons entering City employment.

Sec. 13.2. The purpose of these medical guides and medical examinations conducted under them is to:

- a) Establish a medical basis for work-fitness evaluations of applicants which may be stated in terms of the placement potential of the individual applicant;
- b) Ensure that each employee is able to perform the essential duties of the position to which the employee is assigned without undue hazard to the employee or others;
- c) Provide an adequate basis for the most effective utilization of the capacities of employees.

Sec. 13.3. Medical examinations under this rule shall be conducted by the physicians of the Personnel Department or physicians or medical staffs designated by the Board to serve in that capacity within limits prescribed by the designation.

Sec. 13.4. The General Manager may require an open competitive applicant to complete a medical examination in order to determine the applicant's placement potential. Said examination may be conducted prior to certification or prior to appointment, or when stated on the bulletin announcing the examination, prior to being placed on the eligible register. The limitation of any applicant shall not affect the certification of other applicants who are not medically limited with respect to the position in question.

Sec. 13.5. If a current City employee receives medical or psychological work restrictions from the Medical Services Division, the person may appeal the restrictions in writing.

If a post-offer job applicant is medically or psychologically disqualified or receives medical or psychological work restrictions from the Medical Services Division, the person may appeal the results in writing. The appellant shall provide appeal documents from a qualified medical professional or mental health professional or other written documents as desired that support the non-application of the disqualification to the position in question. Notice of intent to appeal shall be filed with the Medical Services Division of the Personnel Department within fourteen calendar days after the appellant receives notice of the results. Supporting documentation shall be submitted no later than sixty days from the date results are received. Failure to submit the supporting information within the established time period may result in the appeal being denied. The Medical

Services Division will review and process the appeal according to Personnel Department Policy 1.1.

(Amended 10-17-07)

Sec. 13.6. If an open competitive eligible is certified and appointed prior to medical examination and thereafter takes a medical examination, any limitations on the person's placement shall be promptly reported to the appointing authority. To the extent that such limitations are inconsistent with continued placement in the position, that fact may be sufficient reason for probationary termination, provided that the appointing authority has no reasonable means to accommodate said limitations.

Sec. 13.7. The General Manager may waive medical examination for open competitive eligibles who are already working for the City if the physical demands of the class for which they are eligible are less or substantially the same as the class in which they are already working and for which they have been approved medically.

Sec. 13.8. No City employee shall be required to complete a medical examination as a condition of a promotion or transfer unless the appointing authority requesting the examination can demonstrate:

- a) that the duties of the position to which the person would be assigned are more arduous than the duties to which the person is currently assigned; or
- b) a good reason to believe that the person may not be physically capable of performing the duties of the position to be filled; or
- c) that the person has previously been assigned medical limitations which may limit the person's ability to perform the duties of the position to be filled.

Sec. 13.9. An appointing authority, who has reasonable cause to believe that an employee has a medical condition which impairs job effectiveness or may endanger the health, safety, or welfare of the employee, other employees, or the public, may require the employee to be medically examined.

- a) Such an examination shall not be based on the medical guides established for original placement, but instead shall evaluate only the physical conditions relating to the satisfactory performance of the employee's required duties, and to the protection of the health, safety, and welfare of the employee, other employees, and the public.

- b) If the employee's condition is the result of a work-incurred injury, for which the employee has been awarded a Permanent Disability Rating under the provisions of Division IV of the California State Labor Code, no examination need be conducted by the Personnel Department. The appointing authority may be furnished instead with the Findings and Award of the Workers' Compensation Appeals Board, together with the medical information on which they are based. If the appointing authority believes, after reviewing the award, that the employee cannot perform the duties of the assigned position, the assistance of the Workers' Compensation Rehabilitation Unit may be requested.

Sec. 13.10. Whenever an employee is found unable to perform the duties of a position due to medical limitations of a continuing nature which impairs job effectiveness or may endanger the health, safety, or welfare of the employee, other employees, or the public:

- a) The appointing authority shall attempt either to assign the employee to another position consistent with the employee's limitations or to effect a reasonable accommodation to the limitations which will enable the person to continue working.
- b) If the appointing authority reasonably cannot effect such reassignment or other accommodation, or if the employee does not wish to request such action, the employee may request reversion or transfer (including transfer under Charter Section 108) if the employee meets the qualifications for reversion or transfer. The appointing authority shall forward such request to the Personnel Department together with its recommendations. If favorable action by reversion or transfer is possible within the employee's department, the appointing authority shall so state and shall indicate whether it recommends such action.
- c) If favorable action within the employee's department is either impossible or not recommended, it shall be the duty of the Personnel Department to determine whether reversion or transfer to a vacant position in another department for which the employee has the qualification is feasible.
- d) If action favorable and suitable to the employee, is not taken under the above steps, the appointing authority may refer the employee to the Workers' Compensation Rehabilitation Unit for vocational rehabilitation services. If such services are declined by the employee, the appointing authority may remove the employee, using a special form furnished by the Commission. A removal of an employee, who has completed a probationary period, for medical reasons under this section shall be subject to appeal under Rule 12 and Charter Section 112.

Sec. 13.11. The fact of removal of an employee for medical reasons shall not prejudice employment in any position for which the employee is or later becomes medically qualified.

(Amended 3-26-81)

APPENDIX A
SPECIAL SICK LEAVE
Deleted (4-22-66)

APPENDIX B

VACATION - LEAVES OF ABSENCE

Ordinance No. 138,300

Chapter No. 6

ARTICLE 1

VACATIONS

Sec. 4.244. DEFINITIONS

The words and terms defined in this section shall have the following meanings as used in this Article.

- (a) "City Service" or "Service with the City" means employment position with the City of Los Angeles, or any of its departments, bureaus or offices, including any department having control of its own funds.
- (b) "Employee" means any person employed in City service and includes officers of the City, except policemen and firemen.
- (c) "Service Year" means each period of twelve (12) consecutive months of employment following an employee's entrance or re-entrance, into service with the City including any of its departments, or between any two anniversaries of such entrance or re-entrance.
- (d) "Year of Service" means an aggregate period of twelve (12) months of City service by an employee, as to each of which months a vacation credit has accrued to the employee under this article, or would have accrued had this article been in effect during such period.
- (e) 1. An employee's "Qualifying Year" means the first period of twelve (12) consecutive months of his service for the City, after his entrance or re-entrance into City service, during which period he was not absent except as follows:
 - a) Absent on leave for period aggregating less than thirty-one (31) days for reason personal to the employee.
 - b) Absent on leave for periods aggregating less than ninety-one (91) days for illness or injury.

- c) Absent for reasons of illness or injury proximately caused by, arising out of, and in the course of an employee's City service for which he is compensated under any system of Workmen's Compensation pursuant to any law of the United States, the State of California or any other state for periods of less than ninety-one (91) days.
2. An employee shall receive credit toward the completion of his qualifying year for periods of service prior to an absence as follows:
- a) Upon return to duty after more than ninety (90) days absence for reasons stated in (e) 1, C. above.
 - b) Upon return to duty after an absence of less than ninety-one (91) days resulting from a suspension pursuant to Charter Section 125 for lack of work, lack of funds or abolishment of position.
- (f) "Full Pay" means the amount of pay an employee would receive for the period during which he is away on vacation if he worked the days and hours prescribed for his position. Overtime pay shall not be included in such determination.

Sec. 4.245. MONTHLY VACATION CREDIT - LENGTH OF VACATION

- (a) Each employee who has completed his qualifying year shall be entitled to a vacation of ten (10) working days with full pay. Thereafter, and until the completion of his fifth year of service, he shall be entitled annually to ten (10) working days vacation with full pay subject to deductions for absences as provided in Section 4.246, and vacation time shall accrue and be credited upon the following basis. Upon the commencement of an employee's second year of service, vacation time shall accrue and be credited at the rate of 5/6 of a working day for each month of City service.
- (b) Upon the completion of five (5) years of service and until the completion of seventeen (17) years of service, each employee shall be entitled annually to fifteen (15) working days vacation with full pay, subject to deductions for absences as provided in Section 4.246. After an employee has completed four (4) years of service, vacation time shall accrue and be credited upon the following basis:
 - 1. During an employee's fifth year of service, vacation time shall be credited at the rate of 1

1/4 working days for each month of City service; provided, however, that if any employee fails to complete his said fifth year of service and if he is compensated for, or allowed to take, any of said vacation earned during said fifth year in increments of less than a full vacation, he shall be compensated therefore, or allowed to take such vacation, at the rate of 5/6 of a working day for each month of City service.

2. Upon the commencement of an employee's sixth year of service and until the completion of his sixteenth year of service, vacation time shall accrue and be credited at the rate of 1 1/4 working days for each month of City service.

(c) Upon the completion of seventeen (17) years of service, each employee shall be entitled annually to twenty (20) working days vacation with full pay subject to deductions for absences as provided in Section 4.246. After the completion of sixteen (16) years of service, vacation time shall accrue and be credited upon the following basis:

1. During an employee's seventeenth year of service, vacation time shall accrue and be credited at the rate of 1 2/3 working days for each month of City service; provided however, that if any employee fails to complete his said seventeenth year of service, and if he is compensated for, or allowed to take, any of said vacation earned during said seventeenth year in increments of less than a full vacation, he shall be compensated therefore, or allowed to take such vacation at the rate of 1 1/4 working days for each month of City service.

2. After the completion of seventeen (17) years of service, vacation time shall accrue and be credited at the rate of 1 2/3 working days for each month of City service.

Sec. 4.245.1. CREDITING VACATION TIME FOR CIVILIAN AMBULANCE EMPLOYEES

Civilian ambulance employees of the Fire Department as defined in Section 4.138 of this Code, shall be entitled to and accrue vacation time as provided in Section 4.245. On January 1 of each year, vacation time accrued during the previous year shall be credited to each civilian ambulance employee.

Sec. 4.246. DEDUCTIBLE ABSENCES

In computing accruing monthly vacation credits, as provided herein, deduction shall be made:

1. For all absences without leave.

2. For that portion of absences in excess of
 - a) An aggregate of thirty (30) days in any one service year, on leave for reasons personal to the employee.
 - b) An aggregate of ninety (90) days sick leave in any one service year.
 - c) An aggregate of ninety (90) days, cumulating all absences on sick leave and all absences personal to the employee in any one service year.
3. For all absences during any service year in which an employee was not on active duty for at least one hundred eighty (180) calendar days. Provided, that no period of absence on leave with pay for the performance of ordered military or naval duty, shall be considered an absence for the purpose of this article.

Sec. 4.247. COMPUTATION OF YEARS OF SERVICE

- (a) In computing years of service under Section 4.245, each employee shall be credited with his qualifying year as his first year of service, and with each subsequent year of service, since the happening of the latest of any one of the following events:
 1. Original entrance into City service.
 2. Re-entrance into City service after a layoff for lack of work, lack of funds, or abolishment of position, for a period extending beyond the date on which his name is removed from the reserve list under the provisions of Charter Section 125.
 3. Re-entrance into City service after a suspension for cause in excess of six (6) months.
 4. Re-entrance into City service more than six (6) months after resignation from such service.
 5. Re-entrance into City service after discharge for cause.
- (b) For the purpose of computing years of service under this section, vacation credits shall be deemed to have accrued during any period of military service performed by an employee, the same as if such employee had remained in active City service, if he was entitled to reinstatement as a City employee after such military service, and was in fact so reinstated.

- (c) Any employee who became a member of the classified civil service of the City under Section 126 of the Charter shall be credited for vacation purposes with his years of employment by the public utility involved the same as if such employee had been in the service of the City during his employment by such utility, but such credit shall not exceed three (3) years.
- (d) Any employee who becomes, or heretofore became, a member of the classified service of the City under Charter Section 122 shall be credited for vacation purposes with his years of employment by the municipality or district referred to in Section 122, the same as if such employee had been in the service of the City during his employment by such municipality or district.
- (e) Any person who is or has been employed in the Fire Department of the City of Los Angeles who had been duly and regularly appointed under civil service rules and regulations to perform the duties of a regular fireman, or any person who is or has been employed in the Police Department of the City of Los Angeles who had been appointed under civil service rules and regulations and sworn in as provided by law to perform the duties of a regular police officer, who resigns or has resigned from his position to accept an appointment to a position in a class in City service other than the class of fireman or policeman and who is not eligible for a pension under the provisions of Article XVII of the City Charter, shall be credited for vacation purposes with his years of employment in the Fire Department or Police Department in the same manner as if such person had been subject to the provisions of this article during his employment as a member of the Fire Department or Police Department.

Sec. 4.248. CASH PAYMENT UPON SEPARATION FROM THE SERVICE

In the event any employee, after the completion of his qualifying year of service, becomes separated from the service of the City by reason of resignation, discharge, retirement or death, or for any other reason, cash payment of a sum equal to all accrued, but unused, vacation, including vacation, for the proportionate part of the service year in which the separation takes place, shall be made at the salary rate current at the date of said separation to the employee, his estate or any person legally entitled to such payment under any law of this State; provided, however, that in the case of officers of the City, or any department thereof, who serve for a term fixed by the Charter, or any other law, such vacation must be taken before the day on which such officer ceases to hold such office, and, after termination of such term in any manner, he shall not be entitled to vacation time, or any compensation in lieu thereof.

Notwithstanding the above provisions, the Department of Water and Power may make a cash payment to a permanently disabled employee of a sum equal to all accrued, but unused vacation, including vacation for the applicable, proportionate part of the service year in which the employee in that Department is determined to be permanently and totally disabled and eligible for disability benefits pursuant to provisions of the Department of Water and Power Employees' Retirement, Disability and Death Benefit Plan. Said payment shall be made upon request of the disabled employee. Payment shall be made at the salary rate current at the date the employee is determined to be permanently and totally disabled and eligible to receive disability benefits. Payment may be made to an employee who was determined to be permanently and totally disabled prior to the effective date of this Section upon request of the disabled employee.

Sec. 4.249. CASH PAYMENT UPON GRANTING OF MILITARY LEAVE
OTHER THAN TEMPORARY MILITARY LEAVE

In the event any employee, after the completion of his qualifying year of service, is granted a military leave under the provisions of the Military and Veterans Code of the State of California other than a temporary military leave, cash payment of a sum equal to all accrued but unused vacation time, including vacation time accrued during the proportionate part of the service year in which such leave is granted, may be made to such employee at the salary rate current at the date of the commencement of such leave. Before any payment as herein provided is made, such employee shall furnish to the head of his department two (2) certified copies of his orders, one copy to be filed in the department in which he is employed and the other with the Controller, or in lieu thereof, he shall furnish to such appointing authority upon forms provided by the Controller certified evidence of his entry into the armed forces of the United States and the date thereof; provided, however, that presentation of the proof required under Section 4.123 of this Code may be deemed proof under this by this section may be made by any commissioned officer of such armed forces. The Controller shall have power at any time to require such additional evidence as is satisfactory to him of the entry of such employee into active service in such armed forces.

Sec. 4.250. TIME FOR GRANTING VACATIONS

- (a) Each officer or board or other appointing authority shall assign vacations and may establish and maintain a vacation schedule for each year, giving due regard in each case to the request of the employee, subject, however, to the right of such appointing authority to plan work under his, or its, control and to approve and assign vacations when the employee can be reasonably spared; provided, that when such appointing authority notwithstanding an employee's request, has failed or refused to assign a vacation prior to the time necessary to prevent expiration of any unused portion of accrued vacation credit, such employee may absent himself without penalty so as to avoid losing any vacation credit. Upon the approval of such

appointing authority, any accrued and credited vacation time computed pursuant to Section 4.245 may be taken in increments of less than a full vacation, but not less than one (1) day, except for the reasons set forth in Section 4.112 of this code.

- (b) Each department, office or bureau shall furnish the Controller a detailed record of vacation taken. The record shall include the name of the employee, the class, and the number of days or hours and the dates when vacation is taken. The Controller shall maintain for each department, office or bureau the balance of vacation remaining to be taken.
- (c) Notwithstanding the provisions of Subsection (b) above, the Fire Department shall maintain the vacation records for its civilian ambulance employees.

Sec. 4.251. LAYOFF - INCLEMENT WEATHER

Except in the first service year any employee laid off for less than fifteen (15) consecutive days, or precluded from working by inclement weather which prevents normal performance of duty followed by reemployment by the City, shall be considered to be on leave without pay for such period. This applies only for the purpose of determining vacation rights.

Sec. 4.252. EMPLOYEES ENGAGED IN PART-TIME WORK

- (a) A part-time employee is entitled to the same vacation rights as a full-time employee; provided, however, that full pay for such vacation shall be computed at the rate he normally would have received for the days or hours of service normally rendered as a part-time employee during the vacation period.
- (b) When a part-time employee becomes a full-time employee or when a full-time employee becomes a part-time employee and such employee is not otherwise disqualified, all accrued and accumulated vacation time for which he has been credited up to the date of such change of work schedule shall remain credited to the employee in the amounts so accrued and accumulated without increase or decrease because of the change in his work.

Sec. 4.253. LEGAL HOLIDAYS

When a legal holiday falls on a regular working day within a vacation period, the legal holiday shall not be included in the computation of such vacation, but the employee shall be granted additional day's vacation with full pay equal to the number of such holidays; provided, however, that no such added vacation shall be granted on account of a legal holiday falling on Saturday.

Sec. 4.254. ACCUMULATION OF VACATIONS

Upon the approval of the appointing power any employee may be permitted to accumulate vacations for not to exceed two (2) annual vacation periods, and all accumulated in excess of such amount shall be deemed waived and lost.

Sec. 4.255. ADJUSTMENT OF VACATION ON EFFECTIVE DATE OF ORDINANCE

Upon July 1, 1965, each employee of the City shall be credited with the number of his years of service computed, under this Article, as amended, and shall retain his vacation credits which have accrued prior to such date, and for each of the twelve (12) months preceding July 1, 1965, each such employee shall be credited with that portion of the vacation credits under Section 4.245 hereof, in excess of those credits already accrued as to such period to which he shall have been entitled had the provisions of Section 4.245 been in effect during such preceding twelve (12) months. Other than as provided in this section, no additional vacation credit shall accrue or be credited for periods of service of any employee prior to July 1, 1965.

Sec. 4.256. NON-APPLICABILITY OF ARTICLE

Except as provided in Subsection (3) of Section 4.247, and Sub-section (d) of Section 4.172, none of the provisions of this article shall apply to any person employed in the Fire Department of the City of Los Angeles who has been duly and regularly appointed under civil service rules and regulations to perform the duties of a regular fireman, or to any person employed in the Police Department of the City of Los Angeles who has been appointed under civil service rules and regulations and sworn in as provided by law to perform the duties of a regular police officer.

APPENDIX C

MEDICAL STANDARDS FOR POLICE AND FIRE SERVICE

1. Physical and mental excellence is essential to the position of a Police Officer or Firefighter and can only be determined by rigid medical examination

The object of the examination is to procure robust and healthy personnel, free from any physical, psychiatric, or neurologic defect or pathological condition which would interfere with the full performance of all the exacting duties of a Police Officer or Fireman, or which, as the result of such service would be especially liable to result in any progressive debilitating change.

The examining Physician shall utilize diagnostic procedures, including the use of scientific instruments, or other laboratory methods, which, in his discretion, would determine the true condition of the candidate before he is finally accepted.

Each defect noted shall be recorded in such a clear and complete manner as to be fully understandable when the report is reviewed by the Commission and the Police or Fire Department.

When a candidate is rejected, the cause shall be clearly established and so definitely recorded as to be conclusive regarding the propriety of the rejection. Symptoms of a disease shall not be listed as a cause if it is possible to arrive at a final diagnosis.

If a candidate should not meet the medical standards contained herein because of defects which in the opinion of the examining Physician are temporary or correctable, the candidate may with his permission be deferred medically until he has had the condition corrected. The period of deferment may not exceed six months.

(Amended 8-09-73)

2. Definitions

For the purpose of these standards the following definitions apply:

- a. Accepted Medical Principles

Fundamental deduction consistent with medical facts and based upon the observation of a large number of cases. To constitute accepted medical principles, the deduction must be based upon the observation of a large number of cases over a significant period of time and be so reasonable and logical as to create a moral certainty that they are correct.

b. Impairment of Function

Any anatomic or functional loss, lessening, or weakening of the capacity of the body, or any of its parts, to perform that which is considered by accepted medical principles to be the normal.

c. Latent Impairment

Impairment of function which is not accompanied by signs and/or symptoms but which is of such a nature that there is reasonable and moral certainty, according to accepted medical principles, that signs and/or symptoms will appear within a reasonable period of time or upon change of environment.

d. Manifest Impairment

Impairment of function which is accompanied by signs and/or symptoms.

e. Medical Capability

General ability, fitness, or efficiency (to perform duty) based on accepted medical principles.

f. Obesity. (See Section 23d)

g. Physical Disability

Any manifest or latent impairment of function due to disease or injury, regardless of the degree of impairment, which reduces or precludes an individual's actual or presumed ability to perform duty.

3. Abdominal Organs and Gastrointestinal System

The causes for rejection are:

a. Cholecystectomy, sequelae of, such a postoperative stricture of the common bile duct, reforming of stones in hepatic or common bile ducts, incisional hernia, or postcholecystectomy syndrome.

b. Choleystitis, acute or chronic, if diagnosis is confirmed by usual laboratory procedures or authentic medical records and/ or history of choleystitis.

c. Cirrhosis, history or evidence of cirrhosis of the liver.

d. Fistula in ano, acute, chronic or history of recurrence with sequelae, i.e., stricture, incontinence, etc.

e. Gastritis, chronic hypertrophic, severe.

f. Hemorrhoids:

- (1) External hemorrhoids producing marked symptoms.
 - (2) Internal hemorrhoids, if large or accompanied with hemorrhage or protruding intermittently or constantly.
 - (3) Thrombosed hemorrhoids.
- g. Hepatitis within the preceding 6 months. Persistence of symptoms and findings (either clinical or laboratory) which indicate impaired liver function and/or damage.
- h. Hernia of any variety.
- History of operation for hernia within the preceding 60 days.
- i. Intestinal obstruction or history of:
- (1) Occurring in preceding 5 years.
 - (2) Sequelae, persisting.
 - (3) Symptoms requiring treatment.
- j. Megacolon of more than minimal degree, diverticulitis, regional enteritis, and ulcerative colitis. Irritable colon of more than moderate degree.
- k. Pancreas, acute or chronic disease of.
- l. Rectum, trauma or masses, infections, stricture or prolapse of.
- m. Resection, gastric or of bowel; or gastroenterostomy; however minimal intestinal resection in infancy or childhood (for example: for intussusception or pyloric stenosis) is acceptable if the individual has been asymptomatic since the resection and if surgical consultation (to include upper and lower gastrointestinal series) gives complete clearance.
- n. Scars:
- (1) Scars, abdominal, regardless of cause, which show hernial bulging or which interfere with movements.
 - (2) Scar pain associated with disturbance of function of abdominal wall or contained viscera.
- o. Sinuses of the abdominal wall.
- p. Splenectomy, except when accomplished for the following:
- (1) Trauma.
 - (2) Causes unrelated to diseases of the spleen.
 - (3) Hereditary spherocytosis.
 - (4) Disease involving the spleen when followed by correction of the condition for a period of at least 2 years.

- q. Tumors. See Sections 40 and 41.
- r. (1) A history of peptic ulcer diagnosed by radiography, endoscopy or surgery in the previous five years;
(2) demonstration by current radiography or endoscopy, of evidence of scarring or other signs of ulcer disease.

(Amended 6-22-78)

- s. Other congenital or acquired abnormalities and defects which preclude satisfactory performance of duty or which require frequent and prolonged treatment.
- t. Visceoptosis other than mild.
- u. Jaundice or history or recurrent jaundice.
- v. Incontinence of feces.
- w. Extensive and/or prominent abdominal veins.

4. Blood and Blood-Forming Tissue Diseases

The causes for rejection are:

a. Anemia:

- (1) Blood loss anemia--until both condition and basic cause are corrected.
- (2) Deficiency anemia, not controlled by medication.
- (3) Abnormal destruction of RBC's: Hemolytic anemia.
- (4) Faulty RBC construction: Hereditary hemolytic anemia, thallemia and sickle cell anemia.
- (5) Myelophthisic anemia: Myelomatosis, leukemia, Hodgkin's disease, lymphoma of any type, multiple myeloma.
- (6) Primary refractory anemia: Aplastic anemia, DiGuglielmo's syndrome, and anemias of unknown causes.
- (7) Hypersplenism (hemolytic jaundice, thrombopenic purpura, splenic neutropenia, splenic panhematocytopenia). Except congenital microspherocytic anemia which has undergone successful splenectomy.

b. Hemorrhagic states:

- (1) Due to changes in coagulation system (hemophilia, and other congenital hemorrhagic diatheses).
- (2) Due to platelet deficiency.
- (3) Due to vascular instability.

c. Leukopenia, chronic or recurrent.

d. Myeloproliferative disease (other than leukemia):

- (1) Myelofibrosis.
- (2) Megakaryocytic myelosis.
 - (2) Polycythemia rubra vera, and secondary polycythemia.

e. Splenomegaly.

f. Thromboembolic disease except for acute, nonrecurrent conditions.

5. Dental

The causes for rejection are:

a. Diseases of the jaws or associated tissues which are not easily remediable, which will incapacitate the individual, and may prevent the satisfactory performance of duty.

b. Jaw:

Relationship between the mandible and maxilla of such nature as to preclude satisfactory prosthodontic replacements should it become necessary to remove any or all of the remaining natural teeth.

c. Prosthodontic appliances:

- (1) Appliances below generally accepted standards of design, construction, and tissue adaptation.
- (2) Lower appliance which is not retained or adequately stabilized by sufficient serviceable natural teeth.

d. Teeth:

- (1) Carious natural teeth which are unfilled or improperly filled.
- (2) Grossly disfiguring spacing of existing anterior teeth.
- (3) Insufficient upper and lower serviceable anterior and posterior natural or artificial teeth functionally opposed to permit mastication of normal diet.

6. Ears

The causes for rejection are:

a. Auditory canal:

- (1) Atresia or severe stenosis of the external auditory canal.
- (2) Tumors of the external auditory canal except mild exostoses.
- (3) Severe external otitis, acute or chronic.

b. Auricle:

Agenesis, severe; or severe traumatic deformity, unilateral or bilateral.

c. Mastoids:

- (1) Mastoiditis, acute or chronic.
- (2) Residual or mastoid operation with marked external deformity which precludes or interferes with the wearing of prescribed headgear.
- (3) Mastoid fistula.

d. Meniere's syndrome.

e. Middle ear:

- (1) Acute or chronic suppurative otitis media, individuals with a recent history of acute suppurative otitis media will not be accepted unless the condition is healed and a sufficient interval of time subsequent to treatment has elapsed to insure that the disease is in fact not chronic.
- (2) Adhesive otitis media associated with hearing level by audiometric test of 25 db (ISO) or more average for the speech frequencies (500, 1000, and 2000 cycles per second) in either ear regardless of the hearing level in the other ear.
- (3) Acute or chronic serous otitis media.
- (4) Presence of attic perforation in which presence of cholesteatoma is suspected.
- (5) Repeated attacks of catarrhal otitis media; intact greyish, thickened drum(s).

f. Tympanic membrane:

- (1) Perforation regardless of etiology.
- (2) Severe scarring of the tympanic membrane associated with hearing level by audiometric test of 25 db (ISO) or more average for the speech frequencies (500, 1000, and 2000 cycles per second) in either ear regardless of the hearing level in the other ear.

g. Abnormalities which are disfiguring or incapacitating.

h. Disease, acute or chronic.

i. Other diseases and defects of the ear which obviously preclude satisfactory performance of duty or which require frequent and prolonged treatment.

7. Hearing

Hearing acuity standards shall apply to the pure tone test frequencies 500, 1000, 2000, and 3000 Hz. Permanent hearing thresholds, American National Standards Institute (ANSI)

reference zero, 1969, shall average no more than 20 db over these four frequencies in the worse ear.

(Amended 3-22-74)

8. Endocrine and Metabolic Disorders

The causes for rejection are:

- a. Adrenal gland, dysfunction of any degree.
- b. Cretinism.
- c. Diabetes insipidus.
- d. Diabetes mellitus.
- e. Gigantism or acromegaly.
- f. Glycosuria, persistent, regardless of cause.
- g. Goiter (enlarged thyroid): It shall be the responsibility of the candidate to produce medical evidence of the pathogenicity of the enlargement. Goiter with pressure symptoms is disqualifying.
- h. Gout, Simonds Disease, Cushing's Syndrome.
- i. Hyperinsulinism, confirmed, symptomatic.
- j. Hyperparathyroidism and hypoparathyroidism.
- k. Hypopituitarism, severe.
- l. Myxedema, spontaneous or postoperative.
- m. Nutritional deficiency diseases (including sprue, beriberi, pellagra, and scurvy) which are more than mild and not readily remediable or in which permanent pathological changes have been established.
- n. Other endocrine or metabolic disorders which obviously preclude satisfactory performance of duty or which require frequent and prolonged treatment.
- o. Deleted 6-22-72.

9. Upper Extremities

(See Section 11)

The causes for rejection are:

- a. Any limitation of motion which restricts full flexibility.
- b. Hand and fingers:
 - (1) Absence (or loss) of thumb or fingers to any extent which would interfere with grappling or handling

heavy objects, and additionally, in the case of Police Officer, which would interfere with effective use of the hands in combat or in the operation of the service revolver.

(Amended 8-09-73)

- (2) Hyperdactyilia.
- (3) Scars and deformities of the fingers and/or hand which impair circulation, are symptomatic, are so disfiguring as to make the individual objectionable in ordinary social relationships, or which impair normal function to such a degree as to interfere with the satisfactory performance of duty.

c. Wrist, forearm, elbow, arm, and shoulder:

Healed disease or injury of wrist, elbow, or shoulder with residual weakness or symptoms of such a degree as to preclude satisfactory performance of duty.

- d. Any anomaly or limitation of motion which produces a noticeable deformity which detracts from smart military bearing or appearance, or which would interfere with participation in a rigorous physical training.
- e. History of recurrence of dislocation, pain, or limitation of function which could be aggravated by required duties.

10. Lower Extremities
(See Section 11)

The causes for rejection are:

- a. Any limitation of motion which restricts full flexibility.
- b. Foot and ankle:
 - (1) Loss or absence of a foot, or any portion thereof except for toes as noted below.
 - (2) Absence (or loss) of great toe(s) or loss of dorsal flexion thereof if function of the foot is impaired; absence of one or more small toes of one or both feet which could interfere with stability or function in standing, running, or jumping.
 - (3) Claw toes precluding the wearing of normal footgear.
 - (4) Clubfoot.
 - (5) Flatfoot, pronounced cases, with decided eversion of the foot and marked bulging of the inner border, due to inward rotation of the astragalus, regardless of the presence or absence of symptoms.
 - (6) Flatfoot, symptomatic, or with marked bulging of the inner border of the astragalus.
 - (7) Hallus valgus, if severe and associated with marked exostosis or bunion.
 - (8) Hammer toe which interferes with the wearing of normal footgear.

- (9) Healed disease, injury, or deformity including hyperdactylia which precludes running, is accompanied by disabling pain, or which prohibits wearing of normal footgear.
- (10) Ingrowing toe nails, if severe, and not remediable.
- (11) Obliteration of the transverse arch associated with permanent flexion of the small toes.
- (12) Pes cavus, with contracted plantar fascia, dorsiflexed toes, tenderness under the metatarsal heads, and callosity under the weight bearing areas.
- (13) Pes cavus with clawing of the toes and calluses beneath the metatarsal heads.

c. Leg, knee, thigh, and hip:

The causes for rejection are:

- (1) Dislocated semilunar cartilage, loose or foreign bodies within the knee joint, or history of surgical correction of same if
 - (a) Less than 6 months postoperative.
 - (b) If more than 6 months postoperative with evidence of:
 - 1. Recurrence.
 - 2. Instability of knee, PA and lateral direction, compared with normal knee.
 - 3. Abnormalities as shown by X-ray.
 - 4. Significant atrophy and/or weakness of the thigh muscles compared with the opposite or normal thigh.
 - 5. Limited flexion and/or extension.
 - 6. Other evidence of internal derangement.
- (2) Authentic history or physical findings of an unstable and/or internally deranged joint and/or
 - (a) Painful joint
 - (b) Limited motion

d. General:

- (1) Any anomaly or limitation of motion which produces a noticeable deformity which detracts from smart military bearing and appearance.
- (2) Diseases or deformities of the hip, knee, or ankle joint which interfere with walking, running, or weight bearing.
- (3) Pain in the leg which is intractable and disabling to the degree of interfering with walking, running, and weight bearing, or requires treatment.

(Amended 4-28-78)

- (4) Shortening of a lower extremity which requires a lift or when there is any perceptible limp, or there is a functional shortening of over 1/2 inch.
- (5) Knock-knee or bowlegs in excess of 8-10 degrees.

11. Miscellaneous

(See also Sections 9 and 10)

The causes for rejection are:

a. Arthritis:

- (1) Active or subacute arthritis. (Amended 4-28-78)
- (2) Chronic arthritis -- traumatic and/or osteoarthritis of more than minimal degree.
- (3) Documented clinical history or rheumatoid arthritis.
- (4) Deleted 6-22-72.

b. Disease of any bone or joint, healed, with such resulting deformity or rigidity that function is impaired to such a degree that it will interfere with service.

c. Dislocation, old and/or not reduced:

- (1) Reliable history of recurrence.
- (2) Instability compared with the opposite normal side.
- (3) Weakness or atrophy compared with the opposite normal joint.
- (4) Requires treatment.

d. Fractures:

- (1) Malunited fractures that interfere significantly with function.
- (2) Ununited fractures.
- (3) Any old or recent fracture in which a plate, pin, or screws were used for fixation and left in place and which may be subject to easy trauma, i.e., as a plate tibia, etc.

e. Injury of a bone or joint within the preceding 6 weeks, without fracture or dislocation, of more than a minor nature.

f. Muscular paralysis, contracture, or atrophy, if progressive or of sufficient degree to interfere with service.

- (1) Myotonia congenita. Confirmed.

g. Osteomyelitis, active or recurrent, of any bone or substantiated history of osteomyelitis of any of the long bones unless successfully treated 2 or more years previously without subsequent recurrence of

disqualifying sequelae as demonstrated by both clinical and X-ray evidence.

- h. Osteoporosis.
- i. Scars, extensive, deep, or adherent, of the skin and soft tissues or neuromas of an extremity which are painful, which interfere with muscular movements, which preclude the wearing of equipment, or that show a tendency to break down.
- j. Chondromalacia, manifested by verified history of joint effusion, interference with function, or residual from surgery.
- k. Severe acute or chronic sprain of any major joint with residual swelling, limitation of motion, or joint instability.
- l. Any type of chronic joint laxity associated with recurrent synovitis or swelling.

12. Eyes

The causes for rejection are:

a. Lids:

- (1) Blepharitis, chronic more than mild. Cases of acute blepharitis will be rejected until cured.
- (2) Dacryocystitis, acute or chronic.
- (3) Destruction of the lids, complete or extensive, sufficient to impair protection of the eye from exposure.
- (4) Disfiguring cicatrices and adhesions of the eyelids to each other or to the eyeball.
- (5) Growth or tumor of the eyelid other than small early basal cell tumors of the eyelid, which can be cured by treatment, and small nonprogressive asymptomatic benign lesions. (See also 40 and 41)
- (6) Marked inversion or eversion of the eyelids sufficient to cause unsightly appearance or watering of eyes (entropion or ectropion).
- (7) Lagophthalmos.
- (8) Ptosis interfering with vision.
- (9) Trichiasis, severe.

b. Conjunctiva:

- (1) Conjunctivitis, chronic, including vernal catarrh and trachoma. Individuals with acute conjunctivitis are unacceptable until the condition is cured.
- (2) Pterygium which encroaches on the iris to any degree.

c. Cornea:

- (1) Dystrophy, corneal, of any type including keratoconus of any degree.
 - (2) Keratitis, acute or chronic.
 - (3) Ulcer, corneal; history of recurrent ulcers or corneal abrasions (including herpetic ulcers).
 - (4) Vascularization or opacification of the cornea from any cause which interferes with visual function or is progressive.
- d. Uveal tract. Inflammation of the uveal tract except healed traumatic choroiditis.
- e. Retina:
- (1) Angiomatoses, phakomatoses, retinal cysts, and other congenito-hereditary conditions that impair visual function.
 - (2) Degeneration of the retina to include macular cysts, holes, and other degenerations (hereditary or acquired degenerative changes) and other conditions affecting the macula. All types of pigmentary degenerations (primary and secondary).
 - (3) Detachment of the retina or history of surgery for same.
 - (4) Inflammation of the retina (retinitis or other inflammatory conditions of the retina to include Coat's disease, diabetic retinopathy, Eales' disease, and retinitis proliferans).
- f. Optic nerve:
- (1) Congenito-hereditary conditions of the optic nerve or any other central nervous system pathology affecting the efficient function of the optic nerve.
 - (2) Optic neuritis, neuroretinitis, or secondary optic atrophy resulting therefrom or document history of attacks of retrobulbar neuritis.
 - (3) Optic atrophy (primary or secondary).
 - (4) Papilledema.
- g. Lens:
- (1) Aphakia (Unilateral or bilateral).
 - (2) Dislocation, partial or complete, of a lens.
 - (3) Opacities of the lens which interfere with vision or which are considered to be progressive.
- h. Ocular mobility and motility:
- (1) Diplopia, documented, constant or intermittent from any cause or of any degree interfering with visual function (i.e., may suppress).
 - (2) Diplopia, monocular, documented, interfering with visual function.

- (3) Nystagmus, with both eyes fixing, congenital or acquired.
- (4) Strabismus of 40 prism diopters or more, uncorrectable by lenses to less than 40 diopters.
- (5) Strabismus of any degree accompanied by documented diplopia.
- (6) Strabismus, surgery for the correction of, within the preceding 6 months.

i. Miscellaneous defects and diseases:

- (1) Abnormal conditions of the eye or visual fields due to diseases of the central nervous system.
- (2) Absence of an eye.
- (3) Asthenopia severe.
- (4) Exophthalmos, unilateral or bilateral.
- (5) Glaucoma, primary or secondary.
- (6) Hemianopsia of any type.
- (7) Loss of normal pupillary reflex reactions to light or accommodation to distance or Adies syndrome.
- (8) Loss of visual fields due to organic disease.
- (9) Night blindness associated with objective disease of the eye. Verified congenital night blindness.
- (10) Residuals of old contusions, lacerations, penetrations, etc., which impair visual function required for satisfactory performance of duty.
- (11) Retained intra-ocular foreign body.
- (12) Tumors. (See a(6) above and Sections 40 and 41)
- (13) Any organic disease of the eye or adnexa not specified above which threatens continuity of vision or impairment of visual function.
- (14) Any acute or chronic disease of the eye or adnexa.
- (15) Any disfiguring or incapacitating abnormality.
- (16) Ocular mobility and motility:
 - (a) Esophoria of over 15 prism diopters.
 - (b) Exophoria of over 10 prism diopters.
 - (c) Hyperphoria of over 2 prism diopters.
 - (d) Strabismus of any degree.

13. Vision: (Effective 8-14-69)

The causes for rejection are:

- a. Firefighter: Deficiency in color perception of such a nature as to preclude prompt and accurate identification of colors.

Police Officer: Deficiency in color perception of such a nature as to preclude prompt and accurate identification of colors.

(Amended 8-17-01)

- b. (1) Firefighter: Distance visual acuity uncorrected of less than 20/100 in the poorest eye and 20/40 in the other; visual acuity not correctable to at least 20/40 in one eye and 20/20 in the other.

Contact lens use is not acceptable in meeting these requirements.

(Amended 12-26-87)

(2) Police Officer: Distance visual acuity in each eye not correctable to at least 20/30. Correction by eyeglasses or contact lenses is acceptable provided that:

a. Where said correction is accomplished through eyeglasses or "hard" contact lenses, candidates shall possess: distance visual acuity of at least 20/70 in the poorer eye and 20/40 in the other.

b. Where said correction is accomplished through the use of "soft" contact lenses, there shall be no limit on uncorrected distance visual acuity, provided that such candidates whose visual acuity is corrected in this manner shall have worn such corrective devices for a minimum of 12 months prior to the physical examination. Persons employed pursuant to this accommodation shall be required to present periodic medical verification from an optometrist that they are bona fide soft contact lens wearers.

(Amended 1-16-88)

c. Refractive error:

- (1) Anisometropia: Over 3.50 diopters.
- (2) Astigmatism: All types over 3 diopters.
- (3) Hyperopia: Over 5.50 diopters in any meridian.
- (4) Myopia: Over 5.50 diopters in any meridian.

d. Near visual acuity. Near visual acuity of any degree which does not correct to at least J-3 in the better eye.

e. Refractive error. Any degree of refractive error in spherical equivalent of over -8.00 or +8.00; or if ordinary spectacles cause discomfort by reason of ghost images, prismatic displacement, etc.; or if an ophthalmological consultation reveals a condition which is disqualifying.

f. Contact lens where required for adequate correction of vision as keratoconus, corneal scars, and irregular astigmatism.

g. Peripheral vision less than:

- (1) Horizontal
80 1/4 Lateral
40 1/4 - 45 1/4 Nasal

(2) Vertical

40 1/4 Superior

60 1/4 Inferior

h. Depth perception less than normal.

14. Genitalia

(See also Sections 40 and 41)

The causes for rejection are:

- a. Bartholinitis, Bartholin's cyst.
- b. Cervicitis, acute or chronic manifested by leukorrhea.
- c. Dysmenorrhea, incapacitating to a degree which necessitates recurrent absences of more than a few hours from routine activities.
- d. Endometriosis, or confirmed history thereof.
- e. Hermaphroditism.
- f. Menopausal syndrome, either physiologic or artificial if manifested by more than mild constitutional or mental symptoms, or artificial menopause if less than 13 months have elapsed since cessation of menses. In all cases of artificial menopause, the clinical diagnosis will be reported; if accomplished by surgery, the pathologic report will be obtained and recorded.
- g. Menstrual cycle, irregularities of, including menorrhagia, if excessive; metrorrhagia; polymenorrhea; amenorrhea, leukorrhea, except as noted in f) above.
- h. New growths on the internal or external genitalia except single uterine fibroid, subserous, asymptomatic, less than 3 centimeters in diameter, with no general enlargement of the uterus. (See also Sections 40 and 41)
- i. Oophoritis, acute or chronic.
- j. Ovarian cysts, persistent and considered to be of clinical significance.
- k. Pregnancy.
- l. Salpingitis, acute or chronic.
- m. Testical: deformity, tumor, or evidence of inflammation.
 - (1) Undescended testicle.
 - (2) Absence of both testicles.

- n. Urethritis, acute or chronic, other than gonorrhoeal urethritis without complications.
- o. Uterus:
 - (1) Cervical polyps, cervical ulcer, or marked erosion.
 - (2) Endocervicitis, more than mild.
 - (3) Generalized enlargement of the uterus due to any cause.
 - (4) Malposition of the uterus if symptomatic.
- p. Vagina:
 - (1) Congenital abnormalities or severe lacerations of the vagina.
 - (2) Vaginitis, acute or chronic, manifested by leukorrhoea.
- q. Varicocele or hydrocele, if large or painful.
- r. Vulva:
 - (1) Leukoplakia.
 - (2) Vulvitis, acute or chronic.
- s. Penis. Amputation or gross deformity.
- t. Phimosis. Redundant prepuce is not cause for rejection.
- u. Major abnormalities and defects to the genitalia such as a change of sex, a history thereof, or complications (adhesion, disfiguring scars, etc.) residual to surgical correction of these conditions.

15. Urinary System

(See Sections 8, 40, and 41)

The causes for rejection are:

- a. Urine:
 - (1) Albuminuria. Persistent or recurrent, of any type regardless of etiology.
 - (2) Casts. Persistent or recurrent regardless of cause.
- b. Cystitis, chronic. Individuals with acute cystitis are unacceptable until the condition is cured.
- c. Enuresis determined to be a symptom of an organic defect not amenable to treatment. (See also Section 34c)
- d. Epispadias.
- e. Hypospadias, pronounced.

- f. Hematuria, cylindruria, or other findings indicative of renal tract disease.
- g. Incontinence of urine.
- h. Kidney:
 - (1) Absence of one kidney.
 - (2) Acute or chronic infections of the kidney.
 - (3) Cystic or polycystic kidney, confirmed history of.
 - (4) Hydronephrosis of pyonephrosis.
 - (5) Nephritis, acute or chronic.
 - (6) Pyelitis, pyelonephritis.
- i. Peyronie's disease.
- j. Prostate gland, hypertrophy of, with urinary retention; chronic prostatitis (pus in prostatic smear - 10 cells high dry field or more).
- k. Renal calculus:
 - (1) Substantiated history of bilateral renal calculus at any time.
 - (2) Verified history of renal calculus at any time with evidence of stone formation within the preceding 12 months, current symptoms or positive X-ray for calculus.
- l. Skeneitis.
- m. Urethra:
 - (1) Stricture of the urethra.
 - (2) Urethritis, acute or chronic, other than gonorrheal urethritis without complications.
- n. Urinary fistula.
- o. Other diseases and defects of the urinary system which obviously preclude satisfactory performance of duty or which require frequent and prolonged treatment.

16. Head

The causes for rejection are:

- a. Abnormalities which are apparently temporary in character resulting from recent injuries until a period of 3 months has elapsed. These include severe contusions and other wounds of the scalp and cerebral concussion. (See Section 31)

- b. Deformities of the skull in the nature of depression, exostoses, etc., of a degree which would prevent the individual from wearing headgear.
- c. Deformities of the skull of any degree associated with evidence of disease of the brain, spinal cord, or peripheral nerves.
- d. Depressed fractures near central sulcus with or without convulsive seizures.
- e. Loss or congenital absence of the bony substance of the skull of any amount.
- f. Unsightly deformities, such as large birthmarks, large hairy moles, extensive scars, and mutilations due to injuries or surgical operations; ulcerations; fistulae, atrophy, or paralysis of part of the face or head.
- g. Tinea until cleared.

17. Neck

The causes for rejection are:

- a. Cervical ribs if symptomatic or demonstrable by X-ray.
- b. Congenital cysts of branchial cleft origin or those developing from the remnants of the thyroglossal duct, with or without fistulous tracts.
- c. Fistula, chronic draining, of any type.
- d. Deleted 6-22-72.
- e. Nonspastic contraction of the muscles of the neck or cicatricial contracture of the neck to the extent that it interferes with the wearing of a uniform or is so disfiguring as to make the individual objectionable in common social relationships.
- f. Spastic contraction of the muscles of the neck, persistent, and chronic.
- g. Tumor of thyroid or other structures of the neck. (See Sections 40 and 41)

18. Heart

The causes for rejection are:

- a. Any evidence of organic heart disease.
- b. Coronary artery disease or myocardial infraction, old or recent or true angina pectoris, at any time.

- c. Electrocardiographic evidence of major arrhythmias such as:
- (1) Atrial tachycardia, flutter or fibrillation, ventricular tachycardia or fibrillation.
 - (2) Conduction defects such as first degree antio-ventricular block and right bundle branch block. (These conditions occurring as isolated findings are not unfitting when cardiac evaluation reveals no cardiac disease.)
 - (3) Left bundle branch block, 2nd and 3rd degree A-V block, myocardial infraction; coronary insufficiency at rest or after stress; or evidence of heart muscle disease.
- d. Hypertrophy or dilation of the heart as evidenced by clinical examination or roentgenographic examination and supported by electrocardiographic examination. Care should be taken to distinguish abnormal enlargement from increased diastolic filling as seen in the well-conditioned subject with a sinus brachycardia. Cases of enlarged heart by X-ray not supported by electrocardiographic examination will be forwarded to a cardiac specialist for evaluation.
- e. Myocardial insufficiency (congestive circulatory failure, cardiac decompensation) obvious or covert, regardless of cause.
- f. Paroxysmal tachycardia within the preceding 5 years, or at any time if recurrent or disabling or if associated with electrocardiographic evidence of accelerated A-V conduction (Wolff-Parkinson-White).
- g. Pericarditis; endocarditis; or myocarditis, history or finding of, except for a history of a single acute idiopathic or coxsackie pericarditis with no residuals.
- h. Tachycardia persistent with a resting pulse rate of 100 or more, regardless of cause.

19. Vascular System

The causes for rejection are:

- a. Congenital or acquired lesions of the aorta and major vessels, such as syphilitic aortitis, demonstrable arterio-sclerosis which interferes with circulation, congenital or acquired dilatation of the aorta (especially if associated with other features of Marfan's syndrome), and pronounced dilatation of the main pulmonary artery.

- b. Hypertension evidenced by preponderant blood pressure readings of 140-mm or more systolic. Preponderant diastolic pressure over 90-mm diastolic.
- c. Marked circulatory instability as indicated by orthostatic hypotension, persistent tachycardia, severe peripheral vasomotor disturbances and sympatheticotonia.
- d. Peripheral vascular disease including Raynaud's phenomena, Buerger's disease (thromboangiitis obliterans), erythromelalgia, arteriosclerotic and diabetic vascular diseases. Special tests will be employed in doubtful cases.
- e. Thrombophlebitis:
 - (1) History of thrombophlebitis with persistent thrombus or evidence of circulatory obstruction or deep venous incompetence in the involved veins.
 - (2) Recurrent thrombophlebitis.
- f. Varicose veins, if more than mild, or if associated with edema, skin ulceration, or residual scars from ulceration.

20. Miscellaneous - Heart and Vascular

The causes for rejection are:

- a. Aneurysm of the heart or major vessel, congenital or acquired.
- b. History and evidence of a congenital abnormality which has been treated by surgery but with residual abnormalities or complications, for example: Patent ductus arteriosus with residual cardiac enlargement or pulmonary hypertension; resection of a coarctation of the aorta without a graft when there are other cardiac abnormalities or complications; closure of a secundum type atrial spetal defect when there are residual abnormalities or complications.
- c. Major congenital abnormalities and defects of the heart and vessels unless satisfactorily corrected without residuals or complications. Uncomplicated dextrocardia and other minor asymptomatic anomalies are acceptable.
- d. Substantiated history of rheumatic fever or chorea within the previous 2 years, recurrent attacks of rheumatic fever or chorea at any time, or with evidence of residual cardiac damage.

21. Height

(1) Police Officer. Such height standards as may be announced in the examination bulletin for the class.

(Effective 8-9-73)

(3) Firefighter. Height below 67 inches or over 80 inches will be cause for rejection.

(Amended 8-9-73)

22. Weight

Applicants must meet such weight standards as may be announced in the examination bulletin for the classes of Firefighter and Police Officer.

(Effective 8-9-73)

23. Body Build

The causes for rejection are:

- a. Congenital malformation of bones and joints. (See Sections 9, 10, and 11)
- b. Deficient muscular development which would interfere with the completion of required training.
- c. Evidences of congenital asthenia (slender bones; weak thorax; visceroptosis; severe, chronic constipation; or "drop heart" if marked in degree).
- d. Obesity.

Even though the individual's weight is within the limits shown in the tables, he will be reported as medically unacceptable when the medical examiner considers that the individual's weight in relation to the bony structure and musculature, constitutes obesity of such a degree as to interfere with the satisfactory completion of prescribed training and performance of duty.

24. Lungs and Chest - General

The following conditions are causes for rejection until further study indicates recovery without disqualifying sequelae:

- a. Abnormal elevation of the diaphragm on either side.
- b. Acute abscess of the lungs.
- c. Acute bronchitis until the condition is cured.
- d. Acute fibrinous pleurisy, associated with acute nontuberculous pulmonary infection.
- e. Acute mycotic disease of the lung such as coccidioidomycosis and histoplasmosis.

- f. Acute nontuberculous pneumonia.
- g. Foreign body in trachea or bronchus.
- h. Foreign body of the chest wall causing symptoms.
- i. Lobectomy, history of, for a nontuberculous nonmalignant lesion with residual pulmonary disease. Removal of more than one lobe is cause for rejection regardless of the absence of residuals.
- j. Other traumatic lesions of the chest or its contents.
- k. Pneumothorax:
 - (1) History of repeated pneumothorax.
 - (2) History of pneumothorax with sequelae.
- l. Recent fracture of ribs, sternum, clavicle, or scapula.
- m. Significant abnormal findings on physical examination of the chest.

n. Failure to meet the following standards (not applicable to women).

Breathing	Vital		Max.
	<u>Capacity</u>		<u>Capacity</u>
<u>Feet & Inches</u> <u>Litres/Min.</u>	<u>Inches</u>		<u>C.C.</u>
5- 8	68	4616	150
5- 9	69	4768	154
5-10	70	4912	157
5-11	71	5056	160
6- 0	72	5204	164
6- 1	73	5392	167
6- 2	74	5504	170
6- 3	75	5648	174
6- 4	76	5821	177
6- 5	77	5976	181
6- 6	78	6136	184
6- 7	79	6296	187

In addition to meeting the above minimum vital capacity standards, a candidate must be able to accomplish 100 percent exhaustion of lungs in three seconds.

25. Tuberculous Lesions
(See also Section 38)

The causes for rejection are:

- a. Active tuberculosis in any form or location.
- b. Substantiated history or X-ray findings of pulmonary tuberculosis.

26. Nontuberculous Lesions

The causes for rejection are:

- a. Acute mastitis, chronic cystic mastitis, if more than mild.
- *b. Bronchial asthma, which is not readily controlled by standard medication or hyposensitization; or which has produced multiple emergency room visits in the preceding five years.
- c. Bronchitis, chronic with evidence of pulmonary function disturbance.
- d. Bronchiectasis.
- e. Bronchopleural fistula.

- f. Bullous or generalized pulmonary emphysema.
 - g. Chronic abscess of lung.
 - h. Chronic fibrous plueritis of sufficient extent to interfere with pulmonary function or obscure the lung field in the roentgenogram.
 - *i. Chronic mycotic diseases of the lung with a potential for dissemination including coccidioidomycosis; residual cavitation or more than a few small sized inactive and stable residual modules demonstrated to be due to mycotic disease.
 - j. Empyema, residual sacculation or unhealed sinuses of chest wall following operation of empyema.
 - *k. Extensive pulmonary fibrosis from any cause, producing functional evidence of dyspnea or exertion.
 - l. Foreign body of the lung or mediastinum causing symptoms or active inflammatory reaction.
 - m. Multiple cystic disease of the lung or solitary cyst which is large and incapacitating.
 - n. New growth on breast; history of mastectomy.
 - o. Osteomyelitis of rib, sternum, clavicle, scapula, or vertebrae.
 - p. Pleurisy with effusion of unknown origin within the preceding 5 years.
 - *q. Sarcoidosis, if there is any significant pulmonary functional impairment, x-ray evidence, or positive angiotensin-converting enzyme test (ACE).
 - r. Suppurative periostitis of rib, sternum, clavicle, scapula, or vertebra.
- (*Amended 2-18-82)

27. Mouth

The causes for rejection are:

- a. Hard palate, perforation of.
- b. Harelip, unless satisfactorily repaired by surgery.
- c. Leukoplakia, if severe.
- d. Lips, unsightly mutilations of, from wounds, burns, or disease.
- e. Ranula, if extensive. (For other tumors see Sections 40 and 41)

f. Salivary fistula.

28. Nose

The causes for rejection are:

a. Allergic manifestations:

- (1) Chronic atrophic rhinitis.
- (2) Hay fever if severe; or if not controllable by antihistamines or by desensitization, or both.

b. Choana, atresia, or stenosis of, if symptomatic.

c. Nasal septum, perforation of:

- (1) Associated with interference of function, ulceration of crusting, and when the result of organic disease.
- (2) If progressive.
- (3) If respiration is accompanied by a whistling sound.

d. Sinusitis, acute.

e. Sinusitis, chronic, when more than mild:

- (1) Evidenced by any of the following:
Chronic purulent nasal discharge, large nasal polyps, hyperplastic frequent medical attention.
- (2) Confirmed by transillumination or X-ray examination or both.

f. Septal deviation, hypertrophic rhinitis, or other conditions which result in 50 percent or more obstruction of either airway, or which interfere with drainage of a sinus on either side.

g. Postnasal adenoids interfering with respiration or associated with middle ear disease.

29. Pharynx, Trachea, Esophagus, and Larynx

The causes for rejection are:

a. Esophagus, organic disease of, such as ulceration, varices, achalasia; peptic esophagitis, if confirmed by appropriate X-ray or esophagoscopy examination.

b. Laryngeal paralysis, sensory or motor, due to any cause.

c. Larynx, organic disease of, such as neoplasm, polyps, granuloma, ulceration, and chronic laryngitis.

d. Plica dysphonia ventricularis.

e. Tracheostomy or tracheal fistula.

f. Pathologic tonsillar conditions.

30. Other Defects and Disease of Mouth, Nose and Throat

The causes for rejection are:

- a. Aphonia.
- b. Deformities or conditions of the mouth, throat, pharynx, larynx, esophagus, and nose which interfere with mastication and swallowing of ordinary food, with speech or with breathing.
- c. Destructive syphilitic disease of the mouth, nose, throat, larynx, or esophagus. (See Section 42)
- d. Pharyngitis and nasopharyngitis, chronic, with positive history and objective evidence, if of such a degree as to result in excessive time lost.
- e. Speech abnormalities. Defects and conditions which interfere with the candidate's ability to pronounce and enunciate words correctly and clearly considering the requirements of class recitation and the issuing of commands to large groups of men.

31. Neurological Disorders

The causes for rejection are:

- a. Degenerative disorders:
 - (1) Cerebellar and Friedrich's ataxia.
 - (2) Cerebral arteriosclerosis.
 - (3) Encephalomyelitis, residuals of, which preclude the satisfactory performance of duty.
 - (4) Huntington's chorea.
 - (5) Multiple sclerosis.
 - (6) Muscular atrophies and dystrophies of any type.
- b. Miscellaneous:
 - (1) Congenital malformations if associated with neurological manifestations and meningocele even if uncomplicated.
 - (2) Migraine when frequent and incapacitating.
 - (3) Paralysis or weakness, deformity, discoordination, pain, sensory disturbance, intellectual deficit, disturbances of consciousness, or personality abnormalities regardless of cause which is of such a nature or degree as to preclude the satisfactory performance of duty.
 - (4) Tremors, spasmodic torticollis, athetosis or other abnormal movements more than mild.

- (5) Syringomyelia, paraplegia, monoplegia, hemiplegia, or hemiparesis.
- c. Neurosyphilis of any form (general paresis, tabes dorsalis, meningovascular syphilis).
- d. Paroxysmal convulsive disorders, disturbances of consciousness, all forms of psychomotor or temporal lobe epilepsy or history thereof except for seizures associated with toxic states or fever during childhood up to the age of 12.
- e. Peripheral nerve disorder:
 - (1) Polyneuritis.
 - (2) Mononeuritis or neuralgia which is chronic or recurrent and of an intensity that is periodically incapacitating.
 - (3) Neurofibromatosis.
- f. Spontaneous subarachnoid hemorrhage, verified history of, unless cause has been surgically corrected.

32. Psychological Functioning and Psychic Aberrations

The causes for rejection are:

- 1) Functional or organic aberrations of the psyche or history of such disturbances, or
- 2) patterns of behavior, cognitive function, or emotional reaction that, on current evaluation or prognostication, are deemed liable to result in inadequate or unacceptable work performance due, for example, but not limited to symptomatic behavior, excessive absence, inability to collaborate with fellow workers, interference with the work of others or illegal or unethical conduct.

(Effective 6-10-76)

33. Skin and Cellular Tissues

The causes for rejection are:

- a. Acne, moderately severe, or interfering with wearing of military equipment.
 - (1) Acne scarring. Severe.
- b. Atopic dermatitis. With active or residual lesions in characteristic areas (face and neck, antecubital and popliteal fossae, occasionally wrists and hands), or documented history thereof.
- c. Cysts:

- (1) Cysts, other than pilonidal. Of such a size or location as to interfere with the normal wearing of equipment.
- (2) Pilonidal cysts, evidence of, regardless of palpable mass or active drainage.
- d. Dermatitis factitia. Exfoliating dermatitis.
- e. Dermatitis herpetiformis. Severe chronic seborrheic dermatitis.
- f. Eczema. Any type which is chronic and resistant to treatment. Actinomyciasas, until cured.
 - (1) Elephantiasis or chronic lymphedema.
- g. Epidermolysis bullosa; pemphigus, sycosis.
- h. Fungus infections, systemic or superficial types: if extensive and not amenable to treatment.
- i. Furunculosis. Extensive, recurrent, or chronic.
- j. Hyperhidrosis of hands or feet: Chronic or severe.
- k. Ichthyosis. Severe.
- l. Leprosy. Any type.
- m. Leukemia cutis; mycosis fungoides; Hodgkin's disease.
- n. Lichen planus.
- o. Lupus erythematosus (acute, subacute, or chronic) or any other dermatosis aggravated by sunlight.
- p. Neurofibromatosis (Von Recklinghausen's disease).
- q. Nevi or vascular tumors: If extensive, unsightly, or exposed to constant irritation.
- r. Psoriasis, if disabling or unsightly.
- s. Radiodermatitis.
- t. Scars which are so extensive, deep, or adherent that they may interfere with the wearing of equipment, that show a tendency to ulcerate, or that are markedly disfiguring.
- u. Scleroderma. Diffuse type.
- v. Tuberculosis. (See Section 38)
- w. Urticaria. Chronic.
- x. Warts, plantar, which have materially interfered with the following of a useful vocation in civilian life.

- y. Xanthoma. If disabling or accompanied by hypercholesterolemia or hyperlipemia.
- z. Any other chronic skin disorder of a degree or nature which requires frequent outpatient treatment or hospitalization, interferes with the satisfactory performance of duty, or is so disfiguring as to make the individual objectionable in ordinary social relationships.
- aa. Tattoos on any part of the body which in the opinion of the examining physician are obscene or so extensive on exposed areas to be considered unsightly.
- bb. Bromidrosis. More than mild.
- cc. Vitiligo or other skin disorders which are disfiguring or unsightly.

34. Spine and Related Structures

The causes for disqualification are:

- a. Disease or defects impairing function to the extent that performance of any duty will be impaired, or in the performance of such duty, the condition will be aggravated so as to interfere with such performance or lead to medical disability. The following diagnoses are categorically disqualifying:
 - (1) Marie - Strumpell arthritis.
 - (2) Degenerative joint disease inclusive of segmental settling and small joint disease, one or more levels (a narrow lumbosacral interspace, in itself, should not be disqualifying).
 - (3) Intrinsic bone disease, such as osteolysis, osteoporosis, or indications of such disease.
 - (4) Deformities due to conditions in item 3 and to old fractures, including compression fractures in excess of 30 degrees of anterior compression.
 - (5) Clinical spina bifida.
 - (6) Spondylolisthesis of 10 percent or greater as determined by coned lateral view of the lumbosacral area with the patient standing.
 - (7) Residue of prior myelogram or X-ray evidence of previous back surgery.
 - (8) A lumbosacral angle of 70 degrees or more determined with the patient standing; scoliosis of 30 degrees or more, determined with the patient supine.
- b. History or findings of previous back injury, or of recurrent or continuing back pain or disability.

- c. History of having claimed or received compensation for back disability.
- d. Pelvic trauma or deformities susceptible of directly or by aggravation interfering with performance of duty or of leading to disability.

The following conditions or findings are considered potentially disqualifying on initial identification, and will be subject to special review in each individual case:

- a. Congenital, other developmental, or traumatically induced defects that structurally or functionally have been found to lead to disability on exposure to physical stress.
- b. Any spinal or related structural conditions that, regardless of general medical consensus, are accepted by compensation appeal boards to sustain claims of disability.
- c. Exceptions under potentially disqualifying conditions are spondylolysis (uni- or bilateral) and transitional vertebra (with or without signs of sclerosis at accessory lateral articulations), provided that they are not complicated by other conditions or pathology that, of themselves, or in conjunction with spondylolysis or transitional vertebra, will significantly increase risk of disability.

35. Scapulae, Clavicles, and Ribs

(Amended Effective 4-28-78)

(See also Section 11)

Causes for rejection are:

- a. Fractures, until well healed, and until determined that the residuals thereof will not preclude the satisfactory performance of military duty.
- b. Injury within the preceding 6 weeks, without fracture, or dislocation, of more than a minor nature.
- c. Osteomyelitis of rib, sternum, clavicle, scapula, or vertebra.
- d. Prominent scapulae interfering with function or with the wearing of uniform.
- e. Absence or faulty development of the clavicle.

36. Systemic Diseases

The causes for rejection are:

- a. Dermatomyositis.

- b. Lupus erythematosus; acute, subacute, or chronic.
- c. Progressive systemic sclerosis.
- d. Reiter's disease.
- e. Sarcoidosis.
- f. Scleroderma, diffuse type.
- g. Tuberculosis:
 - (1) Active tuberculosis in any form or location.
 - (2) Pulmonary tuberculosis. (See Section 25)
 - (3) Confirmed history of tuberculosis of a bone or joint genitourinary organs, intestines, peritoneum or mesenteric glands at any time.
 - (4) Meningeal tuberculosis; disseminated tuberculosis.

37. General and Miscellaneous Systemic Conditions and Defects

The causes for rejection are:

- a. Allergic manifestations.
 - (1) Allergic rhinitis (hay fever). (See Section 28)
 - (2) Asthma. (See Section 26b)
 - (3) Allergic dermatoses. (See Section 35)
 - (4) Visceral, abdominal and cerebral allergy, if severe or not responsive to treatment.
- b. Any acute pathological condition, including acute communicable diseases, until recovery has occurred without sequelae.
- c. Any deformity which is markedly unsightly or which impairs general functional ability to such an extent as to prevent satisfactory performance of duty.
- d. Chronic metallic poisoning especially beryllium, manganese, and mercury. Undesirable residuals from lead, arsenic, or silver poisoning make the examinee medically unacceptable.
- e. Cold injury, residuals of (example: frostbite, chilblain, immersion foot, or trench foot) such as deep seated ache, paresthesia, hyperhidrosis, easily traumatized skin, cyanosis, amputation of any digit, or ankylosis.
- f. Positive tests for syphilis with negative TPI test unless there is a documented history of adequately treated lues or any of the several conditions which are known to give a false-positive S.T.S. (vaccinia, infectious hepatitis, immunizations, atypical pneumonia, etc.) or

unless there has been a reversal to a negative S.T.S. during an appropriate follow-up period (3 to 6 months).

g. Filariasis; trypanosomiasis; amebiasis; schistosomiasis; uncinariasis (hookworm) associated with anemia, malnutrition, etc., if more than mild, and other similar worm or animal parasitic infestations, including the carrier states thereof.

h. Heat pyrexia (heatstroke, sunstroke, etc.)

Documented evidence of predisposition (includes disorders of sweat mechanism and previous serious episode), recurrent episodes requiring medical attention, or residual injury resulting therefrom (especially cardiac, cerebral, hepatic, and renal).

i. Industrial solvent and other chemical intoxication, chronic including carbon bisulfide, trichlorethylene, carbon tetrachloride, and methyl cellosolve.

j. Mycotic infection of internal organs.

k. Myositis or fibrositis; severe, chronic.

l. Residuals of tropical fevers and various parasitic or protozoal infestations which in the opinion of the medical examiner preclude the satisfactory performance of duty.

m. Systemic diseases and miscellaneous medical conditions and physical defects which interfere with the daily participation in a rigorous physical training or athletic program, with the wearing of equipment, or which detract from a smart bearing or appearance.

- n. Discharge from any governmental service for medical cause which is found to be present.
- o. Poor physical hygiene.

38. Benign Tumors

The causes for rejection are:

- a. Any tumor of the:
 - (1) Auditory canal, if obstructive.
 - (2) Eye or orbit (See also Section 12a(5))
 - (3) Kidney, bladder, testicle, or penis.
 - (4) Central nervous system and its membraneous coverings unless 5 years after surgery and no otherwise disqualifying residuals of surgery or original lesion.
- b. Benign tumors of the abdominal wall if sufficiently large to interfere with duty.
- c. Benign tumors of bone likely to continue to enlarge, be subjected to trauma during service, or show malignant potential.
- d. Benign tumors of the thyroid or other structures of the neck, including enlarged lymph nodes, if the enlargement is of such degree as to interfere with the wearing of a uniform or equipment.
- e. Tongue, benign tumor of, if it interferes with function.
- f. Breast, thoracic contents, or chest wall, tumors, of, other than fibromata lipomata, and inclusion or sebaceous cysts which do not interfere with duty.
- g. For tumors of the internal or external female genitalia.
(See Section 14h)

39. Malignant Diseases and Tumors

The causes for rejection are:

- a. Leukemia, acute, or chronic.
- b. Malignant lymphomata.
- c. Malignant tumor of any kind, at any time, substantiated diagnosis of, even though surgically removed, confirmed by accepted laboratory procedures, except as noted in 12a(5).

40. Venereal Diseases

The causes for rejection are:

- a. Acute venereal disease until cured.
- b. Chronic venereal disease, untreated, or if treatment is not adequate for cure.
- c. Deleted 6-22-72.
- d. Positive spinal fluid test for syphilis at any time.
- e. Complications of, and/or residuals of venereal disease which could interfere with the satisfactory performance of duty, or if subject to aggravation by duties.
- f. Neurosyphilis. (See Section 31c)

C-I POLICE OFFICER AND FIREFIGHTER TRAINEE CLASSES

The medical standards used for Police and Fire trainee classes, such as Crime Prevention Assistant, Police Student Worker, Cadet, Fire Department Trainee, and Fire Student Worker, shall be the same as for Police Officer and Firefighter, respectively.

(Effective 11-24-77)

APPENDIX D

LIST OF CITY DEPARTMENTS FOR CIVIL SERVICE PURPOSES

Aging
Airports
Animal Services
Building and Safety
City Attorney
City Clerk
City Employees' Retirement System
City Planning
Community Development
Controller
Convention Center
Council (Legislative Branch)
Cultural Affairs
Department on Disabilities
El Pueblo de Los Angeles Historical Monument
Emergency Management
Employee Relations Board
Ethics Commission
Fire
General Services
Harbor
Housing
Information Technology Agency
Joint Division, Department of Water and Power
(JXXX)
Library
Mayor (Executive Branch)
Neighborhood Empowerment
Office of City Administrative Officer
Office of Finance
Pensions
Personnel
Police
Power Construction Division, Department of Water
and Power (PCXX)
Power Division, Department of Water and Power
(PXXX)
Public Works
Recreation and Parks
Transportation
Treasurer
Water Division, Department of Water and Power
(WXXX)
Zoo

(Amended 6-14-2011)

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