

RULES & REGULATIONS
CADILLAC, MICHIGAN CIVIL SERVICE COMMISSION
Amended June 27, 2014

SECTION 101. AUTHORITY

101.1 The Civil Service Commission is established under the terms of Act 78 of the Public Acts of 1935, as amended.

SECTION 102. ORGANIZATION

102.1 The Civil Service Commission is composed of three (3) members appointed or selected as prescribed in the Act.

SECTION 103. PURPOSE

103.1 It shall be the purpose of the Commission to provide for the filling of vacancies in the departments by establishing an equitable and effective method of bringing competent employees into the service, promoting present employees into positions of higher rank, and providing for the reinstatement and discharge of full-time paid members as provided by the Act.

103.2 It shall be the purpose of the Commission in adopting these rules and regulations to:

- a. Set up procedure to serve as a guide to the Commission in its future administrative actions.
- b. Establish definite steps in procedure not included in the Act.
- c. Establish a practical and fair interpretation of the parts of the Act which are ambiguous or otherwise inadequate.
- d. Administer fairly without prejudice the affairs of the Fire and Police Departments within the jurisdiction of the Commission in accordance with the terms of the Act and these rules and regulations.
- e. Take any other actions authorized by law.

103.3 The City staff may provide administrative support to the Commission in carrying out any of its duties under the Act or these Rules. The City staff may develop internal guidelines for providing such administrative support and provide those guidelines to the Commission.

SECTION 104. MEETINGS

104.1 Meetings may be called by the president or the clerk of the Commission when deemed necessary. Two (2) members of the Commission present at any meeting shall constitute a quorum. The regular place of meeting shall be the City Hall.

104.2 The order of business shall be as follows:

- a. Roll Call

- b. Reading and approving of the minutes of the preceding meeting
- c. Petitions and Communications
- d. Reports
- e. Unfinished Business
- f. New Business
- g. Adjournments

104.3 In addition to any notice required under applicable law, the Clerk shall provide notice of meetings to the heads of the Police Department and Fire Department, the president of the local POAM, the president of the local COAM, and the president of the local IAFF. Notice to the union presidents shall be provided to the person whose contact information is on file with the City Clerk.

SECTION 105. PETITIONS AND COMMUNICATIONS

105.1 All petitions and/or communications to the Commission should be addressed as follows:
Civil Service Commission, c/o City Clerk, 200 N. Lake Street, Cadillac, Michigan 49601.

105.2 All petitions and/or communications should be legibly written and properly signed and shall be transmitted to the Clerk who shall forward a copy to each Commissioner within three (3) business days after receipt.

105.3 Oral requests for action by the Commission will not be given consideration.

SECTION 106. RECORDS

106.1 All records of the Commission shall be filed in the office of the Clerk and shall be public except as follows:

- a. Materials used in examinations whether or not the examination is conducted.
- b. Examination Papers. Any person who has taken an examination under the provisions of the Act may inspect his own examination papers within a period of thirty (30) days after the results of the examination have been made known.
- c. Service Ratings. Any member of either department may inspect his own service rating reports at any time during regular office hours. The Chief may during regular hours inspect the service rating reports of any member of his department.
- d. Letters of reference or recommendation acquired by the Commission in the investigation of the applicant.
- e. Police summary report on investigation of applicant.

- f. Any other documents or records exempt from disclosure under applicable law, including the Michigan Freedom of Information Act, MCL 15.231 et seq. and the Bullard-Plawecki Employee Right to Know Act, MCL 423.501 et seq.

SECTION 201. COMPENSATION PLAN

201.1 The Commission may act in an advisory capacity to the City Manager and the City Commission in matters pertaining to salaries in the departments.

SECTION 301. MINIMUM QUALIFICATIONS TO TEST

301.1 Examinations for entrance in the departments shall be open to anyone who satisfies the following minimum qualifications at the time applications are due:

- a. Has attained the age of twenty-one (21) years of age.
- b. Is a high school graduate or equivalent (i.e., GED).
- c. Has a valid driver's license.
- d. Certified or certifiable through the Michigan Commission on Law Enforcement Standards (MCOLES) if testing to gain entry into the Police Department.
- e. Possess Firefighter I and Firefighter II Certifications, an Emergency Medical Technician License, and the ability to pass the required physical agility test if testing to gain entry into the Fire Department.
- f. Is not disqualified as provided by the Act.

301.2 Being qualified to take an examination does not qualify an applicant for employment.

SECTION 302. APPLICATIONS FOR ENTRANCE INTO THE POLICE AND FIRE DEPARTMENTS

302.1 Applications for entrance into the Police and Fire Departments shall be made on standard applications provided by the Commission. Applications must be complete and include proof of required certification(s). Applications will be accepted at the office of the Clerk at any time prior to the closing date for filing applications as determined by the Commission.

302.2 The Commission or its designee shall provide notice of the time and place where applications will be accepted in the manner required by the Act. The City staff may provide administrative support as necessary.

SECTION 303. ESTABLISHING AN ELIGIBLE LIST FOR FILLING VACANCIES FOR ENTRANCE INTO THE POLICE AND FIRE DEPARTMENTS

303.1 The Commission shall use the procedures in these Rules to establish an "eligible list" and to certify from the eligible list the names of the persons who received the highest five average composite scores on examinations, as required by the Act.

- 303.2 “Eligible list” for the Police Department means a list of candidates who have earned a score of 70% or higher on the written examination and a score of 70% or higher on the oral examination. “Eligible list” for the Fire Department means a list of candidates who have earned a score of 70% or higher on the written examination, have earned a score of 70% or higher on the oral examination, and have passed the physical agility test. An eligible list shall remain valid for two (2) years, unless it is depleted prior to that time.
- 303.3 Applicants for entrance into the Fire Department shall take three (3) tests in the following order:
- a. A written test, which is graded and scored.
 - b. An agility test, which is pass or fail.
 - c. An oral test, which is graded and scored.
- 303.4 Applicants for entrance into the Police Department shall take two (2) tests in the following order:
- a. A written test, which is graded and scored.
 - b. An oral test, which is graded and scored.
- 303.5 Agility testing for the Police Department is covered under Michigan Commission on Law Enforcement Standards licensing. No separate agility testing will be conducted by the City or Civil Service Commission for entrance in the Police Department.
- 303.6 Grading and Weights
- a. Pursuant to the Act, a score of 70% is required to pass the written examination, and a score of 70% is required to pass the oral examination. The agility test is graded on a pass-fail basis, and no numerical score is assigned.
 - b. The written examination will be administered first. If the candidate does not earn a score of 70% or higher, then the candidate has failed and will not be permitted to proceed to the oral examination or agility test (if applicable).
 - c. For candidates who pass the written examination, agility test (if applicable), and oral examination, composite scores shall be calculated as follows:
 - i. The written examination is valued at 60% of the composite score.
 - ii. The oral examination is valued at 40% of the composite score.
 - iii. Composite scoring will be taken out to the third decimal place.
 - iv. Appendix A may be used by the Commission to assist in calculating each candidate’s composite score.

303.7 Posting of written examination scores and eligible list.

- a. The Commission shall post, in a public place at the City Hall and on the City website, the scores of all applicants who pass the written examination. Each applicant shall be identified on the public posting by the last four digits of his or her social security number only and not by name.
- b. The Commission also shall post, in a public place at the City Hall and on the City website, the eligible list containing the names and composite scores of those who have passed examinations for positions in the Fire or Police Departments after all examinations are complete.

303.8 Certification of names; ties; depletion of eligible list; removal from eligible list.

- a. For each vacancy for entrance into the Departments, the Commission shall certify from the eligible list the names of the persons who received the highest five composite scores on examinations, as required by the Act. If one or more candidates earn a “tie” composite score, which score is within the five highest scores of the candidates on the eligibility list, then the Commission may certify more than five names to the City for consideration.
- b. If fewer than five (5) candidates remain on the eligible list for any reason, then the City may request that the Commission consider the eligible list depleted and commence the process for creating a new eligible list.
- c. If a person on the eligible list requests in writing to be removed, then the Commission shall remove that person from the eligible list.
- d. A candidate whose name is certified but who is not hired remains on the eligible list, unless the candidate is otherwise disqualified under Act 78 or requests in writing to be removed from the eligible list. If a candidate is not disqualified under Act 78 but if the City Manager determines that a candidate whose name is certified is not eligible to be hired under City personnel policies at the time of the filling of the vacancy, or if the candidate withdraws his or her name from consideration, then the City Manager may request that the candidate’s name be de-certified for purposes of filling that vacancy and that the name of the next highest scoring candidate be certified.

SECTION 304. CONDUCT OF EXAMINATIONS

304.1 All entrance examinations shall be arranged in such a manner as to determine fairly the qualifications and the ability of the applicant to fill the position for which the examination is being given. The Commission will approve the content of the written examination, and all written examinations shall be scored by members of the Commission. The physical agility test, which pertains to the Fire Department only, will be administered by the Fire Department or their designees and shall be proctored by one or more member(s) of the Commission. Oral examinations shall be conducted by one or more members of the Commission.

304.2 Conduct of Written & Oral Examinations

1. Written Examinations:

- a. Written examinations shall be conducted by one or more members of the Commission or their designee. City staff may provide administrative support.
- b. Candidates will be assigned a unique identifier to avoid the potential for any bias during test grading.
- c. Talking among candidates shall be prohibited.
- d. Candidates shall not leave the examination room without permission.
- e. Inquiries pertaining to examination questions shall not be permitted.
- f. Candidates must bring a valid government issued photo identification card for entrance into the examination room, and all electronic devices are prohibited.
- g. Upon completion of the examination, candidates must turn in their tests before leaving the examination room.

2. Oral Examinations:

- a. Oral examinations for entry into the department shall be conducted by one or more member(s) of the Commission. City staff may provide administrative support.
- b. Candidates shall be rated on a rating form that is approved by the Commission.
- c. Each Commissioner conducting an oral examination will complete his or her own rating form for each candidate. An average percentage score of the ratings of all examiners shall be then be calculated to determine the candidate's oral examination score.
- d. The amount of time devoted to any interview shall be sufficient to permit the interviewer(s) to judge fairly the characteristics set forth in the rating form.
- e. Candidates must bring a valid government issued photo identification card for entrance into the examination room, and all electronic devices are prohibited.

304.3 Re-employment Lists

- a. Employees removed from the service through layoff or no fault of their own shall be placed on the appropriate re-employment list in the inverse order in which they were laid off, those removed last being re-employed first. This list shall take precedence over all other lists.

SECTION 307. PROBATIONARY PERIOD

- 307.1 The probationary or working test period established in the Act shall not include any time served by an employee under any emergency, temporary, or provisional appointment, unless the termination of such appointment shall immediately precede regular appointment in the manner prescribed in the Act, and these rules and regulations. In no case, however, shall more than two

(2) months of the temporary employment be applied against the probationary period as herein prescribed.

307.2 At the end of each two (2) months during the probationary period, the Chief of the department shall submit on a probation rating report prescribed by the Commission, the rating of the probationary employee's performance. In the event of unfavorable rating and/or dissatisfaction with the performance of the probationer by the Chief of the department, a third report shall be made not later than the fifth month, requesting action by the Commission terminating employment of this probationer.

SECTION 308. DISMISSALS

308.1 Dismissals shall be as provided in Act 78 of the Public Acts of 1935, as amended.

SECTION 402. IN-SERVICE TRAINING

402.1 The Commission shall encourage the development of training programs for employees which will aid in their present performance and future development.

SECTION 403. RESIGNATIONS

403.1 An employee resigning from his position, shall give at least fifteen (15) days notice of his intention to resign to enable the Chief of the department to make proper provision for filling his position. Any employee failing to give such notice shall be considered as having left the service not in good standing. All resignations shall be in writing to the Chief of the department and a notice of said resignation shall be sent to the Commission and made a part of its record. Provided however, when such resignation is for circumstances beyond his control and certified by the Commission, the notice may be waived.

SECTION 404. LEAVE OF ABSENCE

404.1 Any member granted a leave of absence upon receiving consent of the City Manager and the Chief of the department of which he works shall be eligible for reinstatement in the same position in the department in which he was employed at the time said leave was granted, provided as follows:

- a. His application for reinstatement is received by the Commission prior to the expiration of the period of which the leave of absence was granted.
- b. If such leave of absence exceeds six (6) months, he shall pass a physical examination at the time he is to be re-employed by the Commission's designated physician, but at his own expense.

SECTION 405. ANNUAL REPORT

405.1 The Commission shall, on or before the first day of July, beginning July 1, 1966, make an annual report to the City Manager for transmission to the City Commission, showing its own

action, and any suggestions it may approve for more effectual accomplishment of the purpose of the Act. Such reports shall be available for public inspection five (5) days after the same shall have been delivered to the City Manager.

SECTION 406. PERSONNEL FORMS

406.1 In order that the proper reports may be made and records maintained concerning the various personnel activities, the Commission shall develop or cause to have developed and installed appropriate forms for this purpose.

SECTION 501. PROMOTIONS

For all promotional examinations, the written portion shall constitute 50%, oral 40%, and serving ratings 10% of the total possible score. Points shall be added to the weighted scores obtained in the written and oral parts for seniority as follows: no points shall be allowed for seniority unless the applicant shall have completed at least five (5) years in the department. Applicants with five (5) or more years of service in the department shall be allowed one (1) point for each year of service up to and including twenty years, beginning with the date of entrance into the department. Seniority points shall be calculated to the nearest quarter year. The service rating score shall be determined by taking an average of the last three (3) service ratings recorded preceding any examination, provided that for any examination given following the adoption of these rules and regulations, only those service ratings recorded shall be used even though there are less than three (3).

Appendix A

		Written Score			Oral Score		
		60%			40%		
	100%	0.600		100%	0.400		
	99%	0.594		99%	0.396		
	98%	0.588		98%	0.392		
	97%	0.582		97%	0.388		
	96%	0.576		96%	0.384		
	95%	0.570		95%	0.380		
	94%	0.564		94%	0.376		
	93%	0.558		93%	0.372		
	92%	0.552		92%	0.368		
	91%	0.546		91%	0.364		
	90%	0.540		90%	0.360		
	89%	0.534		89%	0.356		
	88%	0.528		88%	0.352		
	87%	0.522		87%	0.348		
	86%	0.516		86%	0.344		
	85%	0.510		85%	0.340		
	84%	0.504		84%	0.336		
	83%	0.498		83%	0.332		
	82%	0.492		82%	0.328		
	81%	0.486		81%	0.324		
	80%	0.480		80%	0.320		
	79%	0.474		79%	0.316		
	78%	0.468		78%	0.312		
	77%	0.462		77%	0.308		
	76%	0.456		76%	0.304		
	75%	0.450		75%	0.300		
	74%	0.444		74%	0.296		
	73%	0.438		73%	0.292		
	72%	0.432		72%	0.288		
	71%	0.426		71%	0.284		
	70%	0.420		70%	0.280		