

Local Rules of the
Waterford Township
Police & Fire Civil Service Commission
(2016 Revision)



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General

These local rules are established to provide guidelines necessary for the effective administration of the duties, powers and authorities granted the Commission under the Fireman and Policeman Civil Service System Act, Public Act 78 of 1935. No local rule shall be established contrary to the provisions of this Act.

Officers

The Commission President shall be elected annually at the regularly scheduled January meeting and shall serve a term beginning February first through January 31. In the absence of the President, the two (2) remaining members of the Commission shall choose an acting President.

Administrative Support

The Office of Human Resources shall provide all necessary administrative support to the Commission as required under Sections 5 & 8 of the Act.

The Director of Human Resources shall provide advice to the Commission on matters of civil service policy, direct the administration of all necessary testing and direct and coordinate all administrative support services for the Commission as directed

The Human Resources secretary as designated by the Township Clerk shall act as the Clerk of the Commission taking all meeting minutes and providing necessary record keeping services for the Commission as directed.

Meetings

All regular meetings of the Commission shall be held at 5:00 p.m. on the first Wednesday of each month unless otherwise approved by the Commission at a preceding meeting. Each December the Commission shall approve a schedule of meeting times, dates and locations for the upcoming year.

Meeting notices shall be posted conspicuously throughout the Township facilities including the Township Hall, Police Station and the Main Fire Station. All regular meetings of the Commission are open to the public in accordance with the Open Meeting Act.

The Commission President may call a special meeting should circumstance warrant action prior to the next regularly scheduled meeting of the Commission. A special meeting may also be called jointly by the two other members of the Commission.

The Commission Clerk shall prepare a copy of all Commission minutes and distribute them to the Police and Fire Chiefs, all police and Fire Union Presidents and the Commission's Legal Advisor. All minutes are to be approved by the Commission.

The Commission Clerk shall prepare a list of all correspondence to and from the Commission and actions to be considered by the Commission. The list will be sent to the Commissioners, all Police and Fire management employees and designated Union representatives by close of business four working days prior to the meeting. No other business shall be addressed that has not been listed on the agenda.

Closed Meetings

The Commission may meet in closed sessions to discuss information as called for in the Open Meetings Act. The Commission must first meet in open session and vote to meet in closed session for a specific purpose. The Commission may not vote in a closed session. Minutes from the closed sessions of the Commission shall be kept separate from the regular minutes of the Commission and shall be destroyed after two years.

Hearings

The Commission shall hold formal hearings based on the written request of a Civil Service Employee or other party in order to investigate matters concerning the enforcement of the Act, these Rules and Regulations, to hear appeals of disciplinary actions, or matters concerning the status of applicants on eligibility lists. The written request must clearly identify the issue to be investigated. Hearings shall be conducted as part of a regular meeting in accordance with Section Nine (9) of the Act.

The hearing shall be deemed an investigation and not a trial, and the Commission shall not be bound by technical rules of evidence and procedure. It shall, however, conduct the hearing in an orderly manner; confine the scope thereof to matters set forth in the written request.

Hearings may be held in closed session at the request of an employee or applicant seeking an appeal or to discuss other matters as allowed for by the Open Meetings Act.

Definitions

APPOINTING AUTHORITY - The Township Supervisor is vested by law with the power and authority to select, appoint or employ any person to hold any office, place or position of employment subject to Civil Service.

CERTIFIED ELIGIBLE LIST - A list of names of persons arranged in the order of merit certified by the Commission as provided in these rules, who have been found qualified through suitable tests, or otherwise as provided in these rules for employment in position allocated to a specific Civil Service position.

CLASSIFIED SERVICE - That group of positions that are covered by Public Act 78 of 1935 and the rules of the Civil Service Commission.

COMMISSION - The Civil Service Commission and the term "Commissioner" shall mean anyone of the three Commissioners of that Commission.

COMPETITIVE EXAMINATIONS - An examination held for the purpose of determining the relative fitness of applicants for any position subject to the provisions of the statute. Such examinations are to include the consideration and rating of any test or tests held or other appropriate methods used to determine the relative fitness of applicants. Such examinations are to be used in preparing appropriate eligibility lists for all positions or classes of positions subject to provisions of the statute.

DEPARTMENT - The Police and/or Fire Department of the Charter Township of Waterford.

DEMOTION - Means a change in employment status from a position in one classification to a position in a lower classification involving a decrease in responsibility and a lower maximum salary or a return to his/her former status by

the holder of an interim appointment by reason of the return to duty of any employee who has been granted military leave.

DISCHARGE - Any involuntary separation reflecting discredit to the employee.

ELIGIBLE - Means a person whose name is on a certified eligible promotional or entrance list and who may under these rules be certified for appointment to positions of a class.

GENDER AND NUMBER - The masculine noun or pronoun as used in these rules shall be held to include the feminine. The singular shall be held to include the plural and the plural the singular.

LAY - OFF - A separation of an employee from the Township service that has been made necessary by lack of work or funds or other reasons not related to fault or delinquency on the part of the employee.

MEDICAL EXAMINERS - Doctors appointed by the Civil Service Commission charged with the responsibilities of physically and mentally examining of Police/Fire Department applicants.

PERMANENT APPOINTMENT – Per PERA

Article V – UNION ACTIVITIES – Section 4 – PROBATION A:

New hire employees shall serve a 1 year probationary period from date of hire.

PROBATIONARY PERIOD - A trial working period as set in these rules which is made a part of the selective process, during which the work and conduct of the employee shall be reviewed by the appointing authority and reported upon to determine whether such employee merits permanent employment.

PROMOTION - A change in employment status from a position in one classification to a position in a higher classification involving an increase in responsibility and a higher maximum salary.

POSITION - Any office or type of employment in the Township service, such that one person exercises the duties and responsibilities pertaining thereto.

RE-EMPLOYMENT - Any reentry into the Township service.

REINSTATEMENT - Any reentry of an individual into the Township service at the direction of the Civil Service Commission.

RESIGNATION - Any separation which is made by reason of the employee's own individual desire, with no discredit.

SENIORITY - A measure of the length of service after the date of hire to a position in the Township service. The seniority date may be adjusted as provided by the Act.

SUSPENSION - A temporary release from duty with/without pay and allowances for cause upon the direction of the appointing authority.

TEMPORARY APPOINTMENT - Any appointment or employment for three months duration or less that is made by the Commission on the nomination of the appointing authority without recourse to the regular certification procedure. Successive temporary appointments cannot be made to the same position.

TOWNSHIP SERVICE - Employment by the Township of Waterford in a position covered by Public Act 78 of 1935.

VACANCY - Means a position duly created and funds provided for payment of a salary that is not occupied and for the filling of which a valid request has been received from the Appointing Authority.

Testing

The Commission shall conduct testing for the purpose of establishing eligibility lists for all positions filled through the Civil Service process, the manner and form of testing to be determined by civil service law, or as may be determined through collective bargaining.

New hire lists shall be established for a period of up to two years from the date certified by the Commission. Promotional lists shall be established for a period of two years.

For all ranks other than Police Chief, and as may be reasonable and practical as determined by both need and economics, the Commission shall be provided with a new list to certify within six months of the expiration date of the old lists. In order to be eligible to test all applicants must meet the minimum qualifications for testing as established by Public act 78 of 1935 and these local rules. The Director of Human Resources shall determine the cutoff date for eligibility to test for entry-level positions. The cutoff date for eligibility to test for promotion shall be the date the current eligibility list expires. If a list becomes exhausted prior to its expiration, the test eligibility cutoff date shall be established as the date that there are no candidates remaining on the list (the calendar day after the last day there was a candidate on the eligibility lists) At the March 3, 2011 regular meeting, the Commission suspended both the Police and Fire new hire entry level testing for a period of one (1) year.

Notwithstanding the collective bargaining agreement involving the hiring of the chief of police, should this position become a matter for determination by the commission, the Commission shall conduct tests as determined necessary by a

majority vote of the Commission. The eligibility cutoff date for testing for the rank of Police Chief shall then be determined by the Commission.

Notice of New Hire Application Process

For entry-level positions the two weeks of advertisement in the newspaper shall be made in accordance with Public Act 78 OF 1935.

Eligibility to apply for testing for Police Officer

1. Certified or certifiable Police Officer in the State of Michigan, and Documented proof of a passing score on the M.C.O.L.E.S. Written and Physical Agility Test, along with one of the following:
 - A. A minimum of 60 credit hours of college from an accredited college or university (Official transcripts are due at time of application.) (or)
 - B. (4) four years of continuous active military service under honorable conditions within (4) years of application cut-off (or)
 - C. (2) two years employment as a certified full-time police officer in the State of Michigan as established by MCOLES within (2) years of application cutoff. (Out of state exceptions at the discretion of the Chief of Police).

If a sworn officer in another state, documented proof of your out of State Certification, taken through M.C.O.L.E.S.

2. Completion of the Application for employment within six (6) months preceding the application of cutoff date. If outside of the State of Michigan the applicant must show proof of documentation of being Michigan State Certified.

Eligibility to apply for testing for Firefighter

- Documented proof of successful completion of State of Michigan Firefighter I and II training, High School Diploma or GED, Licensed MI Paramedic Successful completion of the CPAT.

Completion of an application for employment within six (6) months preceding the application cutoff date.

Testing of Police Applicants

Applicants for police officer shall be ranked on the eligibility list according to a composite score based on the following:

Written Exam: **Minimum Score 70 points, Maximum 100 points.**

Oral Exam: **Minimum Score 70 points, Maximum 100 points.**

Waterford Police Reserve Service: One (1) point per full year of service up to a maximum of four (4) points.

Full-time employment as an accredited sworn police officer with full arrest powers:

One (1) point per year or major fraction thereof up to four years of service.

Military Service: One (1) point per year or fraction thereof, up to a maximum of four (4) years, for full-time active military service in the Army, Navy, Air Force, Marines or Coast Guard. Must be within (4) years of application cut-off date.

NOTE: It is the responsibility of the applicant to provide documented proof of any service as a reserve, sworn full-time police officer, or military service prior to the application cutoff date.

Testing for Firefighter Applicants

Applicants for Firefighter shall be ranked on the eligibility list according to a composite score based on the following:

Written Exam: **Minimum Score 70 points, Maximum 100 points**

Oral Exam: **Minimum Score 70 points, Maximum 100 points**

Physical Agility: **Applicants shall participate in a physical agility test (CPAT) as approved by the Commission. The test shall be pass/fail.**

Waterford Volunteer Fire Service: One (1) point per year or major fraction thereof up to a maximum of four (4) years. Service as a Waterford Volunteer must be within (4) years of the application cut-off date to receive Volunteer points.

Waterford Volunteer Merit: Waterford Volunteers may earn up to a maximum of 12 additional points based on performance, ability, participation and enthusiasm. A committee consisting of the Fire Chief, the President of the Volunteer Firefighters Association and a career Firefighter selected by the Chief and President shall determine points. Service as a Waterford Volunteer must be within (4) years of application cut-off date to receive Merit points.

Full-time employment as a paid full-time Firefighter with an accredited municipal fire department: One (1) point per year or major fraction thereof up to four (4) years of service.

Military Service: One (1) point per year or fraction thereof of, up to a maximum of four (4) years, for full-time active military service in the Army, Navy, Air Force, Marines Corps or Coast Guard.

NOTE: It is the responsibility of the applicant to provide documented proof of any service as a volunteer, paid full-time service as a Firefighter, or military service prior to the application cutoff date.

New Hire Eligibility Lists

Subject to both need and economics the Commission shall endeavor to keep the eligibility list current. The Commission shall remove from the list any candidates who have been hired by the Township, have declined a job offer by the Township,

have requested in writing to be removed from the list, or who have been disqualified by the Commission for any reason.

Promotional Testing Eligibility

Eligibility to test for promotion shall be based on the Act and these local rules. Unless otherwise established by bargaining agreement the following classifications shall be considered eligible for the next highest rank:

Police Sergeant - Any Police Officer with five (5) years seniority on the department.

Police Lieutenant - Any Police Sergeant who has five (5) years on the department and two years in the rank of Sergeant.

Deputy Police Chief - Any Police Lieutenant who has five (5) years on the department and two years in the rank of Lieutenant.

Police Chief - Any Deputy Police Chief who has five (5) years on the department and two (2) years in the rank of Deputy Police Chief.

Fire Lieutenant/Suppression - Any Firefighter or Fire Department Officer with five (5) years seniority on the department.

Fire Inspector/Lieutenant – Any Firefighter or Fire Department Officer with five (5) years seniority on the department.

Fire Captain/Suppression - Any Fire Lieutenant/Suppression who has five years on the department and two (2) years in the rank of Fire Lieutenant/Suppression. Members in the Fire Prevention Bureau having served two (2) or more years in the rank of Fire Lieutenant/Suppression are also eligible to tests for Fire Captain/Suppression.

Fire Inspector/Captain – Any Fire Inspector/Lieutenant who has five (5) years on the department and two (2) years in the rank of Fire Inspector/Lieutenant. Members in the Fire Suppression Bureau having served two or more years in the rank of Fire Inspector/Lieutenant are also eligible to tests for Fire Inspector Captain.

Battalion Chief - Any Fire Captain/Suppression who has five (5) years on the department and two (2) years in the rank of Fire Captain/Suppression.

Fire Marshal - Any Fire Inspector/Captain or Fire Inspector/Lieutenant who has five (5) years on the department and two (2) years in the rank of Fire Inspector/Lieutenant or above.

Deputy Fire Chief – Any Battalion Chief or Fire Marshal who has five (5) years on the department and two (2) years in the rank of Battalion Chief or Fire Marshal.

Fire Chief – Any Deputy Fire Chief, Battalion Chief or Fire Marshal who has five (5) years on the department and two (2) years in the rank of Battalion Chief, Fire Marshal or above.

Because the Fire Department's Organizational Structure only has one (1), Deputy Fire Chief and one (1) Fire Inspector Captain the rules above automatically include the next lower rank. This allows for a minimum of two (2) eligible candidates eligible to test for Fire Chief and Fire Marshal.

It is the intent of the Commission that once a member meets the minimum qualifications to test for a higher rank that member will maintain that eligibility for the remainder of their service with the Township. Employees electing to return to a prior position or test for a promotion shall be eligible to test for any position they were previously eligible to test for. For example, Fire Inspector

Captain who previously served two (2) or more years as a Fire Suppression Lieutenant shall be eligible to test for Fire Suppression Captain.

In the event fewer than two (2) eligible candidates are available and willing to test, the list of eligibles shall be expanded as follows:

First, those employees who meet all eligibility requirements, except time in rank. This would include probationary employees in the eligible rank.

Second, those employees in the next lowest rank who have two (2) years in rank.

Third, those employees in the next lowest rank who meet all eligibility requirements except time in rank. This would include probationary employees in the eligible rank.

- If there is no eligible candidates for Fire Marshal in the Prevention division the next lowest rank shall be considered the employees in the ranks of Battalion Chief and Suppression Captain. If another drop down in rank is required, due to a lack of a minimum number of candidates, then the next lower rank would be Fire Suppression Lieutenant.
- In the case of testing for Fire Inspector Captain the next lowest rank shall be considered the employees in the rank of Fire Suppression Lieutenant and above.

Notice of Promotional Testing

All eligible candidates for promotion shall be notified at least two weeks prior to the deadline for requesting to test. In the event that fewer than two candidates request to test, a notice shall be given to all additional eligible candidates and they shall also be given a minimum of two weeks to respond.

Promotional Eligibility List

Unless otherwise determined by the Commission the eligibility test shall consist of the following:

Written Exam: Maximum 100 points

Oral Exam: Maximum 100 points

For promotional testing for the ranks of Sergeant and Lieutenant in the Police Department, the Human Resources Department will provide and conduct Written and Oral Board examinations. Under the direction of the Civil Service Commission.

The written examination will be supplied by a source competent to provide a written examination. A state or national testing agency selected, shall provide the written exam.

The oral board evaluators will be three (3) persons with equal or higher ranking from non-contiguous communities. The minimum score for the combined Written and Oral Board examination shall be 140 points.

Seniority Points: One point per year, or major fraction thereof, of service as a Waterford Township Civil Service member.

For all ranks, all applicants may be given up to 20 workmanship points based on performance, ability, participation and enthusiasm.

Points may be given by the respective department Chief in consultation with the applicants supervisors.

PROMOTIONAL TESTING FOR POLICE

LIEUTENANT – POLICE (Approved: 05/04/16 CSC meeting)

Promotions to the rank of Lieutenant shall be predicted upon the results of a written examination valued at 60% of the total score; an inside oral board valued at 20% of the total score and consisting of a three-person board; and an outside oral valued at 20% of the total score and consisting of a three-person board.

Seniority points will be added to the total scores and will be calculated in the following manner: $\frac{1}{2}$ point per year for each year of Department service and an additional $\frac{1}{2}$ point per year for each year of time in grade/rank to be figured on a monthly basis of $\frac{1}{24}$ of a point of each completed month of service.

SERGEANT – POLICE (APPROVED: 05/04/16 CSC meeting)

Promotions to the rank of Sergeant shall be predicated upon written results of a written examination valued at 80% of the total score; and an inside oral board valued at 20% of the total score consisting of a three-person board. Seniority points shall be added at a rate of 1 point per year for each year of Department service.

The Commission, after consultation with the respective department's Chief, Union President and Director of Human Resources, may choose to conduct an Assessment Center to rank candidates for promotion. The Assessment Center shall replace the value of the Written and Oral Exams only. The Assessment Center shall award up to 200 points so as to be equal in value to the combined written and oral examination. Points for seniority and workmanship would be added to the Assessment Center scores in order to rank candidates.

Tie Scores

In the event two or more candidates have equal composite scores the candidates shall be ranked equally. This will allow the appointing authority his or her choice of either candidate. In the case of new hire appointments candidates tied for the fifth position shall be included in the list of persons who receive the highest fire scores that the appointing authority may select from.

Test Results

Candidates may request and shall be provided interim results of their scores prior to certification of the list. At the discretion of Director of Human Resources, individual test scores may be automatically provided to the candidates. Any scores provided shall be unofficial and subject to review prior to certification of the eligibility list.

Records

The Clerk of the Commission shall maintain records either in paper or electronic format according to the following retention schedule:

- Official Minutes of Regular and Special Meetings– Permanently
- Minutes of Closed Meetings - Two (2) Years
- Records of Appointment of the Township Board Appointee and the Election of the Civil Service Member Representative – Permanently
- Test Results and Certified Lists - 10 Years
- Correspondence to and from the Commission - 10 Years
- All test results, personnel records and medical records of civil service employees– Permanently

The State Freedom of Information Act and Township Policy shall govern access to records of the Civil Service Commission. It shall be the responsibility of the Director of Human Resources, with the advice of the Commission's Legal Advisor, to address any Freedom of Information Act request.

Post Job Offer Examinations

In accordance with all State and Federal Civil Rights Laws, applicants who receive conditional offers of employment shall be subject to the conditions of the offer including a criminal history and background check and the successful completion of both a physical and psychological examination.

Amendments

The Commission may at regular or special meetings amend, rescind, add to, or otherwise change these Rules. However, the provisions of these Rules do not replace or supersede any part of State Law or Ordinance of the Charter Township of Waterford.

These Rules & Regulations are hereby adopted as the Rules & Regulations by which the Fire and Police Civil Service Commission is directed, by the Act, to

prescribe and shall be known as "**FIRE AND POLICE CIVIL SERVICE COMMISSION RULES AND REGULATIONS.**" Any recommended change or addition to the existing Rules and Regulations presented to the Commission at a Commission meeting shall be brought to a vote of the Commissioners at the next Commission meeting.

ADDENDUM

PERMANET APPOINTMENT: Per PERA

Article V – UNION ACTIVITIES-Section 4 – PROBATION A:

New hire employees shall serve a 1-year probationary period from date of hire.

LIEUTENANT – POLICE (Approved: 05/04/16 CSC meeting)

Promotions to the rank of Lieutenant shall be predicted upon the results of a written examination valued at 60% of the total score; an inside oral board valued at 20% of the total score and consisting of a three-person board; and an outside oral valued at 20% of the total score and consisting of a three-person board.

Seniority points will be added to the total scores and will be calculated in the following manner: 1/2 point per year for each year of Department service and an additional 1/2 point per year for each year of time in grade/rank to be figured on a monthly basis of 1/24 of a point of each completed month of service.

SERGEANT – POLICE (APPROVED: 05/04/16 CSC meeting)

Promotions to the rank of Sergeant shall be predicated upon written results of a written examination valued at 80% of the total score; and an inside oral board valued at 20% of the total score consisting of a three-person board. Seniority points shall be added at a rate of 1 point per year for each year of Department service.