

Regulation 11 – Requisition, Certification and Appointment

11.02 - LISTS USED FOR CERTIFICATION. The Director shall determine the basis on which individual examinations shall be given and the types of eligible lists that will be established as a result of the examinations. This information must be specified on the announcement of the examination. Certifications are to be made from the different types of lists in the following order, provided however, that as to the order of the lists described in Sections [11.0232](#) and [11.024](#) the Director may make exceptions:

11.02-1 - LAYOFF LIST. *First*, certification shall be made from the proper LAYOFF LIST to fill vacancies that cannot be filled by certification and appointment from a departmental promotional eligible list.

11.02-2 - CAREER ADVANCEMENT LIST. Notwithstanding contrary provisions of these Regulations, for the *in-place* promotion of an employee in a career advancement series class to the next higher-level class within the series, certification shall be made first from the CAREER ADVANCEMENT LIST. However, appointments to *unfilled* positions at any level in the series shall not be made from this list.

11.02-3 - DEPARTMENTAL PROMOTIONAL ELIGIBLE LIST. *Second*, certification shall be made from the the DEPARTMENTAL PROMOTIONAL eligible lists for the proper class. This list shall consist only of persons with permanent status who are employed in the department in which the vacancy exists and who passed the examination on a promotional basis.

11.02-3-1 - If there are insufficient eligible candidates remaining on the departmental list, that appointing authority may request certification of the eligible candidates on other lists to pair with the candidates from the departmental list so that the appointing authority can select from a full certification in accordance with the certification rule prescribed by the Director for the title. Such pairing will be made first from the Accommodations list. Certification pursuant to this provision will be in accordance with provisions of Regulation [11.03](#).

11.02-3-1-1 - Any person who, during the life of an eligible list is transferred, promoted or demoted from one department to another, will not be eligible for certification from that departmental list for a period of ninety (90) days.

11.02-4 - ACCOMMODATIONS LIST. *Third*, certification shall be made from the Accommodations list for the designated title. This list shall consist of employees having permanent Civil Service status in a specific class, but permanently unable to perform the essential functions of their current position in the class, with or without a reasonable accommodation, upon application to and approval by the Director of Human Resources in accordance with Regulation [10.01-5](#).

11.02-5 - INTERDEPARTMENTAL PROMOTIONAL ELIGIBLE LIST. *Fourth*, certification shall be made from the INTERDEPARTMENTAL PROMOTIONAL eligible lists for the proper class This list shall consist of all persons with permanent status who passed the examination on a promotional basis.

11.02-6 - OPEN COMPETITIVE ELIGIBLE LIST. *Fifth*, certification shall be made from an OPEN COMPETITIVE LIST of the proper class.

11.02-7 - APPROPRIATE OR RELATED ELIGIBLE LIST. *Sixth*, in the absence of an eligible list for the class of position requisitioned, the Director may certify to the position eligibles from an APPROPRIATE or RELATED LIST.

11.03 - CERTIFICATION. Upon receipt of a requisition from an appointing authority for the names of persons to fill a vacancy from an eligible list, the Director shall certify to the appointing authority from the proper eligible list, in accordance with Section [11.02](#) of the Regulation, the names of the persons who are highest in rank on the list in accordance with the certification rule prescribed by the Director. The number of names certified under the rule to each department shall be determined following review of vacancies, historical data and other workforce factors.

11.031 – ALL NON-VETERAN CERTIFICATION. Where one or more non-veterans are certified, any non-veteran may be appointed.

11.032 – SELECTIVE FACTOR CERTIFICATION. When a certification of eligible candidates with specified experience, education, training, license, registration, certification or skill is requested in writing by the appointing authority as being necessary for satisfactory performance in a particular position in an established class or series of classes, and the Director determines that the reasons given fully justify the request, a certification may be made of the highest ranking eligible candidates on the appropriate list who possess the specified qualification in accordance with the certification rule. Selection of the eligible to fill the vacancy will then be made in accordance with the Civil Service Regulations.

11.033 – EVALUATION OF FITNESS FOR DUTY. Eligible candidates shall be notified to appear for such evaluations of fitness in such numbers and at such times, before or after certification for appointment, as the Director may determine to be necessary or convenient. The number of candidates referred to an evaluation of fitness will be determined by the Director and may exceed the number of candidates required for a certification to fill the positions. The number of candidates referred to the evaluation of fitness will be based on an estimate of the number of candidates who will be successful in the evaluation of fitness. Evaluations of fitness shall be related to the requirements of the job and may consist of medical, psychological or psychiatric evaluations, evaluations of

physical fitness to perform the job, or investigations of the eligible candidate's background. Failure to pass any of these evaluations may disqualify the eligible for appointment.

11.0331 – Medical And/Or Psychological Examinations. Medical or psychological examinations may be required only after a candidate has received a conditional offer of employment. If candidates receive such an offer of employment, and the candidates pass the medical and/or psychological examinations and meet all other requirements for the position, the candidates will be appointed in rank order to the position in accordance with these regulations.

11.0332 – Re-Evaluation. An eligible who fails an evaluation of fitness by reason of a condition determined to be remediable may, during the life of the eligible list and at the discretion of the Director be permitted one or more re-evaluations. Should it be determined that the disqualifying condition has been remedied and that no other disqualifying condition exists, the eligible's name shall be placed on or restored to the list without prejudice to appointments and certifications previously made.

11.034 – CERTIFICATION FROM ELIGIBLE LISTS REQUIRING POST EXAMINATION EVALUATIONS OF FITNESS OR A QUALIFYING EXAMINATION. When an eligible candidate is required to successfully pass a post examination evaluation of fitness or a qualifying examination, that candidate is not eligible for certification and appointment until the candidate has passed the evaluation or qualifying examination. Certifications to fill positions for classes that require an evaluation of fitness or a qualifying examination will consist of eligible candidates who have passed the evaluation of fitness or the qualifying examination at the time that the eligible candidates are referred to the appointing authority. Candidates who have not passed all required evaluations and qualifying examinations are ineligible for certification and appointment until all required evaluations of fitness or qualifying examinations have been passed.

11.035 – CONDITIONAL CERTIFICATION. Candidates who have passed the examination may be contingently certified and given a conditional offer of employment in accordance with the provisions of Regulation 11 prior to meeting all requirements or passing a qualifying examination or an evaluation of fitness. Such candidates may not be appointed until the candidate provides the Director with adequate documentation that the candidate has acquired and does possess the published required qualifications, or has successfully passed the qualifying examination or evaluation of fitness required for the position. The contingent certification will automatically become void if this documentation is not provided to the Director within a period of time determined by the Director.

11.036 – CERTIFICATION FROM A CONSOLIDATED ELIGIBLE LIST. Eligible lists established at different times, but consolidated, will be considered a single eligible list. Certification of eligible candidates from a consolidated eligible list shall be made in rank order in accordance with the prescribed rule determined by

the Director for certification. The dates that the lists were established will not affect the certification.

11.037 - CERTIFICATION FROM A COMBINED ELIGIBLE LIST USED TO FILL POSITIONS IN THE BILINGUAL SPECIALTY OF A CLASS. When a combined eligible list is used to fill positions both in the bilingual specialty of a class and in another specialty of the same class and a position requiring the ability to communicate in a Non-English language or in American Sign Language is to be filled, the candidates who are identified as fluent in the specified language will be certified to fill the position in accordance with the prescribed rule as determined by the Director for the eligible list.

11.04 - CERTIFICATION TO MORE THAN ONE VACANCY. If an appointing authority desires at one time to fill more than one vacancy from the same eligible list, he or she shall include in the requisition, a written statement of the number of vacancies to be filled. The Director shall then certify the names of the candidates on the eligible list at the time of the certification for each position. When filling two positions, the appointing authority will consider the candidates in the certification to fill all positions and select those candidates

11.05 - NUMBER OF TIMES AN ELIGIBLE MAY BE CERTIFIED. The name of a person certified but not selected shall remain on the eligible list and shall be again certified together with one or more additional names as required by Sections [11.03](#) and [11.04](#) of this Regulation, upon receipt of other requisitions. An eligible who has been rejected by an appointing authority in favor of others on the same eligible list shall not again be certified to that appointing authority, except upon written request from the appointing authority. However, the passing over of a non-veteran eligible in order to appoint a veteran shall not constitute a rejection. (Sec. 7-401 (h) C.C.). **11.051 - SECOND CERTIFICATION OF DISTRICT COUNCIL 47 REPRESENTED EMPLOYEE.** In the case of a second certification to an appointing authority of a District Council 47 represented employee, the appointing authority will notify the eligible so certified as to whether or not he or she was selected, and that eligible, if not selected, may request and shall be granted an interview regarding the non-appointment.

11.07 - NOTIFICATION OF CERTIFICATION AND REFERRAL. Eligibles certified shall be notified by phone, e-mail, mail or other comparable method. Eligibles shall be certified in accordance with their standing on the list in accordance with the rule prescribed by the Director, as provided in Sections [11.03](#) and [11.04](#) of this Regulation.

11.08 - OBJECTION TO AND SUBSTITUTION OF ELIGIBLES. An appointing authority may submit a written statement to the Director requesting removal of the name(s) of eligible candidate(s) from a certification. Any cause contained in Regulation [10.09](#) or in a subsection of that regulation shall be deemed sufficient reason for removal, but the Director may sustain objections for other cause which would, if assigned as a reason for dismissing an employee, be acceptable to the Director. If the request is approved by the Director, the name of the eligible shall be stricken from the

certification, as the Director may deem appropriate, and the next highest name on the eligible list shall be certified.

The process for the removal of an eligible candidate from a certification shall be the same process used for removal of an eligible candidate from an eligible list as defined in Regulation [10.094](#).

An eligible candidate whose name has been removed from a certification shall have the same rights to request restoration to the certification as defined in Regulation [10.10](#) for a candidate whose name has been removed from an eligible list.

11.081 - REMOVAL OF THE NAME OF AN EMPLOYEE FROM AN ELIGIBLE LIST OR A CERTIFICATION WHEN THE EMPLOYEE HAS PERMANENT STATUS IN THE SAME CLASS. At the request of the appointing authority, the Director may remove the name of an eligible candidate from a departmental promotional eligible list or a certification from any type of eligible list to fill a position for a class if the candidate is employed in the same department and has permanent status in the same class. The appointing authority shall notify the candidate of the removal from the eligible list or certification within five (5) business days of the removal.