

CIVIL SERVICE MERIT BOARD RULES – CITY OF KNOXVILLE

Article 1 – General Provisions

SECTION 100. SHORT TITLE

The following provisions shall be known and be cited as the Rules and Regulations of the Civil Service Merit Board.

SECTION 101. DEFINITIONS

In these rules, words used in the masculine gender include the feminine and neuter genders. Words used in the neuter gender include the masculine and feminine genders. The following words, terms and phrases, when used in these rules, shall have the meaning respectively ascribed to them in these Rules unless the context plainly indicates a contrary meaning:

- Section 101.1.** "CHARTER" means the Charter of the City of Knoxville.
- Section 101.2.** "BOARD" means the Civil Service Merit Board of the City of Knoxville.
- Section 101.3.** "MEMBERS" means those persons holding office as a member of the Board of the City of Knoxville.
- Section 101.4.** "EXECUTIVE SECRETARY/DIRECTOR" (or in the alternate "CIVIL SERVICE DIRECTOR" or "EXECUTIVE SECRETARY") means the person elected by the Board to keep all books and public records and serve as the Chief Administrator of the Board Office.
- Section 101.5.** "CITY" means the City of Knoxville.
- Section 101.6.** "KUB" means the Knoxville Utilities Board.
- Section 101.7.** "DEPARTMENT HEAD" (or in the alternate "DIRECTOR" or "APPOINTING AUTHORITY") means the head of a department of the City who serves as the appointing authority for that department (e.g., Director of Finance and Accountability, Police Chief, Director of Law, etc.).
- Section 101.8.** "APPLICANT" means any person who has filed an application for a civil service classification, or any person who is making an application for such classification.
- Section 101.9.** "ELIGIBLE" means an applicant who has successfully passed all qualifications for a particular classification and who has been placed on the corresponding eligibility register.
- Section 101.10.** "CIVIL SERVICE EMPLOYEES" or "CLASSIFIED EMPLOYEES" means those who have been certified and appointed to civil service positions.

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- Section 101.11.** "TEMPORARY EMPLOYMENT" means employment on a basis other than permanent (regular) or probationary employment.
- Section 101.12.** "CIVIL SERVICE CLASSIFICATIONS" means all classifications which have not been specifically exempted from the classified service by the Charter or by the Board in accordance with Section 1002 of the Charter.
- Section 101.13.** "MINIMUM QUALIFICATIONS" means the minimum knowledge, skill, ability, experience, education and physical requirements that determine the eligibility of an applicant for a particular civil service classification.
- Section 101.14.** "ELIGIBILITY LIST" means a list of names of persons who have passed civil service examination requirements for a specific job class.
- Section 101.15.** "TRANSFER LIST" means a list of employees who have completed their probationary period in a civil service position and have filed a written request with the Board Office for transfer to another department or position.
- Section 101.16.** "PROMOTION LIST" means an eligible list kept of classified City employees in the General Government and uniformed bodies who have completed their initial one-year probationary period and have successfully passed requirements for a specific job classification and are placed on said list in accordance with these Rules and Regulations.
- Section 101.17.** "REQUISITIONING OF AN EMPLOYEE" is the process of a department notifying the Board Office in writing of a vacancy in a job classification which needs to be filled.
- Section 101.18.** "FORWARDING FOR INTERVIEW" means the act of notifying or forwarding to a Department Head the names and applications of those applicants on the eligibility list who are eligible for appointment.
- Section 101.19.** "SELECTION OF AN EMPLOYEE" means the act by which a Department Head notifies the Board Office of the intention to hire an applicant who was previously forwarded for interview.
- Section 101.20.** "CERTIFICATION" means confirmation in writing of employment by the Board Office to the employee, and to the appropriate department after said applicant has been accepted by the department for hire and has met all the civil service requirements, (including all medical requirements) and is ready to begin working in a particular position.

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- Section 101.21.** "APPOINTMENT" means the act of a Department Head of placing a person on the City payroll after certification by the Board Office.
- Section 101.22.** "VETERAN" means any person who has served for a minimum of one-hundred and eighty (180) days of active duty in the Armed Forces of the United States and received an "Honorable" Discharge or discharge "Under Honorable Conditions".
- Section 101.23.** "HIGH SCHOOL EDUCATION" means twelve grades of education, evidenced by a diploma from an accredited high school, or in lieu thereof, satisfactory completion of a General Educational Development or United States Armed Forces Institute equivalency test.
- Section 101.24.** "TEST" means written or oral examinations, performance examinations, or other methods established by the rules and regulations of the Board.
- Section 101.25.** "UNIFORMED BODY" means an employee of the City who has been certified in the classifications of Police Officer Recruit or Firefighter Recruit and has continually been serving in said capacity or any rank-level classification above the entry-level classification.
- Section 101.26.** "APPOINTING AUTHORITY" means the Department Head granted authority to appoint or remove employees from the City.
- Section 101.27.** "CITY ATTORNEY" means the Director of Law or such other attorney as may be designated by the Director of Law to act for him.
- Section 101.28.** "SENIORITY" means length of service or employment in a classification with the City. Seniority shall be measured from the most recent date of employment or placement in a classification. In determining the seniority of an employee in a particular position, for purposes of a reduction in force from that position, only the employee's time in the classification which the employee holds at the time of the action shall be counted.

For purposes of a return to a lesser position and classification, seniority is to be calculated based on the total amount of time the employee served in the classification to which he is returning plus all time served with the City subsequent to the date when said employee first left the classification to which he is returning.

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For the purposes of defining the seniority of an employee who transfers from one position to another, seniority means the total amount of time served in the classification in any section or department of the City.

For purposes of computing seniority in a classification from which an employee has been demoted and to which he or she is subsequently reinstated, if the employee's demotion was voluntary or was not caused by poor work performance, which can be substantiated by the Department Head or is properly documented, the seniority in the classification from which the employee was demoted shall be cumulative from his or her first service in said classification, providing the employee had served the appropriate probationary period before the voluntary demotion became effective. However, if the demotion was for cause (i.e., a result of poor work performance, disciplinary action, etc.) the seniority shall be measured from the most recent date of employment or placement in the classification.

When an employee holding a position whose present classification title has been changed from another classification title where the job duties and responsibilities were substantially equivalent to the existing or present classification, the seniority shall be computed based upon the service in the prior classification, plus any time served in the new classification following the title change. For example, an employee who has held a classification entitled Laborer and the title was changed to Utility Worker shall count, for seniority purposes, the time served both as Laborer and Utility Worker.

For purposes of computing seniority in connection with reinstatement or re-employment, if the position within the classification for which the individual is eligible for reinstatement or re-employment is a position within the same classification from which the employee was laid off, only the employee's time in that classification shall be considered in determining seniority. If the position for which he is eligible for reinstatement or re-employment is a position within a classification held previously to the classification he held at the time of his layoff, his seniority shall be determined based upon the time served in the classification for which reinstatement or re-employment is being considered plus all time served for the City subsequent to his service in that classification.

Should the seniority of two or more employees be equal, the Department Head shall select between the persons eligible based upon merit and fitness for employment. To this end, consideration shall be given to the quality of the service of these employees

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whose seniority is equal. The Department Head shall rank said employees in the order of their quality of service with the criteria including, but not being limited to, attendance, quality of work, amount of work, dependability, attitude, aptitude, knowledge of the job, physical condition, and previous or pending disciplinary action. If, after consideration of quality of service, a tie among the employees still exists, the preference shall be given to the employee with the greatest overall seniority with the City.

Section 101.29. "BREAK IN SERVICE" means any interruption in continuous service, except for approved absences. Re-employment does not constitute continuous service.

Section 101.30. "CLASSIFIED EMPLOYMENT" means all offices and positions in the service of the City under civil service.

Section 101.30.1. "UNCLASSIFIED or EXEMPT" means all employees or positions in the service of the City which are not covered under civil service protection.

Section 101.31. "ALLOCATION" means the assignment of a job class to a pay grade as approved by City Council.

Section 101.32. "JOB CLASS", "CLASSIFICATION", or "CLASS OF POSITIONS" means one or more positions which are alike in the following characteristics:

Having sufficiently similar duties and responsibilities based upon a relative analysis of weighted factors including knowledge, skills, impact, accountability, working relationships and working conditions so as to be able to require substantially like qualifications of the incumbents;

Requiring similar experience and training at time of hire;

Equitably compensated by the same rate or rate within a schedule of compensation; and which differ from positions in other classes in one or more of the foregoing characteristics. A classification may include a large number of positions or only one position if no other positions of the same kind exist.

Section 101.33. "CLASSIFICATION ASSIGNMENT" means the designation of a new position to an existing or new job class in the Classification Plan, based upon the duties and responsibilities of the position.

Section 101.34. "CLASSIFICATION PLAN" ("Plan") means the job classes named and/or described in the schedule adopted by the City

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Council and incorporated in Chapter 2, Article III of the Code of Ordinances of the City of Knoxville.

Section 101.35. "**CLASSIFICATION SPECIFICATION**" means a formal written statement about the job class which defines the general character and scope of the duties and responsibilities of positions in the class, lists typical or illustrative examples of work for positions in the class, and states required minimum experience and training for positions in the class. Specifications are deemed to be descriptive and explanatory of the kind of work performed and not necessarily inclusive of all duties performed. The Executive Secretary/Director of the Civil Service Merit Board shall approve and maintain a master set of all class specifications, which shall indicate the date of adoption or the last revision of the specification for such class.

Section 101.36. "**CLASS TITLE**" means the designation given to a job class and to each position assigned to such job class. No person shall be appointed to or employed in a position under a title not included in the Classification Plan.

Section 101.37. "**COMPENSATION PLAN**" means the basic salary schedule for the various job classes within the Classification Plan which consists of minimum, midpoint, and maximum rates of pay for each pay grade.

Section 101.38. "**DEMOTION**" means the reassignment of an employee from a higher to a lower class for just cause.

Section 101.39. "**POSITION**" means a group of current duties and responsibilities, assigned or delegated by competent authority, requiring the full-time or part-time employment of one person. A position may be either occupied or vacant.

Section 101.40. "**REALLOCATION**" is the assignment of a job class to a higher or lower pay band based on the fact that the relative value of the job class has changed.

Section 101.41. "**RECLASSIFICATION**" means the redesignation of an existing position to a different job class due to a permanent and material change of the duties of that position. Reclassification could include a change to a higher, equivalent, or lower pay band.

Section 101.42. "**TITLE CHANGE**" means that the present title of a position or a classification has been changed to another title where the job duties and responsibilities were substantially equivalent to the existing or present classification. Retitling a position or a classification alone does not result in a change in compensation.

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- Section 101.43.** "PROBATIONARY EMPLOYEES" means those employees who have received initial appointment to a classified position, but who have not yet satisfactorily completed one year of service in the initial position.
- Section 101.44.** "DEPARTMENT" means a major, functional unit of the government of the City.
- Section 101.45.** "DISCHARGE" means separation from the City's service for cause.
- Section 101.46.** "EXAMINATION" means the process of testing the fitness and qualifications of applicants for a specific job class.
- Section 101.47.** "COMPETENCE" is any motive, attitude, skill, knowledge, behavior or other personal characteristic that is essential to perform a job or differentiates superior from average performance.
- Section 101.48.** "PERFORMANCE MANAGEMENT" means the coaching, feedback, development and reward cycle that is based on employee performance.
- Section 101.49.** "SEPARATION" means leaving employment with the City including, but not limited to, resignation, discharge, and retirement.
- Section 101.50.** "BASE PAY" is the rate or salary paid for work performed. This excludes shift differential, overtime, on-call pay, longevity, bonus payments, or other 'add-on' pay.
- Section 101.51.** "PAY GRADE" is a pay range consisting of a minimum, midpoint, and maximum. Groups of jobs are clustered together based on similar types of work, impact to institution and market comparison.
- Section 101.52.** "HEARING OFFICER" or "HEARING EXAMINER" means the person selected by the Executive Secretary/Director from the list of individuals the Board finds qualified to hear disciplinary appeals or grievances.