

CIVIL SERVICE MERIT BOARD RULES – CITY OF KNOXVILLE

Article 30– Placing Civil Service Employees in a Lower Classification in which they have not previously been Certified

SECTION 3001. REDUCTION OR LATERAL TRANSFER RESULTING FROM DISABILITY

Whenever classified employees sustain a disability making it impossible for them to continue to perform in the classification in which they are currently assigned, they may request placement in a classification of lower or lateral rank and pay, provided they are qualified to perform the essential functions of that classification, with or without reasonable accommodation. Properly submitted requests for reasonable accommodations, which involve the reassignment of a classified employee or some other personnel action which is within the purview of the Civil Service Merit Board, shall be submitted to the Executive Secretary/Director of the Civil Service Merit Board prior to any action being taken. The confidentiality of the accommodation request shall be maintained to the extent allowable in accordance with federal law. The Executive Secretary/Director and the Chairman of the Civil Service Merit Board shall confer regarding the appropriateness of the proposed accommodation, and by consensus they shall have the authority to waive rules contained herein and to certify an employee to a classification where a vacancy exists in which the employee with a disability is qualified to perform the essential duties with or without an accommodation. The authority for such certification is limited to classifications in the same, lateral or lower pay grade for which the employee has status. The authority to certify a person into a classified position shall be used exclusively to enable the accommodation of a qualified person with a disability and shall not be utilized if the proposed action is in conflict with the merit system. In the event that a vacancy does not currently exist, the qualified employee with a disability shall be placed on eligible lists for which he/she qualifies, ranked immediately preceding those on the open-competitive lists in accordance with the usual eligibility durations.

SECTION 3002. VOLUNTARY REDUCTION IN CLASSIFICATION

Employees requesting a reduction in classification or transfer to a lower class may be reduced in classification or transferred to a lower classification providing he/she is fully qualified to fill the position. The Department Head of an agency where the employee is to serve must certify in writing to the Board that the employee is fully qualified to fill the position. No action will be taken until the Board certifies the employee in the lower classification.