

**RULES AND REGULATIONS OF THE CIVIL SERVICE BOARD  
FOR THE EXAMINATION AND APPOINTMENT OF APPLICANTS TO POSITIONS  
IN THE BUREAU OF POLICE FOR THE CITY OF LANCASTER, PENNSYLVANIA**

RULE 1

**AUTHORITY**

Pursuant to the Third Class City Code, 11 PA.C.S. § 14401 et seq, Civil Service Commission has the following authority with respect to members of the Police Bureau:

Section 1.1 No person may be appointed to any uniformed position in the police department, excluding, chiefs, without having first passed all the examinations required by the Civil Service Board.

Section 1.2 The Civil Service Board shall have the power and its duty shall be to prepare and adopt rules and regulations, subject to the approval of the City Council, which, in the Boards' discretion, are best adapted to securing and maintaining the best service for the City of Lancaster for the selection, appointment and promotion of persons who are qualified to perform the work.

Section 1.3 The rules and regulations adopted by the Board shall provide for ascertaining and determining the knowledge, skills, aptitude, mental and physical abilities, experience, education and character of all applicants.

RULE II

**DEFINITIONS**

Unless otherwise expressly stated, the following words and phrases, wherever used in these rules and regulations shall be construed to have the following respective meanings:

- (a) "*Applicant*" shall mean a person who applies for original appointment with or promotion to a position in the Bureau of Police for the City of Lancaster, Pennsylvania where such position is subject to the rules and regulations of the Civil Service Board of the City of Lancaster.
- (b) "*City Council*" shall mean the City Council of the City of Lancaster, Pennsylvania.
- (c) "*Certification*" shall mean the submission to City Council of the names of applicants contained in the final Eligible list for the applicable position.
- (d) "*Chairperson*" shall mean the Chairperson of the Civil Service Board of the City of Lancaster.
- (e) "*Civil Service Board*" or "*Board*" shall mean the Civil Service Board of the City of Lancaster.

- (f) “*Mayor*” shall mean the duly elected Mayor of the City of Lancaster.
- (g) “*Eligible*” shall mean a person whose name is recorded on a current Eligible list.
- (h) “*Eligible list*” shall mean a list of names of the persons who have passed all of the required examinations for a particular position in the Bureau of Police.
- (i) “*Police Officer*” shall mean an applicant for original appointment with the Bureau of Police.
- (j) “*Secretary*” shall mean the secretary of the Civil Service Board.
- (k) “*City*” shall mean the City of Lancaster, Pennsylvania.

### RULE III

#### **THE CIVIL SERVICE BOARD**

Section 3.1 The Board shall consist of three citizens who shall be appointed for terms of four years or until their successors are appointed. City Council may also appoint three alternates to the Civil Service Board for purposes of making a quorum at any meeting, and to be appointed as designees of the Civil Service Commission at the Civil Service Commission’s discretion. Any person who is a registered elector of the City of Lancaster may be appointed to the Board. No City officer, official or employee shall be eligible for appointment to the Board. No salary or other compensation shall be paid to any member of the Board.

Section 3.2 The Civil Service Board shall elect one of its members as Chairperson and one as Vice-Chairperson at the first meeting of each year. The Chairperson, or in his or her absence the Vice-Chairperson, shall preside over all meetings of the Board, decide all points of order or procedure, and perform any duties required by law or these rules. The Chairperson shall be authorized to administer oaths and affirmations for witnesses testifying in matters before the Board.

Section 3.3 The Board shall appoint a Secretary who, at the direction of the Board, shall carry out all official correspondence of the Board, send out all notices required by law or by these rules and regulations, keep a record of each examination or other official action of the Board, and perform all other duties required by law, these rules and regulations, or the Board. The Secretary is subject to removal at any time by the Board. City Council shall establish the compensation to be paid to the Secretary.

Section 3.4 The Board shall meet as needed to address issues that may arise which fall within their purview. The Board shall have the discretion to determine whether meetings shall be open to the public when not specifically regulated by existing law. A minimum twenty-four (24) hours written notice of the time and place of each meeting shall be given to each member of the Board.

Section 3.5 A quorum of the Board shall consist of two (2) members. All actions of the Board shall require the concurrence of at least two (2) members.

Section 3.6 The order of business of all meetings of the Board shall be as follows: roll call, approval of minutes of previous meetings, communications and reports, unfinished business, and then new business.

Section 3.7 The Secretary shall keep minutes of the Board's proceedings showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact. In the event the Secretary is absent, the Chairperson shall appoint a temporary Secretary from the members of the Board present.

Section 3.8 The Board shall have the power to make investigations concerning all matters relating to the administration and enforcement of its rules and regulations. The Board shall have the power to issue subpoenas over the signature of the Chairperson or designee and to require attendance of witnesses and the production of records and papers pertaining to matters before the Board, including any background investigation conducted pursuant to any applicable rules or regulations.

#### RULE IV

#### APPLICATION FOR APPOINTMENT

Section 4.1 Every Applicant for an appointment with the Bureau of Police shall secure from the Bureau of Police an initial application upon payment of such fee, if any, as may be established from time to time by the Board. The Bureau of Police shall accept applications for the position of Police Officer throughout the year.

Section 4.2 All applications shall be filed with the Bureau of Police. When made available by the City, applications may be submitted and signed electronically. The application must be filled out in its entirety and must be signed by the Applicant. Applications which are incomplete, not properly executed or which are filed on or before the last day fixed in the notice, will not be accepted. An application shall be considered incomplete unless accompanied by any application fee approved by the Board pursuant to Section 4.1 above. The initial application will contain basic identifying information of the Applicant. An applicant will be required to provide more detailed information following successful completion of the required physical agility and written examinations.

Section 4.3 No person who has been a member of the Bureau of Police of the City of Lancaster, or other employee of the City of Lancaster, who has been discharged, or resigned in lieu of termination, shall be permitted to file an application for a position with the Bureau of Police. No person who has applied to become a member of the Bureau of Police within the two (2) years prior to filing their application shall be permitted to file a subsequent application for employment with

the Bureau of Police where such applicant was previously denied employment based upon disqualifying information discovered during the Applicant's background investigation.

Section 4.4 Each Applicant to be examined must be a citizen of the United States.

Section 4.5 Applicants for a position with the Bureau of Police must be high school graduates and possess a valid high school diploma, or, in the alternative, a GED certificate.

Section 4.6 The Civil Service Board, the City of Lancaster and the Bureau of Police are committed to equal opportunity employment. Accordingly, all recruiting, hiring and promoting for all job classifications is made without regard to race, color, religion, age (40 and over), sex, national origin, ancestry, disability, veteran status, sexual orientation, genetic orientation or information, or any other legal protected characteristic. Only valid requirements for the application process, employment and promotion opportunities are imposed. In addition, no question in any application form or at any examination shall be knowingly framed as to elicit information concerning the political or religious opinions or affiliations of any Applicant other than the Applicant's loyalty to the United States.

Section 4.7 The Civil Service Board may refuse to examine an Applicant or, after examination, refuse to place upon the Eligibility list any Applicant who is found to have or meets any of the below criteria:

- (a) Is found to lack sufficient judgment, moral character or any of the established preliminary requirement for the examination or position of employment in question;
- (b) Is an abuser of intoxicating liquors or user of unlawful controlled substances;
- (c) Has been convicted of any felony, treasonable act, or misdemeanor;
- (d) Would be ineligible for certification by the PA Municipal Police Officers' Education and Training Commission;
- (e) Fails to qualify for a license to carry a firearm;
- (f) Fails to qualify for a license to operate a motor vehicle;
- (g) Has made false statements of any fact, a material omission, or practiced or attempted to practice any deception or fraud in the Applicant's application, examination, or in otherwise securing the Applicant's eligibility;
- (h) Whose references, in the judgment of the Bureau of Police and/or the Civil Service Board, are not satisfactory either in quantity or quality;
- (i) Refuses to comply with the rules and regulations of the Civil Service Board as set forth herein, or has failed to properly and thoroughly complete all parts of the application;

- (j) Is unable to perform the essential functions of the position applied for, with or without reasonable accommodation; or
- (k) Whose work history demonstrates repeated poor performance or disciplinary problems.

RULE V

**EXAMINATION ELEMENTS**

Section 5.1 The Board shall, in its discretion, require an Applicant for the position of Police Officer to complete any combination of the examinations or tests set forth below:

<u>Step</u>	<u>Element</u>	<u>Scoring/Weighting</u>
1.	Physical Agility Test	Pass/Fail
2.	Written Examination	As set forth by the Board pursuant to article XVIII
3.	Background Investigation	Pass/Fail
4.	Psychological Examination	Pass/Fail
5.	Medical Examination	Pass/Fail
6.	Oral Examination	As set forth by the Board pursuant to article XVIII

Section 5.2 At least once per year, the Board, or its designated agent(s), shall establish and publicize the passing scores and weighting for any written examinations to be administered as a part of the examination process.

Section 5.3 In its discretion, the Board may contract with any competent test provider to administer any of the steps set forth in Section No. 5.1, above. The Board reserves the right to amend, modify or alter the examinations required for the proper and necessary purpose of determining an Applicant's qualifications and requirements for the position of Police Officer.

Section 5.4 The examination for promotions to the positions of Sergeant and Lieutenant shall be conducted in accordance with the Code of the City of Lancaster, Chapter 67 as may be amended from time to time.

Section 5.5 All Applicants for the position of Police Officer will be required to undergo fingerprinting at the direction of the Board (or its designated agents) as part of the Bureau's background investigation.

RULE VI

**WRITTEN EXAMINATION**

Section 6.1 The testing for the position of Police Officer as described in Rule V, above, shall be conducted no more than once per month, but may be conducted less frequently as determined by the Board. Applicants for the position of Police Officer shall be provided a minimum of two

weeks written notice of the time and place of any examination, unless such notice is waived by the Applicant in writing. The Board, or its designated agents, shall adopt procedures to ensure that all Applicant examinations are consistently graded and accurately scored.

Section 6.2 Notice of the testing for promotion by the Board shall be given at least thirty (30) days prior to the date upon which all applications will be due.

Section 6.3 All written examinations as described under these rules shall be conducted in such places and in such manners as approved by the Board. No Applicant will be admitted after the designated cutoff time for the commencement of testing.

Section 6.4 A member of the Civil Service Board, Secretary, or their designee, shall be in constant attendance during the physical agility, written and oral examinations. Other than those individuals referenced above, and any individual officially designated by the Board to administer or assist in administering the examination, only those taking the examinations shall be allowed in the room where examination are being conducted.

Section 6.5 The testing provider will grade the examinations. The Bureau of Police are not informed of the identifying information of the applicants until the testing scores are returned to the Bureau of Police.

Section 6.6 No Applicant shall be permitted to bring into the examination room any book, notebook, paper, electronic device or other materials which might assist in the Applicant in answering the questions set forth in the examinations, unless otherwise permitted by the testing provider. Any conflict between the rules of testing provider and these Civil Service rules and regulations shall be controlled by the testing provider's policies. .

Section 6.7 No Applicant shall be permitted to converse, or otherwise communicate, with any other Applicant during the course of the examinations, nor to any other person except a member of the Civil Service Board, Secretary, or their designee, or any individual officially designated by the Board to administer or assist in administering the examination.

Section 6.8 No Applicant shall assist another Applicant in completing any examination or be assisted by any other person whatsoever during the time of the examination, except in cases where the Applicant may require a reasonable accommodation to complete the examination. Applicants who require a reasonable accommodation to complete the examination must notify the Bureau of Police at least two weeks prior to the examination date.

Section 6.9 No Applicant shall be permitted to leave the examination room during the examination except with permission of a member of the Board or its representative in attendance. The Board or its representative reserves the right to accompany the Applicant on any occasion during the examination when the Applicant leaves the room. When the Applicant has completed the examination, the Applicant may ask to leave the room and shall return his or her papers to the Secretary of the Board, his or her designee, or a Board member administering the examination and may not return.

Section 6.10 The examinations shall be scored under the direction of the Board, its designated agents, or the testing provider ensuring complete impartiality in scoring the examinations.

Section 6.11 At the convenience of the Board, the Chairperson shall call a meeting for the purpose of evaluating examination results. The Secretary shall deliver the envelope containing the names and identifying number of the Applicants to the Chairperson or designated Board member who shall open it in the presence of the Board.

Section 6.12 In all cases, the Board shall have the right to establish a minimum passing grade for each examination, which passing grade shall be announced prior to the commencement of the examination in accordance with Article XVIII hereof.

## RULE VII

### **PHYSICAL AGILITY EXAMINATIONS**

Section 7.1 All Applicants for original appointment with Bureau of Police shall undergo a physical agility examination which shall be administered on behalf of the Board (or its designated agents) in accordance with standards adopted by the Board.

Section 7.2 Prior to undergoing the physical agility examination, all Applicants for original appointment shall sign a document which indicates that they possess an adequate level of fitness to undergo the physical agility examination.

Section 7.3 The physical agility examination shall be graded on a pass/fail basis.

## RULE VIII

### **ORAL EXAMINATIONS**

Section 8.1 An Oral Review Board shall administer an oral examination to each Applicant for the position of Police Officer. The Oral Review Board shall consist of at least three persons. The configuration and makeup of the Oral Review Board shall be determined by the Board from time to time. It must include up to two members of the Police Bureau and may include individuals who are not members of the Bureau of Police, representatives from the Human Resources Bureau of the City of Lancaster and such other individuals with appropriate experience to assist in the oral exam process as deemed appropriate by the Board. Applicants will be scheduled for oral exams with the Oral Review Board if they have passed the written and meet all other requirements as set forth throughout these rules. At least one member of the Civil Service Board, or their designee, shall be present during the oral examinations. The Oral Review Board shall report the results of such examinations to the Board.

Section 8.2 Applicants shall be graded according to guidelines that are developed and approved by the Civil Service Board. The Oral Review Board shall grade each individual numerically in various areas, which will then be added to arrive at a final score.

Section 8.3 All Applicants shall be asked the same number of questions. Questions used in the exam shall be approved by the Civil Service Board. All members of the Board and applicants are required to treat the questions as confidential and not disclose them to any other person or entity. Information concerning the ratings related to the oral examination shall be provided to the Secretary of the Civil Service Board who shall retain that information.

Section 8.4 The oral examinations shall be scored under the direction of the Board or its designated agents to ensure complete impartiality in scoring the oral examinations.

Section 8.5 In all cases, the Board shall have the right to establish a minimum passing grade for each oral examination, which passing grade shall be announced prior to the commencement of the examination in accordance with Article XVIII hereof.

## RULE IX

### PSYCHOLOGICAL EXAMINATIONS

Section 9.1 The Board, through its designated agents, may conduct a psychological examination of applicants for a position with the Bureau of Police.

Section 9.2 The psychological examination shall be administered to Applicants only upon their having passed all other steps and having received a conditional offer of employment from the Bureau of Police.

Section 9.3 Psychological examinations shall be under the direction of a psychiatrist or psychologist appointed by City Council. The psychiatrist or psychologist should have significant background and training in police and public safety psychology and should have certification regarding the same acceptable to the Board including, but not limited to, being board certified in police and public safety psychology by the American Board of Professional Psychology. The psychiatrist or psychologist shall render an opinion as to whether the conditional appointee has a physical or mental condition which calls into question the individual's ability to perform all of the essential functions of the position for which the individual was conditionally appointed. By consenting to the psychological examination, the Applicant agrees that the results of the examination may be released to the Chief of Police, or his/her designee.

Section 9.4 If the opinion of the psychologist or psychiatrist call into question the conditional appointee's ability to perform all essential functions of a position, the Chief of Police, or his/her designee, shall meet with the conditional appointee for the purpose of having one or more interactive discussions on whether s/he can, with or without reasonable accommodation, perform all the essential functions of the position.



If, upon conclusion of the discussion reference in Section 9.4, above, the Chief of Police, or his/her designee, determines that the conditional appointee is not qualified, the Chief shall give notice to the conditional appointee and the Board. If the Applicant is rejected, a brief statement of the reason for rejection shall be entered in the report of the psychological examination.

Section 9.5 The finding of the examining psychologist or psychiatrist will be final.

Section 9.6 The psychological examination will be graded on a pass/fail bases.

Section 9.7 The psychological examination will be conducted without cost to the Applicant.

Section 9.8 If, in the judgment of the Board, after an Applicant has been psychologically certified, there exists any change in the mental fitness of the applicant, regardless of whether such change has been reported by the Applicant, the Board may require the Applicant to submit to a further psychological examination before being certified for appointment.

## RULE X

### PHYSICAL MEDICAL EXAMINATIONS

Section 10.1 The Board, through its designated agents, may conduct a physical medical examination of Applicants for a position with the Bureau of Police. The physical examination shall include, but is not limited to, a drug and alcohol screening.

Section 10.2 The physical medical examination shall be administered to Applicants only upon their having passed all other steps and having received a conditional offer of employment from the Bureau of Police.

Section 10.3 Physical medical examinations shall be under the direction of a physician or other qualified medical professional appointed by City Council. The physician or other qualified medical professional shall render an opinion as to whether the conditional appointee has a physical or mental condition which calls into question the individual's ability to perform all of the essential functions of the position for which the individual was conditionally appointed. By consenting to the medical examination, the Applicant agrees that the results of the examination may be released to the Chief of the Bureau of Police or his/her designee.

Section 10.4 If the opinion of the physician or qualified medical professional calls into question the conditional appointee's ability to perform all essential functions of a position, the Chief of Police, or his/her designee, shall meet with the conditional appointee for the purpose of having one or more interactive discussions on whether s/he can, with or without reasonable accommodation, perform all of the essential functions of the position.

If, upon conclusion of the discussion referenced in Section 10.4, above, the Chief of Police, or his/her designee, determines that the conditional appointee is not qualified, the Chief shall give notice to the conditional appointee and the Board. If the applicant is rejected, a brief statement of the reason for rejection shall be entered in the report of the medical examination.

Section 10.5 The findings of the examining physician or other qualified medical professional will be final.

Section 10.6 The physical medical examination will be graded on a pass/fail basis.

Section 10.7 The physical medical examination will be conducted without cost to the Applicant.

Section 10.8 Applicants must be at least 20 years of age at the time of the medical examination.

Section 10.9 If, the judgment of the Board, after an Applicant has been medically certified, there exists any change in the fitness of the Applicant, regardless of whether such change has been reported by the Applicant, the Board may require the Applicant to submit to a further medical examination before being certified for appointment.

## RULE XI

### **BACKGROUND INVESTIGATIONS**

The Bureau of Police, or its designee, will undertake an appropriate investigation into the character and reputation of each Applicant for the position of Police Officer and Applicant for promotion. Such background investigation shall include, but is not limited to, the administration of a polygraph test and such other tests as the Board or the Bureau of Police may deem appropriate. Applicants are required to provide written authorization to the Bureau of Police expressly permitting such background investigation. Any applicant aggrieved by any such decision of the Bureau of Police may appeal that determination to the Secretary of the Civil Service Commission by filing a written request for a hearing within ten days of receiving written notice from the Bureau of Police that the applicant failed to pass the background investigation (including any authorized polygraphy examination).

## RULE XII

### **VETERANS' PREFERENCE**

Section 12.1 In accordance with 51 Pa.C.S. ch.71, a veteran who meets the qualifications for conditions of the position under these rules, which, include, but is not limited to successfully passing the weighted examinations provided for in these rules, shall receive an additional ten (10) points on the examination.

Section 12.2 Any applicant for original appointment who desires to receive consideration as a veteran must submit evidence of military service in the United States armed forces, including, but not limited, proof of a final, honorable discharge. An Applicant awarded a discharge or release that is dishonorable, bad conduct, undesirable, a dismissal or any other type of discharge or release given under conditions other than honorable would not be entitled to a veterans' preference.

Section 12.3 In order to receive veterans' preference as specified under the applicable laws and regulations of the Commonwealth of Pennsylvania, an applicant must first attain a passing grade on all examinations required by the Board.

Section 12.4 If, after the additional ten points are granted, a veteran is on the list of three eligible applicants, the veteran shall receive a preference in hiring over nonveterans on that list.

Section 12.5 The preference provided by this section shall constitute the only preference with regard to a uniformed civil service position to which a veteran is entitled under applicable law.

Section 12.6 Applicants for promotion are not entitled to receive veterans' preference points.

#### RULE XIII

#### **CADET PROGRAM PREFERENCE POINTS**

Section 13.1 Additional points will be added to the weighted examination score of any Applicant for original appointment who, as determined by the Chief of Police in his discretion, has successfully completed the City of Lancaster Cadet Program, which shall have been duly adopted by City Council and the Civil Service Board.

Section 13.2 Such successful Applicants may be awarded five (5) preference points.

Section 13.3 If no veteran is on the list of three eligible applicants, the Cadet shall receive preference in hiring over non-cadets on the Eligible list.

Section 13.4 In order to receive the Cadet preference points as specified under these rules, an Applicant for original appointment must first attain a passing grade on all weighted examinations required by the Board.

Section 13.5 In order to receive the Cadet preference points, the Applicant must not have been subject to disciplinary action. The performance evaluation of such person must also indicate probable satisfactory performance as an officer, at determined by the Chief, or his designee.

Section 13.6 Applicants for promotion are not entitled to receive cadet preference points.

Section 13.7 Only non-veteran applicants are entitled to residency preference points.

#### RULE XIV

#### **RESIDENCY PREFERENCE POINTS**

Section 14.1 Upon passing the weighted examination(s) required by the Board, an Applicant for original appointment who has maintained a bona fide residence within the boundaries of the City for a minimum two (2) years prior to the date of the examination may be granted three (3) preference points.

Section 14.2 In order to receive residency preference points, the Applicant must be a City resident at the time of application and will be required to furnish proof of residency satisfactory to the Board.

Section 14.3 In order to receive the residency preference points as specified under these rules, an applicant for original appointment must first attain a passing grade on all weighted examinations required by the Board.

Section 14.4 Applicants for promotion are not entitled to receive residency preference points.

Section 14.5 Only non-veteran applicants are entitled to residency preference points.

#### RULE XV

##### **BI-LINGUAL PREFERENCE POINTS**

Section 15.1 Upon passing the weighted examination(s) required by the Board, an Applicant with demonstrated fluency in a foreign language (at least at a fourth-grade level) may be granted three (3) preference points.

Section 15.2 In order to receive bi-lingual preference points, an Applicant will be required to pass a language test provided for, and approved by, the Board.

Section 15.3 Applicants for promotion are not entitled to receive bi-lingual preference points.

Section 15.4 Only non-veteran Applicants are entitled to bi-lingual preference points.

#### RULE XVI

##### **EXPERIENCE/LATERAL PREFERENCE POINTS**

Section 16.1 Upon passing the weighted examination(s) required by the Board, an Applicant who seeks to transfer to the Bureau of Police from another jurisdiction either within or outside of Pennsylvania, and who possesses a valid and current certification from the PA Municipal Police Officers' Education and Training Commission, may be granted three (3) preference points.

Section 16.2 In order to receive experience/lateral preference points, an Applicant will be required to provide the Board with sufficient documentation establishing a valid and current certification from the PA Municipal Police Officers' Education and Training Commission.

Section 16.3 Upon passing the weighted examination(s) required by the Board, an Applicant who is a current non-uniformed employee of the Bureau of Police, and has been employed by the Bureau of police for at least one (1) year as of the date of the examination, may be granted three (3) preference points. In order to qualify for such points, the applicant must not have been subject to disciplinary action during the course of his/her employment.

Section 16.4 Applicants for promotion are not entitled to receive experience/lateral preference points.

Section 16.5 Only non-veteran Applicants are entitled to experience/lateral preference points.

#### RULE XVII

##### **TOTAL PREFERENCE POINTS**

Section 17.1 A non-veteran Applicant may not receive more than nine (9) total preference points. Specifically, the combination of Cadet, Residency, Bi-Lingual and Experience/Lateral preference points may not exceed nine (9) total points.

## RULE XVIII

### **RATING ELIGIBILITY LIST**

Section 18.1 Only individuals who score 70% or above on the written test and 70% or above on the oral examination in addition to meeting the other requirements as set forth in these regulations shall have their name entered on the eligibility list. Prior to commencement of testing for Applicants, the Board, upon recommendation of the Bureau of Police, may change the minimum passing scores for the written and oral exams from 70% and 70%, respectfully, as shown above, and upon such change, notice of the same shall be provided to all Applicants and must be posted on appropriate websites of the City and Bureau of Police.

Section 18.2 An applicant's final score shall be calculated as follows:

Written examination –40% of score

Oral examination – 60% of score

Section 18.3 Any preference points as described above shall be added to an Applicant's score only after the minimum scores have been achieved.

## RULE XIX

### **CERTIFICATION OF LISTS**

Section 19.1 Applicants shall be duly notified by the Board of the results of their examinations. Any Applicant who feels aggrieved by the grades given the Applicant on any examination or disputes the validity of the testing process itself may, upon written request, have such grades of testing process explained, clarified or reconsidered by the Board. All such requests for explanations or reconsiderations shall be given at the discretion of the Board. All such requests for explanations or reconsideration must be filled within fifteen (15) days after the date of the publication of the Eligible list. An Applicant's failure to request an explanation or reconsideration within the fifteen (15) day timeframe will result in a summary denial of the request. Following the Board's reconsideration, any decision by the Board shall be final.

Section 19.2 The Board shall make and keep, in numerical order, a list containing the names of all Applicants who pass the required examinations, including any required physical fitness or agility examinations that are job-related and consistent with business necessity.

Section 19.3 Written and oral examinations used to establish an eligibility list shall offer the opportunity to achieve one hundred points.

Section 19.4 If both written and oral examination methods are used in conjunction with each other, the Board, prior to initiating testing, shall establish what constitutes a passing score on each portion of the examination in accordance with Article XVIII hereof.

Section 19.5 When more than one person takes examinations for any position at the same time, the names of all those successfully passing the examination shall be entered upon the Eligible list in the order of their respective point totals, the highest coming first.

Section 19.6 The Board shall furnish to City Council and the Mayor a certified copy of the Eligible list for applicants for original appointment. Such list shall be maintained for a period of two years or until a new list is certified, whichever occurs first. The Board shall provide notice to the Applicants on the voided list, or whose eligibility period has expired, that their eligibility has terminated, and they must reapply and retake the examinations to be considered for positions in the future.

Section 19.7 Whenever Council is advised by the Mayor or Chief of Police that an original appointment is to be made to the Bureau of Police, the Mayor, as Director of the Department of Public Safety, shall make written application to the Chairperson of the Board, who shall forthwith certify to City Council and the Mayor, in writing, the three names on the eligibility list of applicants for the position having the highest number of points, unless there are less than three eligible names on the list, in which event the Board shall certify the names. The Mayor shall nominate to City Council a person from the Eligible list submitted to fill the vacancy.

Section 19.8 If City Council approves the nomination for original appointment, the person nominated shall be conditionally appointed by City Council to fill the vacancy, and shall be assigned for service in the Bureau of police, subject to any required physical or psychological medical examinations that may be required by the Board as a condition of permanent appointment.

Section 19.9 If City Council does not approve the nomination for original appointment, or if the appointee is determined by the medical examination process to be unqualified, then the Mayor shall submit another nomination for the position from the remaining names, if any. If the nomination is not approved by City Council, or if the appointee is determined by the medical examination process to be unqualified, the mayor shall submit the third name, if any.

Section 19.10 The person whose nomination by the Mayor is approved by City Council shall be appointed to fill the civil service position under consideration.

Section 19.11 The name of the person so appointed shall be immediately stricken from the certified list of the Board, and, except as otherwise provided in this rule, the names of the non-appointed persons shall immediately be restored to their proper place on the certified list. In accordance with Pennsylvania law, if the name of any applicant has been submitted to City Council and been rejected three times or City Council and the conditional applicant has not been appointed for three such times or the conditional applicant has been determined by the medical examination process to be unqualified, then the name shall be stricken from the certified list. Should the law of Pennsylvania change regarding the provisions of this Section 19.11, the requirements hereunder shall be eliminated. Any action by the Board with respect to the provisions hereof shall at all times comply with Pennsylvania law and it is intended that this provision shall be modified automatically and at all times to confirm with applicable Pennsylvania law.

Section 19.12 The Eligible list shall be annually examined by the Board for the purpose of deleting therefrom persons who are permanently unavailable for or disqualified for the position or positions involved, either by death, permanent removal from the area, or otherwise.

Section 19.13 In order to remain on the Eligible list, if an individual is on the eligible list without appointment for a period of one year or more, the Applicant may be requested to take and pass another physical medical examination and/or psychological examination by the health care provider engaged by the Board.

Section 19.14 All examination papers, together with all other papers concerning Civil Service Board examinations, shall be kept by the Secretary of the Board for a period of not less than five years from the date of the examination.

## RULE XX

### PROMOTIONS

Section 20.1 Oral examination of applicants for promotion shall be governed by Chapter 67 of the Code of the City of Lancaster.

Section 20.2 The Civil Service Board may refuse to examine an applicant or after examination, place upon the eligible list, any applicant for promotion who does not meet the eligibility requirements for promotion as set forth in Chapter 67 of the Code of the City of Lancaster.

Section 20.3 Applicants for promotion to the positions of Sergeant and Lieutenant shall be given a minimum of two (2) weeks written notice of the time and place of any examination. The provisions of Section 6.3 through 6.11 of these Rules and Regulations should apply to written examinations for promotion. Passing score for written examinations shall be a minimum of 70%.

Section 20.4. Applicants for promotion to the rank of Lieutenant or Sergeant shall, if they pass the written examination, receive an oral examination from the staff evaluation board in accordance with Section 67-8 of the Code of the City of Lancaster. The provisions of Section 8.2 through 8.5 of these Rules and Regulations shall apply to oral examinations conducted by the Staff Evaluation Board for applicants for promotion.

Section 20.5 Any psychological examinations performed in accordance with the promotion provisions of Chapter 67 of the Code of the City of Lancaster shall be conducted in accordance with Sections 9.1 through 9.8 of these Rules and Regulations.

Section 20.6 Only individuals who score 70% or above on both the written test and staff evaluation/oral examination in addition to meeting the other requirements as set forth in these Rules and Regulations and Chapter 67 of the Code of the City of Lancaster shall have their name entered on the appropriate eligibility list for promotion.

Section 20.7 An applicant for promotion's final score shall be calculated as follows:

Written examination: 40%

Staff evaluation: 55%

To the final score any seniority points or other points required by Section 67 of the Code of the City of Lancaster shall be added.

Section 20.8 The provisions of Section 19.1 through 19.5 and Section 19.14 regarding certification of eligibility lists shall apply for Lieutenant and Sergeant promotions.

Section 20.9 With respect to any medical or psychological examinations required by Section 67 of the Code of the City of Lancaster for promotions, the provisions set forth in these Rules and Regulations regarding those examinations for applicants to the Police Bureau shall apply and be applied by the Board.

## RULE XXI

### **SUSPENSION, DISCHARGE AND DISCIPLINE**

Section 21.1 All employees subject to civil service shall be subject to suspension, discharge and discipline by the director of the department in which the employee works for misconduct or violation of any law of this Commonwealth, ordinance of the city or regulation of the department. If it should become necessary to reduce the number of employees in said department for purposes of economy, seniority rights shall prevail, and any and all removals for such cause or causes shall be from the members last appointed, and the member or members serving the shortest time shall be removed first; but members with longer times of service may be discharged for cause. Any employee aggrieved by the suspension, discharge or discipline imposed by a department director more serious than a suspension of three days without pay may request a hearing before City Council, or by the Board if designated by ordinance. At the hearing, the employee may be represented by counsel.

Section 21.2 Any civil service employee aggrieved by the decision of the Council or the Board shall have the right to appeal in accordance with 2 Pa.C.S. Ch. 7 Subch. B (relating to judicial review of local agency action). This review shall be exclusive. Where no such appeal is taken within the time prescribed by law, the decision by City Council or the Board shall become final in accordance with the law. The issue before the court shall be whether the action of City Council or the Board shall be affirmed or be modified in any respect or whether the charges should be dismissed or whether the suspension or demotion made by the director shall be affirmed or rescinded. Where any employee has been suspended and the charges are dismissed or the suspension rescinded on appeal, the employee shall receive full compensation for the entire period of suspension.

Section 21.3 In any case in which a police officer who is a member of a bargaining unit is subject to suspension, discharge or discipline, the police officer shall have the option of challenging the suspension, discharge or discipline imposed by using the procedures provided in Section 19.1 or by a proceeding in grievance arbitration. A choice to proceed either by Section 19.1 or by grievance arbitration shall foreclose the opportunity to proceed in the alternative method.

## RULE XXII

### **RESERVATION OF RIGHTS**



Section 22.1 Upon recommendation of the Mayor, and approval by the Board, any of these rules and Regulations may be waived or modified by the Board, except those mandated pursuant to statute.


Section 22.2 These Rules and Regulations are declared to be severable.

RULE XXIII


APPEALS

Section 23.1 Any Applicant aggrieved by any decision of the Bureau of Police or decision or action of the Civil Service Commission may appeal that action or decision by filing with the Secretary of the Civil Service Commission a written request for a hearing within ten (10) days of the occurrence of the aggrieved action. The written request shall include specific details as to the matter complained of and appealed in sufficient detail that the Board can determine from such written notice the nature of the matter being appealed of or complained of. The Board shall thereafter schedule and conduct a public hearing on the matter complained of. All findings of the Commission on such appeal shall be provided in writing to the Applicant.

CIVIL SERVICE BOARD  
CITY OF LANCASTER

  
\_\_\_\_\_  
, Chairperson

CERTIFIED TO BE A TRUE  
AND CORRECT COPY.

  
\_\_\_\_\_  
Barry N. Handwerger, Secretary  
Civil Service Board of the City of Lancaster

Date: 1/11/2022

**FILE OF THE CITY CLERK**

**ADMINISTRATION RESOLUTION NO. 07 - 2022**

**INTRODUCED -- JANUARY 11, 2022**

**ADOPTED BY COUNCIL -- JANUARY 11, 2022**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER APPROVING THE RULES AND REGULATIONS OF THE CIVIL SERVICE BOARD FOR THE EXAMINATION AND APPOINTMENT OF APPLICANTS TO POSITIONS IN THE BUREAU OF POLICE FOR THE CITY OF LANCASTER, PENNSYLVANIA.**

**WHEREAS**, the Third Class City Code of the Commonwealth of Pennsylvania authorizes and directs the Civil Service Board of the City of Lancaster to prepare and adopt rules and regulations, subject to approval by City Council; and

**WHEREAS**, a public meeting on November 30, 2021 the Civil Service Board of the City of Lancaster approved revisions to the Rules and Regulations of the Civil Service Board for the Examination and Appointment of Applicants to Positions in the Bureau of Police for the City of Lancaster, Pennsylvania, subject to approval by the City Council of the City of Lancaster; and

**WHEREAS**, a copy of the Rules and Regulations of the Civil Service Board for the Examination and Appointment of Applicants to Positions in the Bureau of Police for the City of Lancaster, Pennsylvania, as amended and approved by the Civil Service Board is attached hereto and incorporated herein as Exhibit "A".

**NOW, THEREFORE, BE IT RESOLVED** that the proposed Rules and Regulations of the Civil Service Board for the Examination and Appointment of Applicants to Positions in the Bureau of Police for the City of Lancaster, Pennsylvania, attached hereto and incorporated herein as Exhibit "A" are approved.

  
\_\_\_\_\_  
Danene Sorace, Mayor

ATTEST:

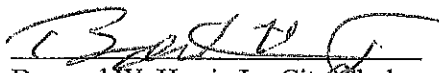
  
\_\_\_\_\_  
Bernard W. Harris Jr., City Clerk

Exhibit "A"