

RULES OF THE CITY OF DUBOIS CIVIL SERVICE BOARD
GOVERNING THE APPOINTMENT AND PROMOTION OF
POLICE OFFICERS

PART I: GENERAL PROVISIONS

Section 1.

Upon the creation of the new City of DuBois, all current full-time Police Officers of the former City of DuBois Police Department and Sandy Township Police Department employment, seniority, and years of service shall carry over into the new City of DuBois Police Department. Seniority will be based off full-time hire dates honoring the service tenure of current officers from both former municipalities.

RULE I: Equal Opportunity

It is the policy of the City of DuBois and the City of DuBois Civil Service Board (hereinafter referred to as the "Board") to grant equal employment opportunities to qualified persons. Therefore, applicants for positions in the City of DuBois Police Department shall be evaluated without regard to race, religion, color, national origin, gender, age, veteran status, sexual orientation, gender identity or non-job related physical or mental disability.

PART II: RULES GOVERNING APPOINTMENT OF POLICE OFFICERS PURSUANT TO THE COMPETITIVE EXAMINATION PROCESS

RULE I: Applications and Qualifications

Section 1.

The Board has established these Rules in order to give as many individuals as possible the opportunity to apply for the position of Police Officer with the City of DuBois, and to assure that all applicants receive equal treatment in the application process.

Section 2.

Every applicant must secure an application from the Human Resources Department. It is the applicant's responsibility to assure that the Human Resources Department receives the completed, signed application and the required attachments by 4:30 P.M. of the established

deadline. An application that does not include the required attachments, or that is not received by the required deadline, will not be accepted. Public notice of the final date for receiving applications will be given at least thirty (30) days in advance and will be conspicuously posted in City Hall and other public agencies and institutions and announced through the media. The application form is reproduced as Appendix A of these Rules. In order for the application to be considered, the applicant shall provide all information required in the application, shall submit the application fee in the form of a certified check or money order payable to "City of DuBois," and shall submit photocopies of the following:

- a) High school diploma or graduate equivalency diploma.
- b) A completed Form DD214 from any of the military services, including the specific type and date of discharge, if you have military service.
- c) Certificate of Naturalization, if applicable.
- d) Current valid motor vehicle operator's license.

The application fee shall be non-refundable. The application fee shall be refunded to the applicant only if the applicant provides the Human Resources Department with written verification that he or she is a member of the military and due to the performance of a duty in the military is unable to participate in an examination or test required by these Rules. The written verification must be received by the Human Resources Department prior to the administration of the examination or test.

Section 3. General Qualifications

Every applicant shall:

- a) Be a citizen of the United States.
- b) Must have no convictions for any serious misdemeanors or felony criminal offenses
- c) Be at least 20 years old when he/she files an application and at least 21 years old to be appointed to the position of Police Officer.
- d) Possess a high school diploma or a graduate equivalency diploma.
- e) Possess a valid Commonwealth of Pennsylvania motor vehicle operator's license prior to appointment.
- f) Shall be of good moral character and shall not have engaged in conduct inconsistent with the standard of conduct expected of a police officer.

Section 4. Automatic Eligibility Disqualifications

The Board shall not examine an applicant or, after examination, shall not place an applicant upon the eligibility list or certify the applicant for employment if it determines that one or more of the following disqualifications applies to the applicant:

- a) Does not meet any of the established preliminary requirements or has not filed all of the documents listed in the preceding sections.
- b) Does not meet the standards established by the Municipal Police Officers' Education and Training Commission.
- c) Was dishonorably discharged from any branch of the military service.
- d) Failed to register with the Selective Service System.
- e) Intentionally falsified, omitted, concealed or misrepresented any material information during any portion of the current or any prior employment application process for a position with the City of DuBois Police Department, including, without limitation, polygraph and interview.
- f) Has been convicted in any state of an offense for which more than one year in prison can be imposed as a punishment.
- g) Has been convicted of False Swearing (18 Pa.C.S. §4903), Unsworn Falsification to Authorities (18 Pa.C.S. §4904) or an equivalent offense in another state.
- h) Has been convicted in any state of an offense that results in a prohibition against possession of a firearm.
- i) Has engaged in the following drug usage:
 - 1. Any use of Marijuana within (1) year preceding their date of application for employment, regardless of the location of use (even if marijuana usage was legal in that jurisdiction). "Marijuana" is defined as any form of marijuana containing tetrahydrocannabinol (THC), including without limitation, cannabis, hashish and hash oil, in either synthetic or natural forms.
 - 2. The sale, distribution, manufacture or transport of any illegal drug or controlled substance for profit, without legal authorization.
 - 3. The use of a prescription drug considered a controlled substance, without a prescription, within one (1) year preceding their date of application for employment.

4. A pattern of abuse of a prescription drug considered a controlled substance, without a prescription, that occurs at any time within five (5) years preceding their date of application.
 5. The use, at any time, of methamphetamine, heroin, cocaine or any derivative of these drugs.
 6. The use of an anabolic steroid without a prescription within five (5) years preceding their date of application for employment.
 7. The illegal use of any other drug or controlled substance not mentioned above within five (5) years preceding their date of application for employment.
- j) Has two or more convictions for driving under the influence of alcohol or controlled substance or an equivalent offense in another state.
- k) Has been convicted within five years of the application date of driving under the influence of alcohol or controlled substance or an equivalent offense in another state.
- l) Has been placed on Accelerated Rehabilitative Disposition (or equivalent disposition in another state) within one year of the application date for driving under the influence of alcohol or controlled substance or an equivalent offense in another state.
- m) Has at any time had his or her driver's license revoked in any state.
- n) Has at any time incurred three or more suspensions of his or her driver's license (including a combination of suspensions in any state), excluding suspensions based upon non-payment of parking tickets.
- o) Has within three years of the application date incurred a second suspension of his or driver's license (including a combination of suspensions in any state), excluding suspensions based upon non-payment of parking tickets.
- p) Displays or demonstrates anti-government, racist or hate related ideologies, or maintains membership in a group that displays or demonstrates anti-government, racist or hate related ideologies.
- q) Has been disqualified on two (2) prior occasions when applying for a Civil Service Position with the City of DuBois Police Department.
- r) In addition to any of the other Automatic Eligibility Disqualifications, has two or more convictions of any of the following offenses (or equivalent offenses in another state) within seven years of the application date:
1. Accidents involving damage to attended vehicle or property (75 Pa.C.S. §3743).
 2. Driving without lights to avoid identification or arrest (75 Pa.C.S. §3734).

3. Drivers required to be licensed (75 Pa.C.S. §1501).
4. Required financial responsibility (75 Pa.C.S. §1786).
5. Obedience to authorized persons directing traffic (75 Pa.C.S. §3102).
6. Meeting or overtaking school bus (75 Pa.C.S. §3345(a)).
7. Maximum speed limit (31 miles per hour and over) (75 Pa.C.S. §3362).
8. Racing on highway (75 Pa.C.S. §3367).
9. Reckless driving (75 Pa.C.S. §3736).
10. Accidents involving damage to unattended vehicle or property (75 Pa.C.S. §3745).
11. False reports (75 Pa.C.S. §3748).

RULE II: Examinations and Grading

Section 1.

Prior to the expiration of the current eligibility list, the Human Resources Department, in consultation with the Board, shall schedule the appropriate examinations and procedures. Eligible applicants will be notified of the examination schedule by letter postmarked at least fourteen (14) days prior to the test(s) and sent by first class mail to the most current address provided by the applicant.

Section 2.

All applicants must successfully complete the application procedure in order to be eligible for consideration in the selection process.

Section 3. Physical Performance Test

- a) Every applicant shall participate in the Pennsylvania Chiefs of Police Association Fitness Test Battery in order to assess the applicant's ability to perform job-related physical activities.
- b) Each applicant must sign a release before taking the physical performance test.
- c) The method of scoring for the physical performance test will be pass/fail.

Section 4. Written Cognitive Examination

a) Every applicant who passes the physical performance test will be given a written examination designed to assess their cognitive ability to perform police functions. A passing grade of 75% will be required.

b) Before proceeding to answer questions on the written examination, each applicant shall complete and sign a declaration sheet, giving his/her full name and address and such other information as may be required by the Board, and to place his/her sheet, after it has been marked with an identification number, in the official envelope. Each applicant shall seal said envelope. The exterior of the envelope shall bear only the identification number of the applicant. At the close of examination, all of the envelopes containing the declaration sheets shall be retained by the person conducting the examination and shall not be opened by anyone until the examinations have been scored. Each applicant shall mark his/her identification number on the title sheet of his/her examination.

Section 5. Oral Examination

a) Every applicant who scored at least seventy percent (75%) on the written examination shall be notified of the date, time and location of the oral examination by letter postmarked at least thirty (30) days prior to the oral examination and send by First Class Mail to the mailing address provided by the applicant.

b) The oral examination shall be graded on a 100-point scale and an applicant must score at least seventy percent (75%) in order to continue in the application process. Applicants scoring less than seventy percent (75%) scores shall be disqualified.

c) The oral examination shall be conducted by a three-person oral examination panel approved by the Board. The oral examination panel shall consist of the Chief of Police or his/her designee and two (2) current City of DuBois Police Officers holding the rank of Lieutenant or higher.

d) The Board may approve the use of additional oral examination panels, if, in the discretion of the Board, it is impractical for one oral examination panel to evaluate all of the eligible applicants.

e) The contents of the oral examination shall be approved by the Board and shall involve questioning applicants on how they would handle situations relevant to police work and the promotional position to which the applicant seeks appointment.

f) Within thirty (30) days after the administration of the oral examination, all applicants shall be given written notice of their oral examination score and final overall score.

Section 5. Grading Procedure

- a) The written cognitive examination shall be graded on a 100-point scale.
- b) The oral examination shall be graded on a 100-point scale.
- c) The written examination shall represent sixty percent (60%) of the final score and the oral examination representing (40%) of the final score.
- b) Any applicant who qualifies as a "soldier" under the Veterans Preference Act shall receive an additional 10 points on top of his/her total score if the applicant has successfully completed all phases of the testing procedure.

Section 6. Formation of Eligibility List

An eligibility list will be established consisting of candidates in sequential order of their final score.

RULE III: Certification of Eligibility List, Selection and Appointment Procedure

Section 1. Certification of Eligibility List

- a) At the completion of the examination requirement(s) set forth in these rules, the written examination, oral examination, background investigation and physical fitness test, the Board shall rank all passing applicants on a list with the applicant receiving the highest score at the top of the list and the applicant receiving the lowest passing score at the bottom of the list.
- b) Applicants for the entry level police officer who qualify for veterans' preference points shall have those points added to their passing score prior to being ranked on the eligibility list.
- c) The Board shall furnish to the City Council a copy of all lists so prepared and kept.
- d) The Eligibility List will be valid for two years from the date of approval by the Board. The Board may, in its sole discretion, extend the list for up to an additional twelve-month period. The Board may, in its sole discretion, void the list at any time for any reason.
- e) In case of tied scores, the tie will be broken by giving preference to the applicant who submitted a final completed application first. If both tied applicants submitted their complete applications on the same day, then the applicants shall be ranked in alphabetical order by surname.

Section 2. Selection Procedure

- a) A three-member panel, consisting of the Chief of Police, the Director of Human Resources and the City Manager, or their designees, may fill any vacancy in an existing position in the

police department that occurs as a result of expansion of the police force, promotion, retirement, resignation, disability or by the reappointment or reinstatement of a formal employee of the police department who has been furloughed. Except for medical and psychological examinations, no other testing shall be required for a furloughed employee or a retired or reappointed employee, subject to any re-creation requirements prescribed by the Municipal Police Officers' Education and Training Commission.

b) If no furlough list exists or if positions remain to be filled after all of the officers on the furlough list were offered re-employment, every position, except Chief of Police, shall be filled only in the following manner:

1. The three-member panel shall notify the Board of any vacancy in an entry level position which is to be filled and shall request the certification of three (3) names from the list of eligible.
2. If three (3) names are not available then the Board shall certify the name(s) remaining on the list.
3. The Chief of Police will nominate a person to the City Council from one of the three (3) names certified. When one of the three applicants on the certified list is a veteran, that applicant shall be selected.

c) 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 clause, the names of the non-appointed persons shall immediately be restored to their proper place on the certified list.

Section 3. Certification of Selection and Conditional Offer of Appointment

a) After an applicant has been selected from the list, the Board, upon written request from the Chief of Police, shall issue a memorandum certifying the selection of the applicant and authorizing the City Human Resources Department to send the applicant a conditional offer of appointment to the position of police officer.

b) After the applicant has received a conditional offer of employment, the applicant shall submit to a background investigation, as provided in these Rules. If the applicant passes the background investigation, he or she shall submit to a physical examination, as provided in these Rules. If the applicant passes the physical examination, he or she shall submit to a psychiatric and/or psychological examination, as provided in these Rules. The appointment of the applicant to the position of police officer shall be contingent upon the applicant passing the background investigation, the physical examination, and the psychiatric and/or psychological examination.

1. Background Investigation: The applicant shall undergo a background investigation conducted by the Chief of Police or the Chief's designees. The background investigation shall include, without limitation, a criminal history check, including the

submission of fingerprints to the Central Repository for the Commonwealth of Pennsylvania and the Federal Bureau of Investigation; interviews with people who have personal knowledge of the applicant; an investigation of the applicant's credit history; an investigation of the applicant's driving record; and a polygraph examination. The applicant may be interviewed directly when the information collected during the background investigation requires clarification or explanation. The appropriateness of the applicant for appointment to the position of police officer shall be based on a consideration of the criteria set forth in Part II, Rule I, Sections 3 and 4.

2. Physical Examination: The applicant shall undergo a physical examination (to include a drug screen) by a Pennsylvania-licensed physician selected by the Board. The physician shall determine whether an applicant possesses the physical attributes required to sustain the labors and exposures of the position of police officer. The applicant shall meet the following visual standards: visual acuity of at least 20/70, uncorrected in the stronger eye, correctable to at least 20/20; and at least 20/200, uncorrected in the weaker eye, correctable to at least 20/40. In addition, the applicant shall have normal depth and color perception and be free of any other significant visual abnormality.

3. Psychiatric and/or Psychological Examination: The applicant shall undergo examination by a Pennsylvania-licensed psychologist or psychiatrist selected by the Board. The psychologist or psychiatrist shall determine whether the applicant is mentally capable of performing the duties of a police officer. The evaluation shall include the following elements:

a. Interview and history. The psychologist or psychiatrist shall personally interview the applicant. The interview shall include a review of the applicant's personal, educational, employment and criminal history.

b. Required psychological test. The psychologist or psychiatrist shall administer to the applicant the current standard form of the Minnesota Multiphasic Personality Inventory (MMPI).

c. Other evaluation methods. The psychologist or psychiatrist may employ other appropriate evaluation methods which, in his or her discretion, are necessary in order to form a professional opinion regarding whether the applicant is mentally capable of performing the duties of a police officer. The psychologist or psychiatrist shall submit a form to the Human Resources Department which indicates what evaluation methods have been used and the results thereof. This form shall be maintained in the custody of the Human Resources Department.

Section 4. Appointment Procedure

- a) The name of the applicant to be hired shall then be submitted to City Council in the form of a resolution. A vote for final approval shall be conducted at a regularly scheduled Council meeting.
- b) If, prior to final approval of the applicant by City Council, the Board determines that the applicant, based on a consideration for the criteria set forth in Part II, Rule I, Sections 3 and 4, is not qualified to be a Police Officer, the Board shall decertify the applicant.
- c) After approval of the resolution by City Council, the applicant will receive a final offer of employment outlining the details of employment. This final offer and the continuation of said employment will be contingent upon the applicant obtaining and maintaining a valid Pennsylvania Municipal Police Officers' Education and Training Commission certification in accordance with Act 120.

Section 5. Rejection of Applicant

Should City Council on three (3) separate occasions reject an applicant whose name has been placed before Council for appointment, the Board shall decertify the applicant.

RULE IV: Temporary Appointments

Section 1.

When there are urgent reasons for filling a vacancy and there is no list of persons eligible for appointment after competitive examination, a temporary appointment may be made without examination. Such appointment may not continue longer than ten (10) days after the establishment of a suitable eligibility list and in no case shall it continue longer than three (3) months. The Board empowers a committee composed of 1) the Chief of Police; 2) the Director of Human Resources; and, 3) a member of City Council, or their designee, to make temporary appointments should such a situation arise.

Section 2.

In case of riot or other public emergency, temporary appointments of police officers may be made without examination. Such appointments shall terminate as soon as the public emergency, which led to the appointments, is at an end. The Board empowers a committee composed of 1) the Chief of Police; 2) the Director of Human Resources; and, 3) a member of City Council, or their designee, to make temporary appointments should such a situation arise.

RULE V: Probation

Section 1.

All appointees shall serve a probationary period of twelve (12) months, shall have no seniority rights during this period, and may be disciplined, terminated, or laid off at any time at the sole discretion of the City. Nevertheless, the aforesaid right to discipline or terminate shall be for just cause. The probationary employee shall have no rights to appeal the discipline or the termination other than through Civil Service. Upon satisfactory completion of the probationary period, the employee shall acquire seniority status retroactive to the employee's hour and date of employment.

Section 2.

No officer during the probationary period will be permitted to carry a firearm under any circumstances, on or off duty, outside of Act 120 training until that officer has satisfactorily passed firearms training and received a valid Pennsylvania Municipal Police Officers' Education and Training Commission certification in accordance with Act 120.

PART III: RULES GOVERNING APPOINTMENT OF POLICE OFFICERS WITHOUT COMPETITION

RULE I: PURPOSE, APPLICATION, AND QUALIFICATIONS

Section 1. Purpose

a) The Board has established these Rules in order to establish a process for the appointment of police officers without regard to the civil service examination and grading requirements in the Third Class City Code and City of DuBois Civil Service Board Rules, when, in the determination of the Mayor, there exist conditions affecting public safety which require the appointment of certified police officers without competition.

b) In the event that the Mayor determines that there exist conditions affecting public safety which require the appointment of certified police officers without competition, the Mayor shall request in writing that the Board, in accordance with these Rules, conduct recruitment for the purpose of filling the requested number of police officer positions. The process for the appointment of certified police officers without competition in these Rules shall be in addition

to, and not in lieu of, the process for the appointment of police officers in accordance with the civil service examination and grading requirements in these Rules.

c) When the Mayor determines that there are no longer issues affecting public safety which require the appointment of certified police officers without competition, he shall request in writing that the Board, in accordance with these Rules, decertify the Eligibility List.

Section 2. Applications

a) Every applicant must secure an application from the Human Resources Department. It is the applicant's responsibility to assure that the Human Resources Department receives the completed, signed application and the required attachments by 4:30 P.M. of the established deadline. An application that does not include the required attachments, or that is not received by the required deadline, will not be accepted. Public notice of the final date for receiving applications will be given at least thirty (30) days in advance and will be conspicuously posted in City Hall and other public agencies and institutions and announced through the media.

b) The application form is reproduced as Appendix A of these Rules. In order for the application to be considered, the applicant shall provide all information required in the application, shall submit the application fee in the form of a certified check or money order payable to "City of DuBois," and shall submit photocopies of the following:

1. High school diploma or graduate equivalency diploma.
2. A completed Form DD214 from any branch of the military, including the specific type and date of discharge, for those who have served in any branch of the military.
3. Certificate of Naturalization (if applicable).
4. Current valid motor vehicle operator's license.
5. Certificate issued by the Commonwealth of Pennsylvania Municipal Police Officers' Education and Training Program, or certificate issued by another state whose certification is recognized by the Commonwealth of Pennsylvania, or certificate demonstrating completion of Act 120 qualification training and ability to obtain a certificate issued by the Commonwealth of Pennsylvania Municipal Police Officers' Education and Training Program.

c) The application fee shall be non-refundable. The application fee shall be refunded to the applicant only if the applicant provides the Human Resources Department with written verification that he or she is a member of the military and due to the performance of a duty in the military is unable to participate in an examination or test required by these Rules. The written verification must be received by the Human Resources Department prior to the administration of the examination or test.

Section 3. General Qualifications

Every applicant shall:

- a) Be a citizen of the United States.
- b) Be at least 20 years old when he/she files an application and at least 21 years old to be appointed to the position of Police Officer.
- c) Possess a high school diploma or a graduate equivalency diploma.
- d) Possess a valid motor vehicle operator's license prior to appointment.
- e) Shall be of good moral character and shall not have engaged in conduct inconsistent with the standard of conduct expected of a police officer.

Section 4. Automatic Eligibility Disqualifications

If one or more of the following disqualifications applies to an applicant, the applicant shall not be eligible for appointment as a police officer:

- a) Does not meet any of the established preliminary requirements or has not filed all of the documents listed in the preceding sections.
- b) Does not meet the standards established by the Municipal Police Officers' Education and Training Commission.
- c) Was dishonorably discharged from any branch of the military service.
- d) Failed to register with the Selective Service System.
- e) Intentionally falsified, omitted, concealed or misrepresented any material information during any portion of the current or any prior employment application process for a position with the Allentown Police Department, including, without limitation, polygraph and interview.
- f) Has been convicted in any state of an offense for which more than one year in prison can be imposed as a punishment.
- g) Has been convicted of False Swearing (18 Pa.C.S. § 4903), Unsworn Falsification to Authorities (18 Pa.C.S. § 4904) or an equivalent offense in another state.
- h) Has been convicted in any state of an offense that results in a prohibition against possession of a firearm.
- i) Has engaged in the following drug usage:

1. Any use of Marijuana within (1) year preceding their date of application for employment, regardless of the location of use (even if marijuana usage was legal in that jurisdiction). "Marijuana" is defined as any form of marijuana containing tetrahydrocannabinol (THC), including without limitation, cannabis, hashish, and hash oil, in either synthetic or natural forms.
 2. The sale, distribution, manufacture or transport of any illegal drug or controlled substance for profit, without legal authorization.
 3. The use of a prescription drug considered a controlled substance, without a prescription, within one (1) year preceding their date of application for employment.
 4. A pattern of abuse of a prescription drug considered a controlled substance, without a prescription, that occurs at any time within five (5) years preceding their date of application.
 5. The use, at any time, of methamphetamine, heroin, cocaine or any derivative of these drugs.
 6. The use of an anabolic steroid without a prescription within five (5) years preceding their date of application for employment.
 7. The illegal use of any other drug or controlled substance not mentioned above within five (5) years preceding their date of application for employment.
- j) Has two or more convictions for driving under the influence of alcohol or controlled substance or an equivalent offense in another state.
- k) Has been convicted within five years of the application date of driving under the influence of alcohol or controlled substance or an equivalent offense in another state.
- l) Has been placed on Accelerated Rehabilitative Disposition (or equivalent disposition in another state) within one year of the application date for driving under the influence of alcohol or controlled substance or an equivalent offense in another state.
- m) Has at any time had his or her driver's license revoked in any state.
- n) Has at any time incurred three or more suspensions of his or her driver's license (including a combination of suspensions in any state), excluding suspensions based upon non-payment of parking tickets.
- o) Has within three years of the application date incurred a second suspension of his or driver's license (including a combination of suspensions in any state), excluding suspensions based upon non-payment of parking tickets.

p) Displays or demonstrates anti-government, racist or hate related ideologies, or maintains membership in a group that displays or demonstrates anti-government, racist or hate related ideologies.

q) Has been disqualified on two (2) prior occasions when applying for a Civil Service Position with the City of DuBois Police Department.

r) In addition to any of the other Automatic Eligibility Disqualifications, has two or more convictions of any of the following offenses (or equivalent offenses in another state) within seven years of the application date:

1. Accidents involving damage to attended vehicle or property (75 Pa.C.S. §3743).
2. Driving without lights to avoid identification or arrest (75 Pa.C.S. §3734).
3. Drivers required to be licensed (75 Pa.C.S. §1501).
4. Required financial responsibility (75 Pa.C.S. §1786).
5. Obedience to authorized persons directing traffic (75 Pa.C.S. §3102).
6. Meeting or overtaking school bus (75 Pa.C.S. §3345(a)).
7. Maximum speed limit (31 miles per hour and over) (75 Pa.C.S. §3362).
8. Racing on highway (75 Pa.C.S. §3367).
9. Reckless driving (75 Pa.C.S. §3736).
10. Accidents involving damage to unattended vehicle or property (75 Pa.C.S. §3745).
11. False reports (75 Pa.C.S. §3748).

RULE II: ELIGIBILITY LIST, SELECTION AND APPOINTMENT PROCEDURE

Section 1. Eligibility List

a) Upon the close of the recruitment period, the Board shall certify an Eligibility List of those applicants who meet the minimum qualifications set forth in these Rules. Pursuant to a computer randomization process approved by the Board, the applicants shall be listed in random order on the Eligibility List.

b) The Eligibility List shall remain valid for two years from the date it is certified by the Board. The Board, in its sole discretion, may extend the validity of the Eligibility List for up to an additional twelve-month period, or void the Eligibility List at any time for any reason.

Section 2. Selection Procedure

- a) The Chief of Police, or his or her designee, may fill any number of the vacant police officer positions by selecting applicants on the Eligibility List. An applicant may be selected without regard to his or her position on the Eligibility List.
- b) An applicant who qualifies as a “soldier” under the Pennsylvania Veterans Preference Act shall be given preference in selection from the Eligibility List.
- c) Criteria for selection from the Eligibility List shall include, but shall not be limited to, consideration of the following:
 - 1. Prior police officer experience.
 - 2. Education.
 - 3. Prior employment experience.
 - 5. Specialized training, Bilingual ability.

Section 3. Certification of Selection and Conditional Offer of Appointment

After an applicant has been selected from the Eligibility List, the Board, upon written request from the Chief of Police or his or her designee, shall issue a memorandum certifying the selection of the applicant and authorizing the City Human Resources Department to send the applicant a conditional offer of appointment to the position of police officer.

Section 4. Background Investigation, Physical Examination, and Psychiatric and/or Psychological Examination

- a) After the applicant has received a conditional offer of employment, the applicant shall submit to a background investigation, as provided in these Rules. If the applicant passes the background investigation, he or she shall submit to a physical examination, as provided in these Rules. If the applicant passes the physical examination, he or she shall submit to a psychiatric and/or psychological examination, as provided in these Rules. The appointment of the applicant to the position of police officer shall be contingent upon the applicant passing the background investigation, the physical examination, and the psychiatric and/or psychological examination.
- b) Background Investigation: The applicant shall undergo a background investigation conducted by the Chief of Police or his or her designees. The background investigation shall include, without limitation, a criminal history check, including the submission of fingerprints to the Central Repository for the Commonwealth of Pennsylvania and the Federal Bureau of Investigation; interviews with people who have personal knowledge of the applicant; an investigation of the applicant’s credit history; an investigation of the applicant’s driving record; and a polygraph examination. The applicant may be interviewed directly when the information collected during the background investigation requires clarification or explanation.

The appropriateness of the applicant for appointment to the position of police officer shall be based on a consideration of the criteria set forth in Part III, Rule I, Sections 3 and 4.

c) Physical Examination: The applicant shall undergo a physical examination (to include a drug screen) by a Pennsylvania-licensed physician selected by the Board. The physician shall determine:

1. Whether the applicant possesses the physical attributes required to sustain the labors and exposures of the position of police officer.
2. Whether the applicant meets the following visual standards: visual acuity of at least 20/70, uncorrected in the stronger eye, correctable to at least 20/20; and at least 20/200, uncorrected in the weaker eye, correctable to at least 20/40. In addition, the applicant shall have normal depth and color perception and be free of any other significant visual abnormality.

d) Psychiatric and/or Psychological Examination: The applicant shall undergo examination by a Pennsylvania-licensed psychologist or psychiatrist selected by the Board. The psychologist or psychiatrist shall determine whether the applicant is mentally capable of performing the duties of a police officer. The evaluation shall include the following elements:

1. Interview and history. The psychologist or psychiatrist shall personally interview the applicant. The interview shall include a review of the applicant's personal, educational, employment and criminal history.
2. Required psychological test. The psychologist or psychiatrist shall administer to the applicant the current standard form of the Minnesota Multiphasic Personality Inventory (MMPI).
3. Other evaluation methods. The psychologist or psychiatrist may employ other appropriate evaluation methods which, in his or her discretion, are necessary in order to form a professional opinion regarding whether the applicant is mentally capable of performing the duties of a police officer. The psychologist or psychiatrist shall submit a form to the Human Resources Department which indicates what evaluation methods have been used and the results thereof. This form shall be maintained in the custody of the Human Resources Department.

Section 5. Appointment Procedure

a) Provided that the applicant has passed the background investigation, the physical examination, and the psychiatric and/or psychological examination, the name of the applicant to be hired shall be submitted to City Council in the form of a resolution. A vote for final approval shall be conducted at a regularly scheduled City Council meeting.

b) If, prior to final approval of the applicant by City Council, the Board determines that the applicant does not satisfy the qualifications set forth in Part III, Rule I, Sections 3 and 4 of these Rules, the Board shall decertify the applicant.

c) After approval of the resolution by City Council, the applicant will receive a final offer of employment outlining the details of employment. This final offer and the continuation of said employment will be contingent upon the applicant obtaining and maintaining a valid Pennsylvania Municipal Police Officers' Education and Training Commission certification in accordance with Act 120.

Section 6. Rejection of Applicant

Should City Council on three (3) separate occasions reject an applicant whose name has been placed before City Council for appointment, the Board shall decertify the applicant.

RULE III: Probation

Section 1.

All appointees shall serve a probationary period of twelve (12) months, shall have no seniority rights during this period, and may be disciplined, terminated, or laid off at any time at the sole discretion of the City. Nevertheless, the aforesaid right to discipline or terminate shall be for just cause. The probationary employee shall have no rights to appeal the discipline or the termination other than through Civil Service. Upon satisfactory completion of the probationary period, the employee shall acquire seniority status retroactive to the employee's hour and date of employment.

Section 2.

No officer during the probationary period will be permitted to carry a firearm under any circumstances, on or off duty, outside of Act 120 training until that officer has satisfactorily passed firearms training and received a valid Pennsylvania Municipal Police Officers' Education and Training Commission certification in accordance with Act 120.

PART IV: RULES GOVERNING PROMOTION OF POLICE OFFICERS

RULE I: Public Notice

The Mayor or his designee shall notify the Board of a vacancy in a position in the City of DuBois Police Department to be filled by promotion, and request certification of an eligibility list in accordance with these Rules. An announcement of the promotional testing, including the time

and place of examination, information regarding the position to be filled, the requirements for that position, where applications may be obtained, and the deadline for filing those applications, shall be posted in DuBois City Hall and distributed to all active DuBois Police Officers.

RULE II: Qualifications—Applicants for Promotion

a) General Qualifications: An applicant for a promotional position shall meet the General Qualifications set forth in Part II, Rule I, Section 3, and is subject to the Automatic Eligibility Disqualifications set forth in Part II, Rule I, Section 4.

b) Discipline:

1) An applicant for a promotional position shall not have received an adjudication for a suspension of ten (10) or more days in the three (3) years prior to the deadline for submitting an application.

2) An applicant for a promotional position shall not have received an adjudication for a suspension of between four (4) and nine (9) days in the two (2) years prior to the deadline for submitting an application.

3) An applicant for a promotional position shall not have received an adjudication for a suspension of between one (1) and three (3) days in the one (1) year prior to the deadline for submitting an application. A suspension resulting from one on-duty accident shall not be considered.

4) When an applicant has appealed a suspension which renders him or her ineligible for a promotional position and the appeal has not been finally adjudicated, the applicant shall be permitted to participate in the examination process for inclusion on the eligibility list, but shall not be eligible to be placed on the certified eligibility list for appointment until the final adjudication of the appeal renders him or her eligible for the promotional position or the ineligibility period due to the suspension has expired.

c) Experience: An applicant for a promotional position shall, as of the date on which the announcement of the promotional testing is posted, meet the following experience prerequisites:

1) Corporal: an applicant for the position of Corporal shall have a minimum of five (5) consecutive years of experience as a full-time Patrolman with the City of DuBois Police Department. Time of service shall include the full-time service of the former City of DuBois Police Department and Sandy Township Police Department

- 2) Sergeant: an applicant for the position of Sergeant shall have a minimum of three (3) consecutive years of experience as a Corporal in his or her respective grade in the City of DuBois Police Department. Years of experience for Corporal shall include the position held in the former City of DuBois Police Department and Sandy Township Police Department.
- 3) Lieutenant: an applicant for the position of Lieutenant shall have a minimum of three (3) consecutive years of experience as a Sergeant in his or her respective grade in the City of DuBois Police Department. Years of experience for Sergeant shall include the position held in the former City of DuBois Police Department and Sandy Township Police Department.
- 4) Assistant Chief: an applicant for the position of Assistant Chief shall have a minimum of three (3) consecutive years of experience as a Lieutenant in his or her respective grade in the City of DuBois Police Department. Years of experience for Lieutenant and Assistant Chief shall include the position held in the former City of DuBois Police Department and Sandy Township Police Department.
- 5) Waiver: If the application period closes without any eligible applicants who meet the experience prerequisites, the Board may waive the experience prerequisites upon good cause shown.
- 6) Interim Appointment: Nothing herein shall prohibit the use of an interim appointment until a qualified applicant is appointed in accordance with these Rules.

RULE III: General Examination Requirements

The Human Resources Department, in consultation with the Board, shall schedule all required examinations. An applicant who, without preauthorization from the Board, fails to present himself/herself for examination on the date, at the time, and in the place specified in the notice of examination shall be disqualified from the current promotional process.

RULE IV: Examination Process for Corporal

The examination for the position of Corporal shall include a written examination and an oral examination, with the written examination representing sixty percent (60%) of the final score and the oral examination representing thirty percent (40%) of the final score.

a) Written Examination:

- 1) Eligible applicants shall be notified of the date, time and location of the written examination by letter postmarked at least thirty (30) days prior to the written

examination and sent by First Class Mail to the mailing address provided by the applicant.

2) The written examination shall be validated and administered by an outside vendor approved by the Board. The contents of the written examination shall be reviewed and approved by the Board.

3) The written examination shall be graded on a 100-point scale and an applicant must score at least seventy percent (75%) in order to continue in the application process. Applicants scoring less than seventy percent (75%) scores shall be disqualified.

4) Within thirty (30) days after the administration of the written examination, all applicants shall be given written notice of their written examination score.

b) Oral Examination:

1) Every applicant who scored at least seventy percent (75%) on the written examination shall be notified of the date, time and location of the oral examination by letter postmarked at least thirty (30) days prior to the oral examination and send by First Class Mail to the mailing address provided by the applicant.

2) The oral examination shall be graded on a 100-point scale and an applicant must score at least seventy percent (75%) in order to continue in the application process. Applicants scoring less than seventy percent (75%) scores shall be disqualified.

3) The oral examination shall be conducted by a three-person oral examination panel approved by the Board. The oral examination panel shall consist of the Chief of Police or his/her designee and two (2) current City of DuBois Police Officers holding the rank of Lieutenant or higher.

4) The Board may approve the use of additional oral examination panels, if, in the discretion of the Board, it is impractical for one oral examination panel to evaluate all of the eligible applicants.

5) The contents of the oral examination shall be approved by the Board and shall involve questioning applicants on how they would handle situations relevant to police work and the promotional position to which the applicant seeks appointment.

6) Within thirty (30) days after the administration of the oral examination, all applicants shall be given written notice of their oral examination score and final overall score.

c) Grading Procedure:

1) The written cognitive examination shall be graded on a 100-point scale.

2) The oral examination shall be graded on a 100-point scale.

3) The written examination shall represent sixty percent (60%) of the final score and the oral examination representing (40%) of the final score.

RULE V: Examination Process for Sergeant, Lieutenant

The examination for the positions of Sergeant and Lieutenant shall consist of an oral examination which shall be graded on a one hundred (100) point scale representing one hundred percent (100%) of the final score.

The oral examination shall be conducted by a three-person panel approved by the Board, the panel shall consist of the Chief of Police or his/her designee, a current City of DuBois Police Officer holding the rank of Lieutenant or higher, and one current Police Officer holding the rank of Lieutenant or higher from a City of the First, Second or Third Class (excluding the City of DuBois). The Board may approve the use of additional oral examination panels if, in the discretion of the Board, it is impractical for one oral examination panel to evaluate all of the eligible applicants. The contents of the oral examination shall be approved by the Board and shall involve questioning applicants on how they would handle situations relevant to police work and the promotional position in question. Within thirty (30) days after the administration of the oral examination, all applicants shall be given written notice of their oral examination and total overall scores, and each passing applicant shall be informed of the next step in the examination process.

RULE VI: Examination Process for Assistant Chief

The examination for the position of Assistant Chief shall consist of an oral examination which shall be graded on a one hundred (100) point scale representing one hundred percent (100%) of the final score.

The oral examination shall be conducted by a three-person panel approved by the Board, the panel shall consist of the Chief of Police or his/her designee, the City of DuBois Manager or his/her designee, and one current Police Officer holding the rank of Assistant Chief or higher from a City of the First, Second or Third Class (excluding the City of DuBois). The Board may approve the use of additional oral examination panels if, in the discretion of the Board, it is impractical for one oral examination panel to evaluate all of the eligible applicants.

The contents of the oral examination shall be approved by the Board and shall involve questioning applicants on how they would handle situations relevant to police work and the promotional position in question. Within thirty (30) days after the administration of the oral

examination, all applicants shall be given written notice of their oral examination and total overall scores, and each passing applicant shall be informed of the next step in the examination process.

RULE VII: Creation of Eligibility List and Certified Eligibility List for Appointment

a) Eligibility List: Upon completion of the examination requirements, the Board shall rank all passing applicants on a list with the applicant receiving the highest passing score at the top of the list and the applicant receiving the lowest passing score at the bottom of the list.

b) Certified Eligibility List for Appointment: The Board shall certify for each vacant promotional position the names of the three persons on the eligibility list who have received the highest average in the last preceding promotional examination held within the period of two years preceding the date of the request for the eligibility list. In the event of a tie score, preference shall be given to the applicant with the most seniority on the City of DuBois Police Department's "Seniority List." If three names are not available, the Board shall certify the names remaining on the eligibility list.

RULE VIII: Appointment and Certification of Appointment

a) Appointment: The mayor or his designee may fill a vacancy in a promotional position by making an appointment from the names certified, based solely on the merits and fitness of the applicants.

b) Certification of Appointment: After an applicant has been appointed to a vacant promotional position, the Board, upon written request from the Mayor or his designee, shall issue a memorandum certifying the applicant for the position to which he or she has been appointed.

RULE IX: Probationary Period

The applicant promoted to a promotional position shall serve a twelve (12) month probationary period. The probationary period may be extended for an additional six (6) months in the sole discretion of the Chief of Police. If a promoted officer is involuntarily demoted, he or she has the right to file a grievance in accordance with the Collective Bargaining Agreement between the City of DuBois and the City of DuBois Police Bargaining Unit.

Rule X: Voluntary Demotions

Any officer who requests a voluntary demotion shall go back to the most recent previous rank he or she held in the City of DuBois Police Department. The officer shall also have the right to go back to the position of patrol officer upon his or her request.