



Civil Service Commission Rules and Regulations

Adopted July 14, 1999

The purpose of the Commission is to provide a functional, orderly and uniform system for the administration of Civil Service in compliance with the duties of the Commission and the coverage afforded by the Mississippi Code of 1972.

Amended through July 2020

**GULFPORT CIVIL SERVICE COMMISSION
RULES AND REGULATIONS**

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RULE 1 - THE CIVIL SERVICE COMMISSION

1.1 AUTHORITY

A Civil Service Commission, hereinafter referred to in these rules as the “Commission”, exists in the City of Gulfport by virtue of Section 21-31-1 et seq., Mississippi Code of 1972, as amended and supplemented, hereinafter referred to in these rules by Section, and Sections 1-68.1 and 1-69 of the Code of Ordinances of the City of Gulfport et seq., as annotated and amended.

1.2 PURPOSE

The purpose of the Commission is to provide a functional, orderly and uniform system for the administration of Civil Service in compliance with the duties of the Commission and the coverage afforded by the Civil Service laws according to Section 21-31-1 through Section 21-31-27, Mississippi Code Annotated, and amendments, and according to rules and regulations promulgated by the Commission under authority of law to accomplish such purpose.

1.2.1 GENDER ASSOCIATED PRONOUNS

Whenever gender associated pronouns, or the singular or plural form of job title or classification, are used in these rules, it is understood that such references are meant to have equal application to all employees or others affected by these rules, male or female.

1.3 MANNER OF APPOINTMENT AND TENURE OF OFFICE

The governing body, as the appointing power of the City of Gulfport, appoints a Civil Service Commission composed of one citizen residing in each of the seven wards of the City to serve the term as provided for by Section 21-31-5, Mississippi Code Annotated, as amended, and effectuated by the City according to Section 1-69 of the Code of Ordinances of the City of Gulfport, as amended. Removal of a Commissioner from office shall be for such cause or causes as are provided by Section 21-31-5(2) Mississippi Code Annotated, as amended, and shall be by decision of the appointing power (Mayor and City Council) after a full hearing on charges preferred in writing. Further, any member being so removed shall have the right of appeal, anytime within thirty days thereafter, to the Circuit Court and may demand a jury trial on the conditions specified under Section 21-31-5(2).

(Amended 10-8-07)

1.4 ORGANIZATION OF COMMISSION

The Commission shall elect from its members annually in January the following officers who shall serve for a term of one year as of the election date:

- Chairman
- Vice Chairman
- Commission Secretary

- Assistant Commission Secretary

The immediate past Chairman shall serve as Parliamentarian.

No officer, except the Commission Secretary, shall serve in the same capacity more than one full term consecutively in office. The Commission Secretary shall be permitted to serve consecutive terms if reelected annually.

(Amended 01-10-12)

1.4.1 DUTIES OF CHAIRMAN

As delineated in Robert's Rules of Order and any amendments thereto, and restricted to those items as described for chairman only, unless otherwise stated in these rules, the Chairman shall:

- Appoint ad hoc committees which shall be ratified by the Commission prior to assumption of duties
- Sign, cosign or witness all official documents of the Commission
- Perform additional duties as may be assigned by the Commission.

The Chairman shall also serve as the official spokesman for the Commission in all matters dealing with governing authorities, appointing powers and the media.

1.4.2 DUTIES OF VICE CHAIRMAN

The Vice-Chairman shall assume duties of Chairman as delineated in Robert's Rules of Order in Chairman's absence or at Chairman's discretion.

1.4.3 DUTIES OF COMMISSION SECRETARY

The Commission Secretary will assume the duties of Secretary as delineated in Robert's Rules of Order and having the following responsibilities:

- Function as Office Manager
- Reviews all Commission documentation and correspondence, and signs, co-signs or witnesses appropriate documents along with the Chairman
- Keeps the records and reports made to the Commission, and all records and examinations held by the Board of Examiners, and performs other duties as may be prescribed
- Acts as chair of the Board of Examiners which reports, and is subordinate to, the full Commission. The Board of Examiners shall conduct all Civil Service examinations at times and places designated by the Commission. The Board of Examiners shall consist of the Fire Chief (or a person designated by the Fire Chief from the Fire Department to serve in his absence), Police Chief (or a person designated by the Police Chief from the Police Department to serve in his absence) and Commission Secretary
- The Secretary and Board of Examiners shall comply with the requirements of Section 21-31-7, Mississippi Code Annotated, as amended. The members of the Board of Examiners and the Secretary are subject to suspension and discharge in the same manner as the Commission.

1.4.4 DUTIES OF ASSISTANT SECRETARY

The Assistant Secretary will become familiar with the duties of the Commission Secretary and assist the Commission Secretary in his or her duties as Secretary and Chair of the Board of Examiners as required. The Assistant Secretary will also assume the duties of Commission Secretary in the absence of the Secretary.

(Amended 01-10-12)

1.5 COMMISSION MEETINGS

The Commission shall hold one regular stated monthly meeting and such additional special meetings as may be required for proper discharge of duties. The place and time of the regular meetings shall be fixed by resolution of the Commission. Special meetings may be called at anytime by the Chairman or a majority of the Commission, provided a written notice of ten business days, excluding holidays, has been given to all Commissioners. In the event the ten day notice is not practical, such meetings, including telephone or electronic meetings, may be conducted for the transaction of Commission business, but shall require a signed waiver of notice by each Commissioner to be on record in the Civil Service office prior to the enactment of any decision made during such special meeting. All meetings shall be open to the public.

All Commission meetings and business shall be conducted in accordance with Robert's Rules of Order and any amendments thereto.

1.6 DUTIES OF THE COMMISSION

It shall be the duty of the Commission to make suitable rules and regulations not inconsistent with the provisions of Sections 21-31-1 to 21-31-27. Such rules and regulations shall provide in detail the manner of conducting examinations, appointments, promotions, transfers, reinstatements, demotions, suspensions and discharges, and may also provide for any other matters connected with the general subject of personnel administration and which may be considered desirable to further carry out the general purposes of Sections 21-31-1 to 21-31-27. It shall have the power to conduct investigations, and make reports on all matters touching the enforcement and effect of provisions of Sections 21-31-1 to 21-31-27, and all rules and regulations adopted by the Commission. The Commission is empowered to investigate all complaints, which must be reduced to writing, subpoena witnesses, administer oaths and conduct hearings.

The Human Resources Department shall maintain the official employee files of all employees covered under Civil Service. The Commission office shall maintain all records pertaining to investigations undertaken, hearings, etc. The Commission, or any member thereof, shall have the authority to review any and all employment records needed in the course of Commission business.

The Commission shall also:

- Monitor job descriptions and personnel actions involving all Civil Service posts and employees covered under Civil Service

- Select and administer all entrance and promotional tests and examinations for competitive positions
- Certify equitable appointments and promotions in City departments for competitive employees, or other employees, as appropriate, or when requested to do so by Mayor or the Chief Administrative Officer
- Review policies for transfers, demotions, suspensions, dismissals and reinstatements.

RULE 2 - RULE PROVISIONS

2.1 PURPOSE OF RULES

The purpose of these rules is to provide an orderly procedure for the uniform administration and enforcement of Civil Service Laws and to assure all employees and citizens an equal opportunity for positions in the public service.

2.2 ADOPTION AND EFFECTIVE DATE OF RULES

These rules were adopted by the Civil Service Commission effective July 14, 1999, and supersede any and all previous rules and regulations. All rules in conflict with the provisions of State Law are hereby repealed insofar as they are in conflict.

These amended rules shall become effective from the date of adoption, provided, however, that any rule violation or complaint occurring prior to the date of adoption of these rules shall be administered under rules in effect on the date of such violation or complaint.

2.2.1 MEANING AND INTENT OF RULES

In the event of a question by an interested party concerning the meaning and intent of any rule, such question should be submitted to the Commission, in writing, for clarification and interpretation. The judgment and decision of the Commission shall be final.

2.3 EXTENT OF COVERAGE

The provisions of these rules shall apply to the Commission and to all full time employees of the City, with the exception that coverage shall not extend to any employee excluded by State Law or specifically excluded from coverage by the governing authority.

(Amended 10-08-07)

2.4 WAIVER OF RULES

Requests for a waiver of established rules are not encouraged and will not generally be considered by the Commission. Only the Mayor or Chief Administrative Officer may, in writing, petition the Commission for a rule waiver when the best interests of the City will be served. A minimum of ten working days following receipt of written notice by the Commission shall be required before any such waiver requests can be considered. Such requests shall include complete justification and any other information necessary for the Commission to render an objective decision. Each request shall be considered on its individual merits. The commission may also initiate a request for consideration of a waiver at any time when it is in the best interests of the commission to do so in order to effectively conduct its business. If the commission initiates the request, the ten day notice requirement is not applicable.

No waivers granted by the commission shall be general in their application to other or similar requests. A two-thirds majority vote of those present and voting shall be required to grant a waiver.

(Revised 11-15-05)

2.5 AMENDMENT OF RULES

These rules may be amended, supplemented or repealed by the Commission provided that prior to such change being voted upon, the proposed change shall be first reduced to writing and presented before the full Commission for discussion and vote at the next regular scheduled commission meeting. Such an amendment, repeal or supplement to the rules may only be adopted by a two thirds majority vote of the Commission present and voting in favor of the same, and such a change will not take effect at the meeting at which it is voted upon, but will take effect on a date following as determined by the Commission. The only exception to this rule is action taken in accordance with Rule 2.4.

Following the adoption of an amended, supplemented or revised rule, if it is clearly obvious and apparent that an error or omission has been made, such rule adoption may be modified in any manner to effect correction of the error or omission. Such correction may be made by any officer of the Commission without going through the waiver of rule or rule amendment processes; however, the Commission shall in all cases be advised of the correction.

(Amended 07-10-12)

2.6 RULE DISTRIBUTION

A current copy of Commission rules shall be distributed to the Mayor, Chief Administrative Officer, Department Directors, Commission members, Commission and City Attorneys, Human Resources Department and Civil Service Office, and shall be open to employees and the public.

RULE 3 - CLASSIFICATION OF SERVICE

3.1 ORGANIZATION

The Classified Service of this City is divided into four classes:

- Competitive
- Noncompetitive
- Exempt
- Regular

3.2 COMPETITIVE CLASS

The competitive class shall include all positions for which competitive or qualifying examinations are used.

3.3 NONCOMPETITIVE CLASS

The noncompetitive class shall consist of all positions requiring unique and exceptional qualifications of a scientific, managerial, professional or educational nature.

3.4 EXEMPT CLASS

The exempt class shall consist of those positions of employment that have been removed from Civil Service coverage by governmental authority.

3.5 REGULAR CLASS

The regular class shall consist of all positions of employment in any department of the City that does not qualify as competitive, noncompetitive or exempt.

RULE 4 - APPLICATION FOR ENTRANCE

4.1 GENERAL PROVISIONS

It shall be the duty of the Commission to oversee the methods of determining the qualifications of persons seeking employment in the public service, and to establish eligibility lists for competitive class positions.

4.1.1 APPLICATIONS

All employment applications shall be through the Human Resources Department, City of Gulfport.

4.1.2 QUALIFYING PROCEDURES

In addition to the information required on the forms of application, each applicant shall submit to other examinations, interviews, tests and other qualifying methods as deemed required by the Commission and City of Gulfport.

4.2 QUALIFICATIONS OF APPLICANTS

4.2.1 RESIDENCE OF APPLICANTS

All applicants for a position of any kind under Civil Service must be a citizen of the United States and an elector of the county of residence, and shall require final certification by the Commission prior to employment.

All employees in a position of any kind under Civil Service shall, within six calendar months from the date of employment, become a qualified elector of George, Hancock, Harrison, Jackson, Pearl River or Stone County, Mississippi, and shall establish and maintain their primary place of residence in one of the above enumerated counties. Proof of the foregoing shall be furnished to the appointing authority by the employee no longer than six months following the date of employment.

(Amended 11-13-01)

4.2.2 APPLICANT'S BACKGROUND

The character and past conduct of applicants will be taken into account in evaluation for employment under Civil Service. Arrest and conviction records can be used in determining suitability for employment, but shall not be an automatic bar for employment, except that any applicant not qualified to vote in Mississippi due to conviction of a crime (Article 12, §241, Mississippi Constitution) shall be ineligible for Civil Service employment. All relative information, not otherwise excluded by law, shall be recorded in each individual record and fully evaluated taking into account the position for which employment is sought.

RULE 5 - EXAMINATIONS

5.1 GENERAL PROVISIONS

The Commission is authorized to review, approve, modify or reject the necessary qualifications deemed essential for all positions as set by the City. These qualifications may vary, may be revised with time, and may include requirements as to education, training, experience and physical abilities deemed necessary for satisfactory performance in any particular position.

5.1.1 DISQUALIFICATION OF APPLICANTS

The Commission may refuse to examine competitive position applicants, or after examination refuse to certify as eligible, or after certification remove an applicant from the eligibility list. The reason shall be endorsed on the application.

5.1.2 GIVING ENTRANCE AND PROMOTIONAL EXAMINATIONS

Entrance and promotional examinations for competitive positions shall be administered at times and for positions as, in the opinion of the Commission, and as otherwise provided for in these rules, the needs of the City may require. Request for examinations originating in the department involved are forwarded to the Commission through the Chief Administrative Officer.

(Amended 10-08-07)

5.1.3 QUALIFYING TO TAKE EXAMINATIONS

Any person qualified under the Civil Service Laws and these rules may take examinations for positions under Civil Service and no fee or other assessment shall be charged.

Should any employee be eligible to take more than one examination by reason of previous time served with the Gulfport Police Department or Gulfport Fire Department, the completion of only one test will be allowed and that test must be for the next higher classification for which the candidate is otherwise eligible.

All Candidates deemed eligible for promotion to a competitive position must successfully complete any required examination even though the test may have been taken and passed on a previous occasion.

(Amended 10-16-17)

5.1.4 NOTICE OF EXAMINATIONS

Notices for all promotional examinations shall be posted in the Commission office, Human Resources Department and the department in which the position(s) is available for twenty-one calendar days prior to the examination date.

5.1.5 PUBLIC NOTICE OF POSITION OPENINGS & EXAMINATIONS

With the exception of lateral candidate testing, public notice is required for entry level positions and examinations for the filling of such openings in competitive positions. All such tests shall be open and competitive with public notice being given for a minimum of fourteen calendar days prior to the examination date. The notice will include, but is not limited to:

- Title of position and compensation
- Date, time and place of examination
- Time period applications will be received
- That a current job description is available for review.

5.1.6 CANCELLATION OR POSTPONEMENT OF EXAMINATIONS

All examinations shall normally be held on the date stated in any notices. The Commission shall retain the right to postpone, cancel or otherwise change any examination for sufficient cause, including a change in personnel requirements. Any such postponed, canceled or changed examination shall be approved by the Commission and reflected in the minutes. All candidates will be notified of cancellations and rescheduling.

5.1.7 SPECIAL OR SUPPLEMENTARY EXAMINATIONS

No applicant shall be granted a special or supplementary examination, written, physical, oral or otherwise, unless the failure of an applicant to appear at a stated examination was due to clear error on the part of the Commission or some cause beyond the control of the applicant. A request for special or supplementary examination shall be submitted in writing by the applicant to the Commission. The Commission may order a special or supplementary examination and the reason there for shall be fully stated in the Commission minutes.

5.1.8 EXAMINATION OFFENSES

If, during an examination, an applicant is found to be using, without permission, any extraneous means of information, written material or electronic device, the examiner in charge shall take up the test papers of the applicant. The Commission shall in all such instances give the examination of the applicant a marking of zero and make an explanation of the marking on the paper. The applicant shall be barred from taking any future examinations. This shall be noted in the minutes of the next meeting of the Commission. The offense of using examination aids, and the penalty as stated in this rule shall be explained to the applicant either by written instruction, or orally by the person administering the examination in advance of giving the examination.

(Amended 10-08-07)

5.2 APPLICATION SUBMISSION FOR ENTRANCE EXAMINATIONS

Applications for entrance examinations must be submitted in compliance with the public announcement from the Commission.

5.2.1 DISQUALIFICATION BY REASSIGNMENT PROHIBITED

No reassignment or transfer shall be made of any employee who is eligible for an announced promotional examination when such transfer or reassignment will nullify eligibility to take the examination. This applies for the time period from the examination announcement date to the publishing of the examination results. The exceptions are voluntary employee requests and employees subject to disciplinary action.

5.3 PROCESS OF EXAMINATIONS

The Commission shall prescribe the nature, type, sequence, and extent of examinations. Written, oral, practical, physical and psychological examinations or any combination may be utilized. The Governing Authority, the Chief Administrative Officer and Department Directors shall be given prior notice of the nature, type and extent of examination to be given.

5.3.1. TESTS ARE CONDUCTED BY COMMISSION

All examinations shall be under the direction and supervision of the Commission, or its designee, free from the presence, participation or influence of any person, group or agency other than those designated by the Commission. The Commission is solely responsible for determining and controlling the type of examinations utilized to ensure, insofar as practical, the integrity of the entire testing process.

5.3.2. EXAMINATIONS SHALL BE IMPARTIAL

All examinations shall be impartial, equitable, and practical and designed to define the ability of the tested individual to perform the duties of the tested position. No question on any examination shall relate, directly or indirectly, to any political or religious convictions or affiliations of the individual.

5.4 LATERAL CANDIDATE EXAMINATIONS

Applicants for competitive positions, who are, at the time of application, in one of the programs outlined below, are considered lateral candidates. A lateral candidate must make application for employment through the Human Resources Department and pass the appropriate entrance examination to be eligible for further standard entry level evaluations. Upon receipt of a passing rating, the lateral candidate will become eligible for immediate appointment by the appointing authority. Testing of lateral candidates, following receipt by the Commission of a request from the department involved, and the setting of a mutually agreeable time, will be in addition to the regular entrance examination(s) for which public notice is given.

POLICE DEPARTMENT lateral candidates must qualify in the following program:

LATERAL ENTRY PROGRAM

- Must be employed in a full time position as a sworn police officer with current department
- Must have successfully completed a state certified basic police academy
- Must have current law enforcement officer state certification

- Must have position comparable to or above Patrol Officer 2 for Gulfport
- Candidate cannot be on probation, on any mandated leave resulting from any department disciplinary action, or have any pending disciplinary action.

FIRE DEPARTMENT lateral candidates must qualify in the following program:

LATERAL ENTRY PROGRAM

- Must be presently employed in a full-time position with current Fire Department.
- Must have current position equal to or greater than Fire Fighter One.
- Must have successfully completed a state certified fire academy and be certified as having met minimum requirements for NFPA Standard 1001, Levels 1 and II.
- Must be able to obtain and continuously maintain State of Mississippi Emergency Medical Technician (EMT) certification within one year of employment.
- Candidate cannot be on probation or mandated leave resulting from departmental disciplinary action, nor have any pending disciplinary action.

(Amended 04-13-15)

5.5 EXAMINATION CONSULTANTS

The Commission may occasionally designate employees of the respective municipal departments, other agencies or specialists to serve as examination consultants whose duties shall be assigned by the Commission.

5.5.1 SERVICE BY CONSULTANTS

Consultants will serve subject to call and at the pleasure of the Commission. Each consultant shall execute an affidavit that the contents of any examination will not be revealed to any person, group or agency.

5.6 RATING OF EXAMINATION

In all examinations and evaluations, the relative value through which eligibility on an entrance or promotional list may be earned shall be predetermined by the Commission.

5.6.1 FACTORS OF RATING

Final ratings shall take into consideration all factors of examination and evaluation that were given.

5.6.2 FAILURE TO PASS INITIAL EXAMINATION

The failure of an applicant to successfully pass an initial entrance or promotional examination or evaluation fully disqualifies the applicant. The applicant will not receive any consideration for the position applied for at that time.

5.6.3 MINIMUM RATINGS AND CHANGES

The minimum rating needed for the passing of an examination shall be set by the Commission and recorded in the Commission minutes. Changes in the minimum ratings are not encouraged and will not generally be made. Any changes shall be made by the Commission and recorded in the minutes prior to the announcement of any examination for which the new rating would apply. The Commission shall consider any request in writing by a department Director for a permanent change in the minimum ratings. The reason for such request shall be specified in writing by the department Director. Further, the department Director shall be notified of any changes made by the Commission to the minimum ratings, and should be given an opportunity to respond to such changes before they become final.

5.7 ACCESS TO SCORES AND WRITTEN EXAMINATION

After the eligibility list has been established and published according to procedure determined by the commission, an examinee shall, upon request, be advised only of his/her written test score and/or final overall score. For purpose of integrity of content, the written examination will not be available for discussion or review. The Commission shall conceal the identity of the examinees in all examinations until such examinations have been rated.

Prior to completion of the eligibility list an examinee may, upon request, be only notified of whether the written examination was passed or failed.

(Amended 03-13-12)

5.7.1 REQUEST FOR CORRECTION OF RATING

The Commission shall entertain no request for a review of a rating unless such request is made within thirty calendar days after notice to the applicant of the rating and the applicant specifies the matters of objection. No change in rating shall be made unless some clear error appears in the face of the examination, provided, however, that no appointment previously made shall thereby be canceled.

5.7.2 CONFIDENTIALITY OF WRITTEN EXAMINATIONS

No one shall have access to written examinations without permission of the Commission. It is important that confidentiality be maintained to preserve the integrity of the examination and evaluation process.

(Amended 03-13-12)

5.8 REEXAMINATION

The Commission shall have the authority to order a reexamination or otherwise, for any position where it appears that an error has been made. The reason for such action shall be recorded in the minutes of the Commission.

Any entry-level applicant who fails to successfully pass an examination for any entrance position under Civil Service will not be eligible for reexamination for a period of two calendar months. Any second failure shall bar reexamination for a period of one year from the date of the second failure for the same position.

(Amended 04-10-07)

RULE 6 - CERTIFICATION AND APPOINTMENTS

6.1 GENERAL PROVISIONS

No appointing authority shall appoint, employ or engage any person under Civil Service except in accordance with these rules.

6.1.1 FILLING COMPETITIVE POSITION VACANCIES

Competitive position vacancies in the Civil Service, not filled by transfer, reinstatement or demotion, shall be filled from an eligibility list established for that position, or by lateral candidate transfer in an entry-level position.

6.1.2 ELIGIBILITY LIST

All vacant competitive positions shall be filled by an eligibility list established and resulting from competitive or qualifying examinations, or lateral candidate transfer in an entry-level position, as defined by these rules.

6.2 CERTIFICATIONS

For the purpose of these rules there are two types of certifications to an appointing authority.

6.2.1 PROBATIONAL APPOINTMENT

Certification of eligibles for consideration to Probational Appointment; and

6.2.2 REGULAR APPOINTMENT

Certification of probationary appointees (employees) for induction into Civil Service under a Regular Appointment.

6.3 PROBATIONAL APPOINTMENTS TO COMPETITIVE CLASS

Whenever a vacancy in the Competitive Class is to be filled, the appointing authority shall submit in writing to the Commission the title of the vacant position and a request that the Commission supply an eligibility list, as defined in these rules, with names of persons eligible for consideration to Probational Appointment.

6.3.1 SELECTION FROM ELIGIBILITY LIST

Upon receipt of such request, the Commission shall give to the appointing authority the ranked names of eligible candidates. The appointing authority must select a candidate from the three highest ranked eligibles for that vacancy, but at no time shall a candidate be passed over more than three times. Multiple vacancies will be filled one vacancy at a time for the purpose of selecting individuals from the certified eligibility list to satisfy this rule.

6.3.2 CREATION OF ELIGIBILITY LIST

If a vacancy in a competitive position occurs and there is no eligibility list to select from, the Commission shall initiate the creation of an eligibility list as provided in these rules. For entry-level positions, individuals will be sought to submit application through the Human Resources Department for an entrance examination for such vacancy as required by these rules. The appointing authority shall be furnished the

appropriate number of names certified as eligible for employment by the City following successful completion of required examinations and evaluations.

6.3.3 PROBATIONAL COMPETITIVE ENTRANCE APPOINTMENTS

For probational appointments to competitive positions, the appointing authority shall evaluate all certified eligibles in the manner as prescribed in these rules. Evaluation shall be accomplished without the knowledge of any entrance examination score. All evaluations of candidates shall be certified to the Commission by the appointing authority. The Commission shall then certify to the appointing authority the names of candidates with the highest scores for the vacancies in ranked order (eligibility list) after ascertaining there was no bias in the evaluations. The Commission shall void all scores if it is found any candidate has been favored or discriminated against because of political or any legally protected opinion, affiliation or belief. Following satisfactory completion of subsequent evaluations, the appointing authority conditionally appoints individuals from the appropriate eligibility list in numbers equal to the number of vacancies, and shall immediately notify the Commission of the person(s) conditionally appointed.

POLICE DEPARTMENT – Probational appointments to competitive entry-level positions shall be based on established examination and evaluation, as follows:

WRITTEN EXAMINATION MAXIMUM POINTS 100

Administered by the Commission – Must be applied for, taken and passed to be further considered.

EDUCATION EVALUATION MAXIMUM POINTS 10

One point is awarded for each 32 semester hours without obtaining a degree. If an applicant earns 64 semester hours, an Associate’s degree must have been earned before the maximum of four points is awarded. If an applicant earns 128 semester hours, a Bachelor’s degree must have been earned before the maximum of six points is awarded.

Semester Hours	Points
32	1
64	2
96	3
Associate’s Degree	4
Bachelor’s Degree	6
Master’s Degree	8
Doctorate Degree.....	10

6.3.4 ENTRY LEVEL ELIGIBILITY LIST REVISION

Following completion of an eligibility list, an entry-level position candidate who becomes eligible for increased points by reason of obtaining additional education or certification, while the list remains in effect, may have his position on the list adjusted upon request.

6.4 PROBATIONARY PERIOD

Following the conditional appointment of any applicant into the employment of the City, a probationary period of one calendar year, from the date of employment, exists during which time an employee must satisfy the requirements of the position as it relates to the performance of the duties of the position. Upon successful completion of the probationary period, the employee is inducted into the Civil Service and entitled to the benefits thereof.

6.4.1 EFFECT OF PROBATIONARY PERIOD

The probationary period is regarded as an intrinsic part of the examination and evaluation process and shall be utilized for closely observing the employee's work and adjustment to the requirements of the position, and for eliminating anyone whose performance may not meet the requirements or City's needs. During this period, the City may discharge a probationary employee with or without cause, and the employee shall have no rights under Civil Service.

6.4.2 DEFERRAL OF APPOINTMENT (EXTENSION OF PROBATION)

If, in the judgment of the appointing authority, the best interest of the City would be served in deferring a regular appointment, the appointing authority may defer such appointment for a period of ninety days. Maximums of two ninety-day extensions are allowed. Any such deferment, and reasons for the deferment, shall be given to the employee in writing, and recorded in the Commission minutes.

(Amended 10-8-07)

6.5 REGULAR APPOINTMENT

Upon an employee successfully completing the probationary period, the probationary appointment becomes a regular appointment, and the employee becomes entitled to all the benefits of Civil Service.

6.6 TEMPORARY APPOINTMENT

If there is no eligibility list from which a competitive appointment can be made and the need for an appointment exists and can be demonstrated, a person meeting, as nearly as practical, the qualification for a vacant competitive position may be temporarily appointed after such interviews, investigations and other evaluations deemed needed are completed. Concurrent with the appointment of a temporary nature, the appointing authority will initiate any needed action to establish an eligibility list if a competitive position is identified. Anyone receiving a temporary appointment to a competitive position will be required to successfully complete the required testing for the position and qualify for the eligibility list. The temporary appointee must receive a score that rates in the top three on the eligibility list in order

to retain the position to which he or she was temporarily appointed, otherwise the appointment must be vacated.

(Amended 3-13-12)

6.6.1 TEMPORARY APPOINTMENT - CREDIT TIME

A temporary appointee who successfully completes the competitive examination for the position, is placed on the eligibility list, and if selected for appointment to the position, will receive credit for time spent in the temporary appointment.

(Amended 3-13-12)

6.7 NONCOMPETITIVE APPOINTMENTS

In case of a vacancy in a position requiring specific qualifications of a scientific, managerial, professional or educational nature, written competition is impractical and the position can best be filled by selection of an individual of recognized abilities. The Commission will consider the need of the Mayor and Department Directors as allowed by state law to fill the vacancy in a noncompetitive manner. Noncompetitive appointments made by the Mayor, Department Directors, or their designee as authorized by law must be approved by the Commission.

6.8 DECLINATIONS-NOTIFICATION TO COMMISSION

When an applicant, certified for appointment, fails to notify the appointing authority of an answer to an offer of employment, made by mail or otherwise, within ten business days following the extending of an offer, the appointing authority will assume the position has been declined and notify the Commission in writing. The applicant's name will be removed from the eligibility list, if a competitive position and the position will be filled in accordance with these rules.

If, however, it shall be made known to the satisfaction of the Commission within thirty days of the extending of the employment offer, that the person was unavoidably, and without personal fault, prevented from accepting the offer, the person may be restored to his/her original position on the eligibility list and be qualified for the next available appointment should a position become available.

6.8.1 CORRESPONDENCE CONCERNING DECLINATIONS

The appointing authority shall forward to the Commission copies of all correspondence to and from any person declining an appointment.

RULE 7 - ELIGIBILITY LISTS

7.1 COMPETITIVE POSITIONS GENERAL

As soon as practical, following an entrance or promotional examination, the Commission shall establish an eligibility list. It will be a ranked list of aggregate ratings of the applicants with the highest rating being first on the eligibility list. Current eligibility lists shall be posted in the office of the Commission and in the department involved.

(Amended 03-13-12)

7.1.1 PUBLIC ACCESS TO ELIGIBILITY LISTS

Eligibility lists shall be open to inspection and the Commission shall at any time submit the same to the public upon request.

7.2 COMPETITIVE PROMOTIONAL LISTS

All promotions in competitive positions will be handled in accordance with the Civil Service rules on examinations and the establishment of corresponding eligibility lists. Each promotional eligibility list shall remain in effect for eighteen months from the date the list is established. When a promotional eligibility list expires, employees remaining thereon shall no longer be eligible for promotion unless they re-qualify and are included on a new eligibility list.

(Amended 09-9-13)

7.2.1 REMOVAL FROM ELIGIBILITY LIST

The individuals declared eligible for promotion shall remain on the list, unless promoted, only during the existence of the list and while in good standing as a City employee. Any candidate, who is removed, suspended, demoted or otherwise the subject of established disciplinary action for cause shall be removed from the current eligibility list. If suspended, the employee must re-qualify for the position sought. If demoted, the employee will be required to qualify in the applicable positions(s) leading to normal promotion.

(Amended 03-13-12)

7.2.2 ESTABLISH ELIGIBILITY LIST WHEN VACANCY OCCURS

Where there is a competitive vacancy, the Commission shall establish an eligibility list in accordance with applicable rules.

(Amended 03-13-12)

7.3 COMPETITIVE ENTRANCE LISTS

7.3.1 ORDER OF APPLICANTS WITH EQUAL RATING

When two or more entry level applicants have equal final ratings for placement on an eligibility list, their names shall be placed in order according to the dates of application. If those are the same, their names shall be placed in alphabetical order.

When two or more applicants for promotion to a competitive position have equal final ratings for placement on an eligibility list, their names shall be placed in order of department seniority with the City, if these are the same, their names shall be placed in alphabetical order.

(Amended 03-13-12)

7.3.2 EXPIRATION OF ELIGIBILITY LISTS

An entrance eligibility list expires one year after the date of written examination for the competitive classification. A promotional eligibility list expires 18 months after the date the list was established. When an eligibility list expires, applicants included thereon are no longer eligible for employment or promotion unless they requalify and are included on a new eligibility list.

(Amended 08-13-18)

7.3.3 CREATION OF NEW LIST

When an eligibility list is reduced to five names or less, the appointing authority may request, in writing, the Commission initiate the creation of another eligibility list as outlined in these rules. However, the new eligibility list will not be in effect for use until the current list has expired or until all names have been removed.

7.4 DEPARTMENT ORGANIZATIONAL CHART

Each department will furnish to the Commission an organization chart upon request.

(Amended 10-08-07)

RULE 8 - PROMOTIONS

8.1 GENERAL PROVISIONS

8.1.1 COMPETITIVE CLASS PROMOTIONS

Promotions in the Competitive Class shall be based on the competitive or qualifying examinations, as the Commission determines to be applicable, and records of efficiency, character, conduct and seniority. Eligibility lists shall be created and promotions made therefrom in the same manner as prescribed in Rule 7 and shall include the certification process.

Vacancies in positions shall be filled, insofar as practical, by promotion from among persons holding positions in the next lower classification in the department/division in which the vacancy exists. However, no promotion from one position to a higher one in the Competitive Class shall be made unless the applicant for promotion has demonstrated necessary qualifications and performance as reflected by previous service, due consideration being given to seniority, and whose qualifications meet the minimum requirements established for the vacant position.

(Amended 07-14-03)

8.1.2 EXEMPT AND NONCOMPETITIVE CLASS PROMOTIONS

Promotions to or within the Exempt Class are subject to the approval of the Mayor or his designee, as appropriate for the position involved.

Due to the uniqueness and/or professional nature of positions, a candidate for promotion in the Noncompetitive Class is selected by the department supervising authority subject to approval by the Mayor, his designee, or department head, as appropriate for the position involved. No promotion shall be made in the Noncompetitive Class unless the candidate is in good standing as a city employee and has demonstrated necessary qualifications and performance as exhibited by previous service. Qualifications must meet or exceed minimum requirements established for the vacant position. Non- competitive Class promotions shall include the certification process prior to being final.

(Amended 07-14-03)

8.1.3 PROMOTIONS TO REGULAR CLASS

Promotions in the Regular Class shall be based on department seniority. However, no promotion from one position to another shall be made unless the applicant has demonstrated necessary qualifications and performance as demonstrated by previous service, and whose qualifications meet the minimum requirements established for the vacant position. A candidate shall remain eligible for promotion only while in good standing as a City employee. Any candidate, who is removed, suspended or otherwise the subject of established disciplinary action for cause shall be removed from current eligibility. If suspended, the candidate must re-qualify for the position. If demoted, the candidate will be required to qualify in the applicable position leading to normal promotion.

Promotions to Regular Class positions in the Police Department and Fire Department shall include the certification process prior to being final. Vacancies in positions shall be filled, insofar as practical, by promotion from among persons holding positions in the next lower classification in the department/division in which the vacancy exists, then the City within.

(Amended 07-14-03)

8.1.4 CERTIFICATION OF APPLICANTS FOR PROMOTIONAL EXAMS

The City Human Resources Department shall certify to the Commission that all applicants for promotional examination meet the eligibility requirements as set forth in these rules and as specified in the official job description on record prior to examination as officially announced.

8.1.5 POSITIONS ARE ESTABLISHED BY CITY COUNCIL

No promotional examination shall be given by the Board of Examiners until the position has been created or a vacancy or a definite prospective vacancy approved by the City Council of the City of Gulfport and the Commission is notified that the position is available.

8.1.6 PROMOTIONAL PROBATION

The promotion of any eligible employee to any position in the classified service shall not be deemed complete until a period of six months shall have elapsed. During this probation period, the promoted may be demoted to the previous position held or its equivalent as deemed proper by the appointing authority. This demotion shall be accomplished within the said period by appointing authority in the department/division in which the probationer is employed and the commission shall be notified. In lieu of demotion and provided the appointing authority considers it to be in the best interest of the City, a probationary period may be extended for ninety days. A maximum of two ninety-day extensions are allowed. The employee and the Commission shall be notified of any extension of a probationary period.

(Amended 10-08-07)

8.1.7 COLLEGE CREDITS

All college credits used for promotion purposes must be earned through accredited institutions of higher learning recognized and accepted by the Southern Association of Schools and Colleges, or a corresponding association in other regions of the United States. An official transcript received by mail from the institution to the Human Resources Department must verify all credits. Request for time off or schedule adjustment to attend classes must be made in accordance with established procedure in the division or department involved. Department directors are encouraged by the Commission to accommodate such requests whenever possible.

8.1.8 PROMOTIONAL APPOINTMENTS TO COMPETITIVE POSITIONS

For promotional appointments to competitive positions, the appointing authority shall evaluate all certified eligibles in the manner as prescribed in these rules. Evaluation shall be accomplished without the knowledge of any examination score. All

Master's	8
Doctorate	10

REVIEW OF CASE HISTORY MAXIMUM POINTS NO MAXIMUM

Department awards and letters of commendation from the Mayor, Chief Administrative Officer, Chief of Police, Deputy Chief or Commanders shall be awarded points at the rate of 1.00 point per citation, award or letter received for the previous three-years.

Letters of reprimand from the Chief of Police, Deputy Chief or Commanders will result in 1.00 point per letter being subtracted from the candidates overall score.

Letters of suspension will result in 1.00 points per suspension day being subtracted from candidates overall score.

A demotion in civil service rank due to disciplinary action will result in a 5.00 point deduction from the candidate's overall score.

Consideration of disciplinary matters will be evaluated from the date scheduled for the written examination for the previous three-year period only. A negative score will be deducted from the promotion process total score.

PROGRESS REPORTS MAXIMUM POINTS 5

Prepared annually by the employee's supervisor, the scores of the last two progress reports received immediately prior to the date of the written examination are averaged. A maximum of 5.00 points will be awarded based on the following scale:

<u>Performance Level</u>	Points
Unsatisfactory	0.0
Below Standard.....	0.0
Standard	2.0
Above Standard.....	3.5
Outstanding.....	5.0

The City of Gulfport went to a merit-based evaluation for the calendar year 2019, which is substantially different than the one previously utilized by the Gulfport Police Department. The new evaluation system does not rate a performance level such as satisfactory, etc., it is rated by a score such as 3.5. Since the progress reports go back two years, the old scoring system and the new scoring system be used for the upcoming promotional process which is scheduled for August 2020. The following scoring for the new evaluation process will be utilized:

Maximum points to be earned are 20 based on the following:

Average Score:

- 1 = 4 Points
- 2 = 8 Points
- 3 = 12 Points
- 4 = 16 Points
- 5 = 20 Points

Successful completion of the examination and evaluation process will allow for the promotional ranking of each candidate.

(Amended 03-09-20)

8.2.3 POLICE ELIGIBILITY REQUIREMENTS FOR PROMOTION/RANKS

The City of Gulfport encourages all police personnel to attain a higher education by seeking a college degree in law enforcement or related field. The City of Gulfport also recognizes the value of actual police field experience.

Therefore, college credit can be substituted for field experience provided the employee meets all other established qualifications and the applicant has demonstrated superior qualifications and performance as demonstrated by character and job performance, due consideration being given to seniority, and whose qualifications meet or exceed the minimum requirements established for the vacant position.

Candidates for promotion must meet the eligibility requirements established below for the classification or rank indicated.

PATROL RECRUIT: An applicant who has met all entrance requirements and has been accepted by the Gulfport Police Department as a sworn officer.

- **(COMPETITIVE EXAMINATION REQUIRED.)**

PATROL OFFICER 1: An employee who has been a sworn member of the Gulfport Police Department as a Patrol Recruit for a period of six months.

PATROL OFFICER 2: An employee who has been a sworn member of the Gulfport Police Department as a Patrol Officer for a period of 12 months.

PATROL OFFICER 3: An employee who has been a sworn member of the Gulfport Police Department as a Patrol Officer for a period of 24 months.

SERGEANT: An employee who has two years of current service as a sworn member of the Gulfport Police Department, and who possesses a minimum of 64 semester hours of college credit, or any employee who has not yet obtained the required college credits but has the equivalent of a minimum four years of experience as a sworn police officer with the Gulfport Police Department may be considered provided the officer has met all qualifying requirements as outlined in Rule 8.2.3 for the position.

- **(COMPETITIVE EXAMINATION REQUIRED.)**

LIEUTENANT: An employee who has two years of current service as a Sergeant with the Gulfport Police Department and who possesses a minimum of 64 semester hours of college credit, or any employee who has not yet obtained the required college credits but has the equivalent of a minimum six years of experience as a sworn police officer with the Gulfport Police Department, to include a minimum of two years as a Sergeant with the Gulfport Police Department, may be considered provided the officer has met all qualifying requirements as outlined in Rule 8.2.3 for the position.

- **(COMPETITIVE EXAMINATION REQUIRED.)**

CAPTAIN: An employee who has two years of current service with the Gulfport Police Department as a Lieutenant and who possesses a minimum of 64 semester hours of college credit, or any officer who has not yet obtained the required college credits but has the equivalent of a minimum ten years of experience as a sworn police officer with the Gulfport Police Department, to include a minimum of two years as a Lieutenant with the Gulfport Police Department, may be considered provided the officer has met all qualifying requirements as outlined in Rule 8.2.3 for the position.

- **(COMPETITIVE EXAMINATION REQUIRED.)**

DEPUTY COMMANDER: The rank of Deputy Commander shall be appointed by the Mayor upon the recommendation of the Chief of Police. All appointments shall be made from within the department. To be eligible for appointment to the rank of Deputy Commander, officers must have already attained the rank of Lieutenant or higher through Civil Service competitive testing procedures. The appointment shall be temporary, and the appointee shall serve at the will and pleasure of the Chief of Police. The appointee shall retain Civil Service status at the rank already attained when appointed to Deputy Commander.

COMMANDER: The rank of Commander shall be appointed by the Mayor upon the recommendation of the Chief of Police. All appointments shall be made from within the department. To be eligible for appointment to the rank of Commander, officers must have already attained the rank of Lieutenant or higher through Civil Service competitive testing procedures. The appointment shall be temporary, and the appointee shall serve at the will and pleasure of the Chief of Police. The appointee shall retain Civil Service status at the rank already attained when appointed as Commander.

DEPUTY CHIEF OF POLICE: The rank of Deputy Chief shall be appointed by the Mayor upon the recommendation of the Chief of Police. All appointments shall be made from within the Department. To be eligible for appointment to the rank of Deputy Chief, officers must have already attained the rank of Captain or higher through Civil Service competitive testing procedures.

The appointment shall be temporary, and the appointee shall serve at the will and pleasure of the Chief of Police. The appointee shall retain Civil Service status at the rank already attained when appointed as Deputy Chief of Police.

The appointee must have administrative and command level experience. The appointee must have the ability to manage, supervise and coordinate the programs, activities and operations of the Gulfport Police Department.

The appointing authority may reassign an appointee. Before reassignment, the appointee and the Civil Service Commission must be notified, in writing, at least thirty days before the effective date of the appointee being reassigned. The appointee will be reassigned to the highest previously attained Civil Service rank.

The officer must possess a Bachelor's Degree in Criminal Justice or a related field. Any officer who has not yet obtained the required college credits but has a minimum of fifteen years of experience as a sworn police officer may be considered provided the candidate has met all qualifying requirements as outlined in Rule 8.2.3 for the position.

Of the fifteen years of required service, a minimum of ten years must have been served as a sworn police officer with the Gulfport Police Department.

Ideally the candidate should also be a graduate of one of the following nationally recognized Police Command Level Leadership Programs:

- FBI National Academy in Quantico, VA
- Southern Police Institute at the University of Louisville
- Southeastern Command and Leadership Academy in Chattanooga, TN an extension of the University of Tennessee

CHIEF OF POLICE: The Chief of Police according to the Ordinances of the City of Gulfport (Sec. 1-101) is the Director of the Gulfport Police Department and shall be appointed by the Mayor and confirmed by an affirmative vote of the majority of the Council as set forth in Section 21-8-23, Mississippi Code annotated. If the Mayor requests assistance from the Commission, the Commission may, to the extent requested, administer a written examination and assist in other evaluations, and act in an advisory position to the Mayor in locating a qualified nominee or nominees for the position of Chief of the Police Department.

(Amended 01-08-18)

8.2.4 COLLEGE CREDIT VERIFICATIONS

The ranks set out above are the official, recognized ranks for sworn officers of the Gulfport Police Department. These do not preclude working titles. All college credit and degrees must be on file with the Human Resources Department prior to promotion, and be earned and furnished in compliance with Rule 8.1.7.

8.2.5 SPECIALIZED ASSIGNMENTS

Specialized assignments require personnel to have special abilities or interests. These assignments are not considered a promotion. Officers who do possess relative, pertinent, and special technical training and or/experience should consider applying. The Chief of Police makes specialized assignments. .

(Amended 02/13/07)

8.2.6 PSYCHOLOGICAL EXAMINATIONS

A psychological examination may be required of all applicants for promotion as part of the examination process.

(Amended 10-08-07)

8.3 FIRE DEPARTMENT PROMOTIONS

8.3.1 OFFICIAL POSITIONS/RANKS IN FIRE DEPARTMENT

The positions following are the official, recognized ranks of the Gulfport Fire Department:

- Fire Fighter Recruit
- Fire Fighter One
- Fire Fighter Two
- Engineer
- Lieutenant
- District Chief
- Battalion Chief
- Fire Service Communications/EMS Coordinator
- Deputy Fire Chief-Operations
- Deputy Fire Chief – Administration
- Fire Chief.

These ranks are for all sworn officers, but do not preclude working titles. Specialized positions within the department that are not of a finite time period shall be open for employees to express an interest through posting by the Human Resource Department. Prior to any action being taken to fill such a position, an approved job description must be on record and available for review, which lists desired experience, education and background.

8.3.2 LATERAL TRANSFERS FROM ONE DIVISION TO ANOTHER

Lateral transfers from one division to another will not be allowed unless the candidate is pursuing a position and the position is open.

8.3.3 EXAMINATION FOR COMPETITIVE PROMOTIONS

Promotions to competitive positions in the Fire Department shall be based on competitive or qualifying examinations, evaluations and longevity. They may be modified or amended as necessary, upon approval by the Commission, provided the intended result of such modification or amendment is to strengthen and improve the promotional examination process. This procedure, including maximum points allocated to each section, is established as follows:

WRITTEN EXAMINATION	MAXIMUM POINTS	30
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The Commission shall administer a written examination - It must be applied for, taken and passed to be further considered for promotion.

EDUCATION EVALUATION	MAXIMUM POINTS	10
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4 = 8 Points

5 =10 Points

COMMENDATIONS AND DISCIPLINARY

NO MAXIMUM POINTS

Each candidate will be awarded points for letters of commendation received from a supervisor or community outstanding service award as approved by the Fire Chief. Points awarded will range from .1 to .5 per letter based on the action.

An award received for Fire Fighter of the Year, Company Officer of the Year and Chief Officer or the Year for the Gulfport Fire Department will receive .5 point for each.

Commendation points will be credited to a candidate's overall test score for up to five years from the date earned or awarded.

Each verbal reprimand received by a candidate during the past five years from the date of the written examination will result in .25 point deduction from the overall test score.

Each written reprimand received during the past five years from the date of the written examination will result in .5 point deduction from the overall score.

Disciplinary action involving a suspension from work during the past five years from the date of the written examination will result in a deduction from the overall test score of 1 point for the first shift/day off and .5 point for each additional shift/day off per suspension.

(Amended 03-09-15)

8.3.4 ASSESSMENT CENTER: PROMOTIONS TO COMPETITIVE POSITIONS

In lieu of the use of written examination for promotion to competitive positions, as established in rule 8.3.3, the concept of an assessment center may be implemented, subject to approval by the Commission of the complete process and procedure. Percentages applied to the various elements will then apply as follows:

ASSESSMENT CENTER

55%

Assesses leadership, problem solving, decision making, initiative, communication, management control, interpersonal skills, resistance to stress, judgement, planning and organizing, innovation, and sensitivity and command presence. Participants graded by multiple trained assessors and must successfully complete the assessment center to be eligible for further consideration.

TRAINING

10%

(Same as without assessment center)

REVIEW OF CASE HISTORY

5%

(Same as without assessment center)

PROGRESS REPORTS

10%

(Same as without assessment center)

LONGEVITY

10%

(Same as without assessment center)

8.3.5 FIRE DEPARTMENT ELIGIBILITY REQUIREMENTS FOR PROMOTIONS

Candidates for promotion must meet the eligibility requirements established below for the classification or rank indicated. All college credit and degrees must be on file with the Human Resources Department prior to promotion, and be earned and furnished in compliance with rule 8.1.7.

SUPPORT/SPECIAL OPERATIONS DIVISION

APPRENTICE INSPECTOR: An employee who has been selected for placement in the Fire Prevention Bureau.

INSPECTOR: An employee who has been a member of the Gulfport Fire Department for a minimum of one year, serving a minimum of one year as Apprentice Inspector in the Fire Prevention Bureau.

DEPUTY FIRE MARSHAL: An employee who has been a member of the Gulfport Fire Department for eight years and has completed the minimum NFPA Standard for inspection, along with NFPA Standard 1001 - Level II, 1002-I and 1031-I.

FIRE MARSHAL: An employee who has been a member of the Gulfport Fire Department for twelve years, serving the last four years as a Deputy Fire Marshal, and has completed NFPA Standard 1031 - Level II and 1033 - Level I.

INSTRUCTOR: An employee who has been a member of the Gulfport Fire Department for a period of five years and has completed NFPA Standard 1001, Levels I and II; NFPA Standard 1002.

LIEUTENANT INSTRUCTOR: An employee who has been with the Gulfport Fire Department for a period of eight years and has completed NFPA Standard 1021 - Level I and an approved instructors course (i.e., 1041 - I).

HAZARDOUS MATERIALS OFFICER: An employee with ten years service and the rank of Lieutenant or above with the Gulfport Fire Department. A Bachelor's degree from a four-year accredited college or university; or two years related experience and/or training; or equivalent combination of education and experience. The candidate must have completed NFPA Fire Officer 1021 I & II, NFPA Fire Service Instructor 1041 I & II, MFA Haz-Mat Tech I & II, NFA IRHM Basic Concepts, NFA IRHM Implementation, NFA Haz-Mat Incident Management, and NFA Chemistry of Haz-Mat.

CHIEF OF TRAINING: An employee who has been a member of the Gulfport Fire Department for twelve years serving the last three years as Lieutenant Instructor and has completed NFPA Standard 1041 – Level II and 1021 – Level II.

TRAINING COORDINATOR: An applicant who has eight years satisfactory fire service experience or has sixty-four college credit hours. The applicant must have completed NFPA Standard 1021 I & II (Fire Officer) and NFPA Standard 1041 I & II (Fire Service Instructor) within two years from the date of hire. The training Coordinator will be appointed by the Fire Chief and will serve under the direction of the fire Chief.

(Amended 3-10-08)

FIRE SERVICE COMMUNICATIONS/EMS COORDINATOR: An employee who has held the rank of Lieutenant or above in the Gulfport Fire Department and who has functioned as a primary EMS responder in the field for a minimum of five years. Employee must be certified as a Nationally Registered Emergency Medical Technician - Paramedic, and be certified by the State of Mississippi as an EMT - Paramedic. Must be capable of being certified as a Telecommunicator by the State of Mississippi.

ACTIVE COMBAT DIVISION

RECRUIT FIRE FIGHTER: An employee who has met all requirements and has been accepted as an employee of the Gulfport Fire Department in accordance with Civil Service Rules and Regulations for the City of Gulfport.

- **(COMPETITIVE EXAMINATION REQUIRED).**

FIRE FIGHTER ONE: An employee who has successfully completed one year Recruit Fire Fighter training, and has been certified as having met the minimum requirements for NFPA Standard 1001, Levels I and II, Fire Fighter Professional Qualification. A Fire Fighter One whose employment commenced on or after June 1, 2010, is required to possess a State of Mississippi Emergency Medical Technician (EMT) Certification within one year of reclassification to Fire Fighter One.

(Amended 04-13-10)

FIRE FIGHTER TWO: An employee who has been a member of the Gulfport Fire Department for two years serving the last one year as Fire Fighter One and who has met the minimum requirements for NFPA Standard 1002, Firefighter Professional Qualification. Possession of a State of Mississippi Emergency Medical Technician (EMT) Certification is also required for anyone employed after January 1, 2000.

(Amended 10-11-16)

ENGINEER: An employee who has five years creditable experience with the Gulfport Fire Department, serving the last two years as a Fire Fighter Two, and who has met the minimum requirements for NFPA Standard 1002, Fire Fighter Professional Qualification.

Possession of a State of Mississippi Emergency Medical Technician (EMT) Certification is also required for anyone employed after January 1, 2000.

- **(COMPETITIVE EXAMINATION REQUIRED).**

(Amended 05-09-05)

LIEUTENANT: An employee who has been a member of the Gulfport Fire Department for eight years, serving the last three years as an Engineer (or under the old title of Fire Fighter III or a combination of those positions), and who has completed NFPA Standard 1021 - 1, Fire Fighter Professional Qualification. Possession of a State of Mississippi Emergency Medical Technician (EMT) Certification is also required for anyone employed after January 1, 2000.

- **(COMPETITIVE EXAMINATION REQUIRED).**

DISTRICT CHIEF: An employee who has been a member of the Gulfport Fire Department for ten years, serving the last three years as a Lieutenant, and who has completed NFPA Standard 1021 - II, Fire Fighter Professional Qualification.

- **(COMPETITIVE EXAMINATION REQUIRED).**

BATTALION CHIEF: An employee who has been a member of the Gulfport Fire Department for twelve years, serving the last three as District Chief, and who has completed NFPA Standard 1021-Level II, Fire Fighter Professional Qualification, and has a minimum of fifteen semester hours of Core Curriculum (English, Math, Social Science, Science) toward an Associate's or Bachelor's degree in Fire Science Technology or related field.

- **(COMPETITIVE EXAMINATION REQUIRED).**

DEPUTY FIRE CHIEF (ADMINISTRATION): An employee who has been a member of the Gulfport Fire Department for fifteen years, including five years of Administrative and Command Level experience. Ability to manage, supervise and coordinate the programs, activities and operations of the Administration Division, Training Division, Fire Prevention Bureau and EMS (Emergency Medical Service) Division.

DEPUTY FIRE CHIEF (OPERATIONS): An employee who has been a member of the Gulfport Fire Department for fifteen years, including five years of Administrative and Command Level experience. Ability to manage, supervise and coordinate the programs, activities and operations of the Operations Division of the Gulfport Fire Department; fire suppression (Combat); apparatus specifications, procurement and maintenance; communications equipment specifications, procurement and maintenance; and facilities management.

The Deputy Fire Chief (Administration) (Operations) shall be appointed by the Mayor upon the recommendation of the Fire Chief. The appointment shall be temporary, and the appointee shall serve at the pleasure of the Fire Chief. The appointee shall retain Civil Service status and the rank already attained at the time of designation as Deputy Chief. The appointing authority may reassign the appointee after notification to the appointee and the Civil Service Commission, in writing, thirty days prior to the effective date of the appointee being reassigned to a position of prior attained Civil Service rank.

FIRE CHIEF: The Fire Chief of the City of Gulfport according to the Ordinances of the City of Gulfport (Sec. 1-99) is the Director of the Gulfport Fire Department and shall be appointed by the Mayor and confirmed by an affirmative vote of the majority of the Council as set forth in Section 21-8-23, Mississippi Code Annotated. The Governing Authority specifies the qualifications and requirements for the Fire Chief as stated in the classification/job description for the position on file in the Human Resources Department. If the Mayor requests assistance from the Commission, the Commission may to the extent requested administer a written examination and assist in other evaluations, and act in an advisory position to the Mayor in locating a qualified nominee or nominees for the position of Chief of the Fire Department.

(Amended 5-14-01)

8.3.6 EMERGENCY MEDICAL TECHNICIAN (EMT) CERTIFICATION REQUIREMENT

Combat Division Fire Fighters in classifications requiring EMT certification must obtain and continuously maintain such certification up to the classification of District Chief. A failure to obtain and continuously maintain certification for any reason will result in disciplinary action, including suspension, demotion, transfer or termination of employment.

(Adopted effective 04-13-10)

8.3.7 APPLICANTS FROM OUTSIDE THE DEPARTMENT

In the event that there are an insufficient number of eligible candidates for a position, applicants may be received from outside the department. Applicants must meet other eligibility criteria stated in these rules and present reference from other fire departments or similar organizations attesting to their skills and background. References must be verifiable.

8.3.8 APPLICANTS FROM WITHIN THE DEPARTMENT

An individual may pursue a vacancy in one division from another division. The requirement that sets forth years of service that must be satisfied in a lower position as a prerequisite for promotion eligibility will be waived, if all other eligibility requirements are met, including years of service with the Gulfport Fire Department, professional certification, education, examination requirements, records of efficiency, character, conduct and qualifications that meet the minimum requirements established for the classification or rank sought.

(Amended 5-14-01)

RULE 9 - TRANSFER, REDUCTION IN FORCE AND REINSTATEMENT

9.1 TRANSFER

For the purpose of these rules, transfer will refer to the voluntary or involuntary movement of an employee from one position to another within the same pay grade. This movement may or may not be within the same department and does not mean a change in rate of pay will be automatic with the movement. Any upward movement in pay grade shall be considered a promotion and will follow applicable rules pertaining to promotions, except in cases where a position is reevaluated by the City as to correct placement in the compensation system.

9.2 LAYOFF AND REDUCTION IN FORCE

If the need to reduce the number of employees in positions arises, the reduction, and recall of employees, shall take place in accordance with established City policy. Due regard will be given to seniority within employment status.

9.3 REINSTATEMENT

Any person who has voluntarily, and through no personal misconduct, left employment of the city while under Civil Service, may be reinstated into the same or lower position at the option of the appointing authority. The reinstatement and assumption of duties must be within thirty calendar days from the last date of employment and there must be a vacant position for the person to occupy. Provided, however, any person in the Fire or Police Department who has voluntarily, and through no personal misconduct, left employment of the City while under Civil Service, may be reemployed in the same department following thirty calendar days and up to one year from the last date of employment if there is an approved entry level vacant position for the person to occupy and the reemployment is requested by

the Fire Chief or Police Chief, as applicable, and approved by the Chief Administrative Officer. No reinstatement or reemployment evaluations are required.

Any employee so reinstated shall serve a six-month probation period and be certified by the Commission at the completion of the probation period.

(Amended 2/14/00)

RULE 10 - EQUAL OPPORTUNITY AND POLITICAL ACTIVITY

10.1 EQUAL OPPORTUNITY

The City of Gulfport is an Equal Opportunity Employer. Decisions and actions made and /or taken by the Commission shall be without regard to an applicant's or employee's race, creed, religion, sex, national origin, disability, age, gender, marital status, military obligation or any other characteristic protected by law. All laws relating to equal opportunity and employment will be adhered to and promoted by the Commission.

10.2 POLITICAL ACTIVITY

All employees have a civil duty to vote for candidates and issues as they choose. They have the right to support candidates and issues with their efforts and voluntary contributions. However, no such activities shall be conducted during working hours or at the expense of the City.

If any person holding office, place, position or employment subject to Civil Service actively participates in political activity in any primary or election in the City of Gulfport where the person is employed, it shall be deemed just cause for removal.

RULE 11 – INVESTIGATIONS, HEARINGS AND APPEALS

11.1 GENERAL PROVISIONS

The Commission may conduct investigations and make reports on all matters touching the enforcement and effect of the Civil Service Laws provided under Section 21-31-1 to 21-31-27, Mississippi Code Annotated, as amended. The Commission may investigate all complaints which must be reduced to writing, subpoena witnesses, administer oaths, and conduct hearings, as provided in Section 21-31-9, Mississippi Code Annotated, as amended.

11.2 HEARINGS

No person covered by Civil Service shall be removed, suspended, demoted or discharged, or any combination thereof, except for cause. If a disciplinary action, as just listed, is taken against a covered employee, a copy of the notice of such action furnished to the employee in accordance with Section 21-31-23, Mississippi Code Annotated, as amended, shall be filed with the Commission within three working days of such delivery to the employee. Any covered employee so removed, suspended, demoted, discharged or any combination thereof may, within ten days from the time of such disciplinary action, file with the Commission a written demand for an investigation, whereupon the Commission shall conduct such investigation or hearing. The employee's request must be in writing.

Should there be a hearing, it shall be conducted in accordance with Section 21-31-23, Mississippi Code of 1972, as supplemented and amended, and shall be confined to the determination of the question of whether such disciplinary action was or was not

made for political or religious reasons, and was or was not made in good faith for cause.

(Amended 1-10-12)

11.2.1 DEFENSE BY DISCIPLINED EMPLOYEE

At such time a hearing is held, after reasonable notice to all parties of the time and place, the disciplined employee shall be afforded an opportunity of appearing in person, with or without counsel, and presenting his/her defense.

11.2.2 LICENSED ATTORNEYS ONLY

Only the covered employee or an attorney who is a member in good standing of the Mississippi Bar and licensed to practice law in the State of Mississippi will be permitted to represent the employee's interests at the hearing referenced in Rule 11.2.1. Attorneys who are not licensed to practice law in the State of Mississippi will not be allowed to participate in any way in the hearing.

11.2.3 ORDER OF PROOF

The order of proof shall be as follows: The appointing authority shall present its case, after which the disciplined employee shall present his/her case.

(Amended 9-13-99)

11.3 APPEALS

Appeals from findings, judgements or orders of the Commission under Section 21-31-23, Mississippi Code of 1972 Annotated, shall be taken to the Circuit Court of Harrison County in accordance with said Section 21-31-23.

RULE 12 - DISCIPLINARY ACTIONS AND PROCEDURES

12.1 DISCIPLINARY ACTIONS

No employee covered by the Civil Service Act shall be removed, suspended, demoted or discharged, or any combination thereof, except for cause, and only by compliance with the provisions of Section 21-31-23, Mississippi Code of 1972 Annotated, as supplemented and amended, and which provides, as follows:

No person in the classified civil service who shall have been permanently appointed or inducted into civil service under the provisions of Sections 21-31-1 to 21-31-27, except for such persons as may be employed to fill a vacancy caused by the absence of a fireman or policeman while in service as a member of the armed forces of the United States, shall be removed, suspended, demoted or discharged, or any combination thereof, except for cause, and only upon the written accusation of the appointing power or any citizen or taxpayer, a written statement of which accusation, in general terms, shall be served upon the accused, and a duplicate filed with the Commission. The Chiefs of the fire and/or police department may suspend a member pending the confirmation of the suspension by the regular appointing power, which shall be within three days.

In the absence of extraordinary circumstances or situations, before any such employee may be removed or discharged, he shall be given written notice of the intended

termination, which notice shall state the reasons for termination and inform the employee that he has the right to respond in writing to the reasons given for termination within a reasonable time and respond orally before the official charged with the responsibility of making the termination decision. Such official may, in his discretion, provide for a pre-termination hearing and examination of witnesses, and if a hearing is to be held, the notice to the employee shall also set the time and a place of such hearing. A duplicate of such notice shall be filed with the Commission. After the employee has responded or has failed to respond within reasonable time, the official charged with the responsibility of making the termination decision shall determine the appropriate disciplinary action, and shall notify the employee of his decision in writing at the earliest practicable date.

Where there are extraordinary circumstances or situations which require the immediate discharge or removal of an employee, such employee may be terminated without a pre-termination hearing as required by this section, but such employee shall be given written notice of the specific reasons for termination within twenty-four hours after the termination, and shall be given an opportunity for a hearing similar to the predetermination hearing provided in this section within twenty days after the date of termination. For the purposes of this section, extraordinary situations or circumstances include, but are not limited to, circumstances where retention of the employee would result in damage to municipal property, would be detrimental to the interest of the municipal government or would result in injury to the employee, to a fellow employee or to the general public.

Any person so removed, suspended, demoted, discharged or combination thereof may, within ten days from the time of such disciplinary action, file with the Commission a written demand for an investigation, whereupon the Commission shall conduct such investigation. The investigation shall be confined to the determination of the question of whether such disciplinary action was or was not made for political or religious reasons and was or was not made in good faith for cause. After such investigation the Commission may, if in its estimation the evidence is conclusive, affirm the disciplinary action, or if it shall find that the disciplinary action was made for political or religious reasons, or was not made in good faith for cause, shall order the immediate reinstatement or reemployment of such person in the office, place, position, or employment from which such person was removed, suspended, demoted, discharged or combination thereof, which reinstatement shall, if the Commission so provides in its discretion, be retroactive, and entitle such person to pay or compensation from the time of such disciplinary action. The Commission upon such investigation may, in lieu of affirming the disciplinary action, modify the order or removal, suspension, demotion, discharge or combination thereof by directing a suspension, without pay, for a given period and subsequent restoration of duty, or by directing a demotion in classification, grade or pay, or by any combination thereof. The findings of the Commission shall be certified in writing to the appointing power, and shall be forthwith enforced by such officer.

All investigations made by the Commission pursuant to the provisions of this section shall be by public hearing, after reasonable written notice to the accused of the time and place of such hearing, at which hearing the accused shall be afforded an opportunity of appearing in person and by counsel, and presenting his defense. The

findings of the Commission shall be conclusive and binding unless either the accused or the municipality shall appeal (as further provided in Section 21-31-23, Mississippi Code Annotated, see Rule 11.3).

12.2 DISCOVERY

After hearings are scheduled under Section 21-31-23, upon written request fourteen days or more prior to the scheduled hearing date, the City Attorney's office, and the appealing employee or his representative shall receive from the opposite party no later than seven days prior to the scheduled hearing date, a list of witnesses who will testify at the hearing, and the specific matter that each such witness is expected to testify about at the hearing, and a list of tangible evidence to be presented at the hearing. Rebuttal or impeachment witnesses and tangible evidence are exempted from said discovery. Said discovery shall be supplemented, if it is determined that additional witnesses or documentation are needed, and provided that a reason is given why the supplemental information was not furnished with the original discovery. Except in special circumstances at the discretion of the Commission, or evidence or special witnesses called by the Commission, testimony and tangible evidence shall be admitted, where not furnished or supplemented pursuant to a party's discovery request under this rule.

12.3 WITNESS COMPENSATION

Neither the city, nor the appointing authority shall be responsible for compensating witnesses by payroll or other compensation after regular working hours, who are subpoenaed, or otherwise called to testify by the opposing party at the hearing.

12.4 WITNESS SUBPOENA

For failure without just cause of a witness to comply with a subpoena duly issued and returned under authority of Section 21-31-9, Mississippi Code Annotated, as amended, the Commission may by written order notify the Gulfport Police Department to bring non-compliant witness before the Commission for testimony at a time and place designated, and shall assess all costs to the Commission and the parties caused by failure to appear to the non-compliant witness, or impose such other sanctions as it deems proper and within Commission's authority.