

ARTICLE XI. - CIVIL SERVICE

Section 1100. - ORGANIZATION.

The Civil Service Commission shall be composed of five (5) residents of the City.

Sec. 1101. - POWERS AND DUTIES.

The powers and duties of the Civil Service Commission shall be:

- (a) Adopt and amend Civil Service Rules and Regulations, subject to the approval of the City Council;
- (b) Make independent investigations concerning the enforcement of this Article and the rules adopted;
- (c) Provide for the examination and certification for employment in the classified service;
- (d) Create classifications of employees in the classified service, subject to the power of the City Council to establish positions of employment;
- (e) Maintain eligible lists for classified positions, as needed;
- (f) Appoint an Executive Director to carry out the purposes of this Article and the policies of the Commission. The Executive Director shall execute this directive through the appointment and management of a professional staff;
- (g) Adjudicate appeals, subpoena and require the attendance of witnesses and the production of any documents pertinent to any Commission investigation or appeal, and to administer oaths to such witnesses;
- (h) Enforce and remedy violation of Commission rules;
- (i) Make final decisions in any matter properly brought before it, in the absence of action to the contrary by the City Council.

(Amended by Prop. U, 4-9-2002, eff. 6-10-2002)

Sec. 1102. - CATEGORIES OF EMPLOYMENT.

The Civil Service of the City is hereby divided into the unclassified and classified service.

- (a) The unclassified service shall include:
 - (1) All officers elected by the people and all employees of such elected officers;
 - (2) Members of all appointive commissions;
 - (3) The City Manager and all employees of the City Manager's Department;
 - (4) The City Clerk and all employees of the City Clerk;
 - (5) Department heads, one assistant department head in each department, bureau heads, division heads, and one clerical position for each;

- (6) Any classification which, at the discretion of the Commission, is of such a nature as to require unique and special flexibility for efficient administration;
 - (7) The Executive Secretary of the Board of Harbor Commissioners and Harbor Department Sales, Traffic and Promotion personnel, the Chief Wharfinger and all personnel intermittently employed in handling cargo and freight;
 - (8) All personnel serving in non-career positions, as defined by the Civil Service Rules and Regulations.
- (b) The classified service shall comprise all positions not specifically included in this Charter in the unclassified service.

Sec. 1103. - DISCIPLINARY APPEALS.

No employee in the classified service shall be suspended, discharged or reduced in classification for disciplinary reasons until the employee has been presented with the reasons for such action specifically stated in writing. The employee shall have the right to appeal such action to the Commission in accordance with the procedures specified in its rules. The reasons for such action and any reply thereto by the employee, shall be filed in writing with the Commission.

Sec. 1104. - NON-DISCRIMINATION.

No person in the employ of the City or seeking admission thereto, shall be appointed, reduced, or removed or in any way favored or discriminated against for any reason which is non-job related, except where the law compels or provides for such action.

Sec. 1105. - PREFERENCES.

In all Civil Service examinations except promotional examinations, the Commission shall, in addition to all other credits, give to veterans passing the examination, a credit of ten (10) additional points. Disabled veterans passing the examination shall receive a credit of fifteen (15) points.

Veterans as used herein shall mean all persons released or discharged from active service under honorable conditions in the Armed Forces of the United States or in the Coast Guard.

Ten (10) credits shall likewise be granted to the un-remarried spouses of veterans killed in action, who died of wounds or of a service connected illness and to the spouses of disabled veterans who themselves are not qualified for employment, but whose spouses are qualified. A disabled veteran is defined as a veteran possessing at least a ten percent (10%) service connected disability certified by the Veterans Administration.

Documentary proof of eligibility for Veteran's Preference Credits and exemption from the eligibility limitation must be submitted prior to approval of the Eligible List by the Commission. In the case of a tie grade between a veteran and non-veteran, the veteran shall be ranked highest.

(Amended by Meas. C, 11-2-2010, eff. 12-7-2010; Amended by Prop. V, 4-9-2002, eff. 6-10-2002)

Sec. 1106. - SUMMARY DISMISSAL.

Any appointive officer or employee of the City, except assistants, deputies, officers, clerks, employees and attaches holding office at the pleasure of an elective officer, may be summarily dismissed for the good of the service by the City Manager with the consent of two-thirds (2/3) of the City Council.