

*Presented by Chairman
Aray Gardner 5/18/15*

SECTION 9.4 CIVIL SERVICE. (EXISTING)

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

9.41 Classified Service. All persons who have been continuously employed in the service of the Municipality in the same or similar position, herein included in the classified service, for at least thirty (30) days preceding the adoption of this Charter shall retain their positions until discharged, reduced, promoted or transferred in accordance with the provisions of this Charter.

The classified service shall include:

- a - all full-time members of the Police Department, except for the Police Chief;
- b - all full-time members of the Fire Department, except for the Fire Chief;
- c - all positions which may, consistent with the provisions of this Charter, be classified by ordinance of Council upon recommendation of the Civil Service Commission.

9.42 Unclassified Service. The unclassified service shall comprise all positions not specifically included by Section 9.41.

The unclassified service shall include:

- a - all officers elected by the people;
- b - all directors of departments and their assistants;
- c - all members of all boards and commissions appointed by the Mayor or Council;
- d - any temporary or part-time office requiring qualifications of an expert.

9.43 Police Chief and Fire Chief. The positions of Police Chief and Fire Chief shall be unclassified.

The Mayor shall have the authority to suspend or remove the Police Chief or Fire Chief only as provided for in Section 733.35 of the Ohio Revised Code, provided, however, that such suspension or removal shall have the concurrence of two-thirds (2/3) of the members elected to Council. (Amended 11-4-08)

9.44 Rules and Regulations. The appointment, promotion, transfer, layoff, reinstatement, suspension and removal of persons in the classified service and appeals from the action of the appointing authority shall be subject to the rules established by the Civil Service Commission as directed in Section 5.52 of this Charter.

SECTION 9.4 CIVIL SERVICE. (PROPOSED REVISIONS)

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

9.41 Classified Service. All persons who have been continuously employed in the service of the Municipality in the same or similar position, herein included in the classified service, for at least thirty (30) days preceding the adoption of this Charter or any amendment thereto shall retain their positions **(subject to the terms of any probationary period, the terms and conditions of which probationary period shall not be affected by any amendment to this Section 9.4)** until discharged, reduced, promoted or transferred in accordance with the provisions of this Charter.

The classified service shall include:

- a - all **part-time and** full-time members **(including any officer, peace officer or otherwise)** of the Police Department, except for the Police Chief **and any person serving as a fiduciary or confidential assistant to the Police Chief;**
- b - all **part-time and** full-time members **and officers** of the Fire Department, except for the Fire Chief **and any person serving as a fiduciary or confidential assistant to the Fire Chief;**
- c - all positions which may, consistent with the provisions of this Charter, be classified by ordinance of Council upon recommendation of the Civil Service Commission.

9.42 Unclassified Service. The unclassified service shall comprise all positions not specifically included by Section 9.41.

The unclassified service shall include:

- a - all officers elected by the people;
- b - all directors of departments and their assistants;
- c - all members of all boards and commissions appointed by the Mayor or Council;
- d - any temporary or part-time office requiring qualifications of an expert (other than as set forth in Section 9.41).

9.43 Police Chief and Fire Chief and their Assistants. The positions of: **(i) Police Chief and Fire Chief and (ii) any fiduciary or confidential assistant to the Police Chief for Fire Chief,** shall be unclassified.

The Mayor shall have the authority to suspend or remove the Police Chief or Fire Chief only as provided for in Section 733.35 of the Ohio Revised Code, provided, however, that such suspension or removal shall have the concurrence of two-thirds (2/3) of the members elected to Council. (Amended 11-4-08)

9.44 Rules and Regulations. The appointment, promotion, transfer, layoff, reinstatement, suspension and removal of persons in the classified service and appeals from the action of the appointing authority shall be subject to the rules established by the Civil Service Commission as directed in Section 5.52 of this Charter. **Any changes to the job description or job responsibilities of any member of the classified service shall be approved by the Civil Service Commission to present to Council.**