

Regulation 7 to be amended as follows:

7.101 - LEGACY PREFERENCE IN OPEN COMPETITIVE EXAMINATIONS FOR THE GRANDCHILDREN OF PHILADELPHIA FIREFIGHTERS OR POLICE OFFICERS WHO WERE KILLED OR DIED IN THE LINE OF DUTY. For all eligible lists published or established on or after the date that this sub-section of Regulation 7.10 becomes effective, Legacy Preference as described above shall be granted to the grandchildren of Philadelphia Firefighters or Police Officers who were killed or died in the line of duty.

The grandchild of a Philadelphia Firefighter or Police Officer will be defined as biological and adopted grandchildren, grand-stepchildren, and grandchildren to whom the Police Officer or Firefighter stood in loco parentis.

Applicants who have claimed preference in a proper and timely manner must furnish documentary proof of their right to such preference before the preference will be granted. The following kinds of evidence will be accepted as documentation of right to preference:

- A. Documentary proof of relationship to the deceased grandparent.
- B. Death certificate of the grandparent.
- C. Such other proof as may be acceptable to the Director.

All other provisions of Regulation 7.10 will apply to Regulation 7.101.

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Regulation 9 to be amended as follows:

9.066 - ADDITIONAL CREDITS ON EXAMINATIONS. Only those competitors who have achieved a final average passing grade in an examination shall receive additional credits to which they may be entitled for veterans' preference (Regulation 7.05) or legacy preference (Regulation 7.10) (for open competitive examinations only), performance ratings, seniority, education, language skills or other factors as defined by these regulations.

The following requirements must be satisfied for a candidate to receive additional credits for examinations as described in the sub-sections of this regulation.

1. The degree or credential must have been conferred, or the education or experience must have been completed no later than the thirtieth (30) day after the last date for filing applications for the examination unless the Director determines that a later date is more appropriate and specifies such later date in the announcement of the examination. For a continuous examination the eligibility date shall be the date on which the application is filed.
2. An applicant may claim the additional credit at any time after the date that the examination is announced until 30 days after the Eligible Published List of Candidates is established approved by the Director or his/her designee. If an eligible candidate does not request additional credits or does not submit a transcript or other required documentation until after certifications and appointments have been made, the granting of additional credits shall have no effect on prior certifications and appointments.

An applicant must submit adequate documentation as required by the Office of Human Resources.

9.0668 - Additional Credits for Open Competitive Examinations for Candidates Who Have Demonstrated Fluency in a Non-English Language. Any candidate who has passed all other parts of an open competitive examination announced on or after July 1, 2014, will be awarded three (3) additional points for verified ability to communicate fluently in any non-English language or in American Sign Language. The additional points will be awarded for all open competitive examinations announced:

- with a bilingual specialty, or
- with a selective factor certification of fluency in a non-English language or in American Sign Language, or
- for other open competitive examinations for classes that, for the good of the service, the Director has determined require regular interaction with non-English language speakers.

A maximum of three points may be awarded for each examination.

A. Examination Announcement

Each examination announcement must include notice that the additional points will be awarded for verified ability to communicate fluently in a non-English language or in American Sign Language. If such notice is not included in the examination announcement, the additional points may not be awarded.

B. Candidate Request For Additional Points

The candidate must:

- Respond affirmatively that he or she is fluent in a Non-English language or in American Sign Language while preparing an application for employment for each examination; or
- Submit a written request for the additional points for each examination. The request must be submitted in accordance with the time restrictions defined [in] Regulation 8.05.

C. Verification of Fluency

The Office of Human Resources will verify the candidates' ability to communicate fluently in the non-English language or languages or in American Sign Language (except for classes listed in Regulation 9.0663). Passing a bilingual qualifying examination or a test administered to determine eligibility for selective factor certification will be considered verification of fluency.

~~Verification of fluency and awarding of additional points will occur after the eligible list has been published and before the eligible list is established for all candidates who have passed all other parts of the examination and who have applied for the additional points before the eligible list is published.~~

Verification of fluency and awarding of additional points for candidates who pass all other parts of the examination, or who claim the additional points before or after the eligible list has been established ~~published~~ will be scheduled at such times as the Director determines to be necessary or convenient.

Candidates who successfully demonstrate fluency in a non-English language or in American Sign Language will be awarded 3 additional points.

Any such candidate who fails the qualifying oral examination or other demonstration of fluency will not be awarded the additional points, but his or her name will remain on the eligible list for appointment to positions that do not require fluency in a non-English language or in American Sign Language.

Regulation 12 to be amended as follows:

12.01 - PROVISIONAL APPOINTMENTS. Whenever there is urgent need for filling a vacancy in any position in the Civil Service and the Director is unable to certify from an eligible list, he or she may authorize the filling of the position by provisional appointment. To be eligible for provisional appointment, a person must possess the necessary education, experience and other qualifications as set forth in the specification for the class and not have permanent Civil Service status. A provisional appointment shall not continue for more than thirty (30) days after the Director has ~~established~~ published an eligible list for the class. A provisional appointment may not last more than ninety (90) days in any twelve (12) month period. The acceptance of a provisional appointment shall not confer upon the appointee any rights of permanent status, transfer, promotion or reinstatement.

12.011 - In the event that a provisional appointment expires before an eligible list is ~~established~~ published for the class in which the provisional appointment was granted, the Director, upon request of the appointing authority, may authorize the continuance of the incumbent in the position as a temporary appointee for six months or until such time as the eligible list is ~~established~~ published, whichever period is shorter. In such cases, the employee will continue to receive the benefits to which he or she was entitled had he or she continued as a provisional appointee.

12.02 - TEMPORARY EMPLOYMENT. Whenever an appointing authority requires the temporary employment of a person who does not have permanent Civil Service status to fill a position for a limited period not to exceed six (6) months, he/she shall so advise the Director, stating the duration of such period, and the duties to be performed. If, in the judgment of the Director, the position is in fact of a temporary nature, he/she shall certify the name of the one person ranked highest on an appropriate eligible list who is willing to accept temporary employment. If there is no person whose name is on the appropriate list who is willing to accept such employment, the Director shall certify for such temporary employment any person deemed qualified by the appointing authority. Temporary employment can continue for the full six month term even if an eligible list is ~~established~~ published after the commencement of the temporary employment.

The acceptance or refusal by an eligible person of temporary employment shall not affect his or her standing on the eligible list for permanent appointment, except in the case of unskilled laborer, where acceptance of a temporary position will result in the removal of the person's name from the eligible list until the completion of the temporary appointment. The person will not be eligible for certification to other positions until completion of the temporary appointment. The person's name shall then be restored to the eligible list at the completion of the temporary appointment.

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If at any time it becomes evident that the need for the temporary position will extend beyond six (6) months, the position shall, if further authorized, be made permanent and shall be filled by certification and appointment in the same manner as other permanent positions. No person shall serve as a temporary appointee for longer than six (6) months in any twelve (12) month period. This limit may be restricted to a shorter time period at the discretion of the Director. Experience gained as a temporary appointee shall in no way vary the order of certification for permanent appointment, nor shall a period of temporary service be counted as part of the probationary service in case of subsequent appointment to a permanent position, except as may be otherwise provided in the Regulations. The acceptance of a temporary appointment shall not confer upon the appointee any rights of permanent status, transfer, promotion or reinstatement.

12.05 - TEMPORARY PROMOTIONS. In the absence of an appropriate departmental promotional eligible list, a temporary appointment without examination to fill a vacancy may be authorized by the Director, upon the written request of an appointing authority. The appointing authority may request a temporary promotion for any employee with permanent Civil Service status whom the appointing authority deems qualified to perform the work of the position. All such temporary promotions shall continue for no more than a period of six (6) months. An employee may be compensated in temporary promotions for a maximum of six months in a twelve-month period. A temporary promotion shall not continue for more than thirty (30) days after the Director has established ~~published~~ a departmental promotional eligible list for the class.

Regulation 10 to be amended as follows:

10.02 - EFFECTIVE DATE OF ELIGIBLE LIST.

~~10.021 - PUBLISHED~~**ESTABLISHED ELIGIBLE LIST OF CANDIDATES.** An eligible list is effective the date it is signed and approved by the Director or his/her designee. ~~The eligible list containing~~ contains the scores, rank and status of all candidates eligible to who have competed in an examination. ~~Upon establishment of the The Published Eligible List, of cCandidates will be used to notified~~y candidates of their score, rank and status. The Published List of Candidates may not be used for certification and appointment until it has been established by the Director or his/her designee. The time limit for review of examination results as defined in Regulations 9.09 and 9.11 shall begin on the date that the Eligible Published List of cCandidates is established approved by the Director or his/her designee. Certification and

~~10.022 - ESTABLISHED ELIGIBLE LIST.~~ A Published List of Candidates will be considered an Established Eligible List on the date that the list is signed and approved as ready for certification by the Director or his/her designee. ~~appointment from the eligible list shall be made in the order defined in Regulation 11.02.~~ Eligible candidates may be certified and appointed at any time after the list has been established until the list expires or is exhausted or ~~abolished~~cancelled. The Director may publish a List of Candidates and establish an eligible list at separate times or simultaneously as deemed necessary or desirable to meet the needs of the service. A published list shall be established by the Director no later than one year from the date the list was published. The duration of the eligible list will be determined by the date that the list is signed and designated as an Established Eligible List established.

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Regulation 10.094 to be amended as follows

10.094 - PROCESS FOR REMOVAL OF AN ELIGIBLE FROM AN ELIGIBLE LIST.

- 10.0941** - Notice to the eligible is *not* required for the removal of his or her name from the eligible list pursuant to Regulation 10.091.
- 10.0942** - Eligibles removed from an eligible list pursuant to Regulation 10.092 shall be notified of their removal within five (5) business days of the removal.
- 10.0943** - An appointing authority requesting that an eligible be removed from an eligible list pursuant to Regulation 10.093 must first provide the eligible notice of the intended request and also provide the eligible an opportunity to respond in writing. Such written notification to the eligible shall plainly and clearly state why the removal action will be requested and advise the eligible of her or his opportunity to contest this decision with the appointing authority. Eligibles will be afforded a minimum of ~~five (5)~~ two (2) business days to respond with information that they believe renders the appointing authority's decision erroneous and/or inappropriate.

Once the appointing authority has provided the eligible candidate with notice of the intended request to remove his or her name from the eligible list and an opportunity for the eligible to respond in writing, the appointing authority may submit the removal request to the Director of Human Resources. The removal request must include:

- a. documentation supporting the request for removal of the eligible's name;
- b. a copy of the written notification to the eligible of the appointing authority's intent to request the removal of her or his name from the eligible list; and
- c. a copy of the eligible's response to the appointing authority or a statement certifying that the eligible failed to respond to the appointing authority.

Upon receipt of this documentation, the Director of Human Resources will render a decision regarding the approval or denial of the appointing authority's request. The decision of the Director will be final.

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