

Article 3: Civil Service

Division 7: Requisition and Certification

§23.0701 Request for Certification

(Rule VI, Section 1 of the Rules of the Civil Service Commission)

Whenever a vacancy in the Classified Service is to be filled, the appointing authority shall make requisition upon the Personnel Director for eligibles to fill the vacancy. Such requisition shall be made in the manner prescribed by the Commission.

(“Request for Certification” added 6-19-1978 by O-12373 N.S.)

§23.0702 Priority of Eligible Lists

Certifications shall be made from existing eligible lists in the following order of preference:

- (a) Re-employment lists.
 - (b) Promotional eligible lists.
 - (c) Open eligible lists.
- (Amended 4-30-1968 by O-8817 N.S.)*

§23.0703 Certification

(Rule VI, Section 3 of the Rules of the Civil Service Commission)

Upon receipt of a requisition for certification of an eligible to fill a vacancy, the Personnel Director shall certify from the reemployment list the name of the highest ranking eligible who at any previous time worked with permanent status in the same class or subdivision thereof.

- (a) In the absence of a reemployment list, the Personnel Director shall certify the available eligibles in the highest category of the eligible list. The number of eligibles to which an appointing authority is entitled is three times the number of vacancies to be filled. If requested by the appointing authority, the next and successively lower categories of eligibles may be certified until the three to one certification ratio is reached. Fewer eligibles may be certified when there is not the required number on the eligible list.

- (b) For causes deemed good and sufficient by the vote of at least three members of the Commission, additional categories of eligibles may be certified.
- (c) In addition to the names certified according to (1) and (2) above, or in the absence of any such names, any additional names on the eligible list as the result of a leave of absence, transfer request, reinstatement request, or as the result of a layoff of a probationary employee, shall be certified. Such names may be added to active certifications immediately upon placement on the eligible list when requested by the appointing authority.
- (d) No person shall be certified from a promotional eligible list who has been permanently separated from the service of the City unless his or her name is currently on a reemployment eligible list.

(Amended 11-7-1983 by O-16076 N.S.)

§23.0704 Selective Certification

(Rule VI, Section 4 of the Rules of the Civil Service Commission)

Eligibles shall be certified in strict order of standing on the eligible list except in the following cases:

- (a) Whenever eligibles indicate that they would not accept an appointment under the conditions applying to the position to be filled, their names may be passed over in the certification process.
- (b) Certification may be limited to a specified sex upon recommendation of the appointing authority and the approval of the Personnel Director.
- (c) Upon recommendation of the appointing authority and the approval of the City Manager and the Civil Service Commission, certification may be limited to persons who have passed a qualifying test to determine their ability to speak or read and write Spanish or other designated language.
- (d) It is the policy of The City of San Diego to achieve racial and ethnic balance within all departments of City government. Pursuant to that policy, should the Commission determine that any department has not achieved the objective, the Civil Service Commission may, at its discretion, exercise selective certification in order to implement this policy.

- (e) Certification may be limited to those eligibles meeting qualifications or guidelines which are a stipulation for City participation in special programs funded by an outside agency.

(Amended 8-13-1979 by O-15000 N.S.)

§23.0705 Waiver

(Rule VI, Section 5 of the Rules of the Civil Service Commission)

Eligibles may waive certification upon filing reasons satisfactory to the Personnel Director.

- (a) Eligibles shall be certified in accordance with stipulations indicated on approved waivers. Waivers may be withdrawn by the eligible at any time.
- (b) The Commission may establish limits for the number of waivers permitted each eligible on a list.

(“Waiver” added 6-19-1978 by O-12373 N.S.)

§23.0706 Acceptance of Positions in Equal or Lower Grade

(Rule VI, Section 6 of the Rules of the Civil Service Commission)

A person on an eligible list may, with the approval of the Personnel Director, accept certification to an equal or lower level classification, provided no list exists for the equal or lower level classification and the duties and responsibilities are similar.

Acceptance of such equal or lower level position shall not forfeit an eligible's rights to be certified to positions for which eligible from the original eligible list.

(Amended 8-12-1985 by O-16492 N.S.)

§23.0707 Objection to Certified Eligibles

(Rule VI, Section 7 of the Rules of the Civil Service Commission)

An appointing authority may object to the certification of an eligible and request the withdrawal of certification of that eligible. The reasons for objection must be stated specifically in writing to the Personnel Director and the eligible. The person against whom objection is made and the appointing authority may be heard by the Personnel Director. The decision of the Personnel Director may, within five (5) working days after notice of the decision, be appealed in writing to the Commission. The

Commission shall afford such appellants an opportunity to be heard on their own behalf. The decision of the Commission shall be final.

(Amended 11-7-1983 by O-16076 N.S.)