

LIVERMORE-PLEASANTON FIRE DEPARTMENT  
JOINT POWERS AUTHORITY

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. LPFD 98-02

**RESOLUTION AMENDING THE PERSONNEL RULES  
FOR THE LIVERMORE-PLEASANTON FIRE  
DEPARTMENT JOINT POWERS AUTHORITY**

WHEREAS, the cities of Livermore and Pleasanton formed a Joint Powers Authority to operate fire services; and

WHEREAS, the Joint Powers Authority Agreement delegated certain personnel duties to the Authority Board; and

WHEREAS, the delegated personnel functions include adopting Personnel Rules;

NOW, THEREFORE, THE LIVERMORE-PLEASANTON FIRE DEPARTMENT JOINT POWERS AUTHORITY BOARD RESOLVES AS FOLLOWS:

Section 1: The Board hereby amends the following items to the existing LPFD Personnel Rules:

- A. Rule #4.11, Duration of Lists, to allow eligibility list to be extended twice in one year increments for a total list life of three years.
- B. Rule #3.03, Reclassification, and Rule #8.04, Demotion, making various technical changes to these sections (Rule text attached).

Section 2: This resolution shall become effective immediately upon its passage and adoption.

I HEREBY CERTIFY THAT THE FOREGOING WAS DULY AND REGULARLY ADOPTED BY THE LIVERMORE-PLEASANTON FIRE DEPARTMENT JOINT POWERS AUTHORITY BOARD, AT A MEETING HELD ON JULY 6, 1998 BY THE FOLLOWING VOTE:

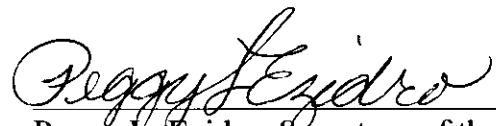
AYES: Boardmembers - Michelotti, Stein, Weiskamp, and Vice Chair Ayala

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:



Peggy L. Ezidro, Secretary of the Board

APPROVED AS TO FORM:



Michael H. Roush, Board Counsel

#### 4.10 Establishment of eligibility lists

After completion of an examination, the personnel director shall prepare and keep available an eligibility list consisting of the names of candidates who qualified in the examination. Names shall be listed by final examination score, tie scores given equal ranking, or alphabetically if the examination was qualifying only.

#### 4.11 Duration of lists

Upon certification by the personnel director, an eligibility list remains in effect for one year unless exhausted or abolished. The department head, after consultation with the personnel director, may extend an eligibility list for his or her department for a period of up to one additional year. The city manager, after consultation with the personnel director, may extend any eligibility list for a period of up to one additional year, giving an eligibility list a maximum life of three years.

~~A list established as the result of continuous testing remains in effect for one year from the date of the examination unless sooner exhausted or abolished.~~ Names placed on such lists an eligibility list developed from continuous testing may be merged with any others in order to establish one pool of qualified eligibles.

The personnel director may abolish a list for reasons consistent with principles of merit or the needs of the city when there are fewer than three qualified and available eligibles or when a new list is established.

3.0~~3~~ Reclassification Upon the recommendation of the personnel director, the city manager shall allocate a position to a more appropriate class when the assigned duties of a position have been materially changed so as to necessitate reclassification. A reclassification shall not be used for the purpose of avoiding restrictions concerning demotions and promotions, nor to effect a change in salary in the absence of a significant change in assigned duties and responsibilities.

A department head, or an employee through the department head, may request that a position be reclassified. The department head shall forward such requests to the personnel director along with his/her recommendation. The personnel director shall recommend to the city manager the reclassification of any position determined to be improperly classified.

The salary on a reallocation of a position shall be adjusted in accordance with section 10.08.

- a. Reclassification to a Higher Salary Range When an incumbent occupies a position which is reclassified to a higher salary range, the employee occupying the position may be retained in the position if the department head determines that: (1) the reclassification results from an official recognition of a change in duties or responsibilities which has already occurred; (2) the incumbent has the knowledge, skills and abilities, or other qualifications of the new class; (3) the incumbent has demonstrated a high level of performance in the changed duties and responsibilities; and (4) the incumbent has had regular status in the former position.

~~When an employee is retained in a position which is reclassified to a higher salary range, the incumbent is subject to a probationary period the same as if the employee had been promoted.~~

- b. Reclassification to a Lower Salary Range ~~When an incumbent occupies a position which is reclassified to a lower salary range, the employee occupying the position may be retained in the position if the department head determines that: (1) the reclassification results from an official recognition of a change in duties or responsibilities which has already occurred; (2) the incumbent has the knowledge, skills and abilities or other qualifications of the new class.~~

~~When a position is reclassified to a lower salary range, the incumbent is not subject to a probationary period.~~

#### 8.04 Demotion.

~~a. A department head may demote an employee whose ability to perform the required duties for the position falls below required standards, or for disciplinary purposes. (See Chapter 13, Disciplinary Action.) Upon request of the employee, with the consent of the department head, a voluntary demotion may be made to a vacant position. A probationary period is required unless the employee has previously completed a probationary period in that class.~~

~~Demotion from one class to a lower class shall not be made when the employee does not possess the minimum qualifications of the lower class.~~

~~b. An employee promoted from a classified service position to an unclassified service position may request and, upon approval of the department head, be returned to a vacant position in any class the employee previously held and for which the employee meets the minimum qualifications.~~

Demotion from one class to a lower class shall only be made when the employee possesses the minimum qualifications of the lower class in the following two situations:

a. Involuntary Demotion. A department head may demote an employee whose ability to perform the required duties for the position falls below the required standards, or for disciplinary purposes. (See Chapter 13, Disciplinary Action.) A probationary period is required unless the employee has previously completed a probationary period in that class.

b. Voluntary Demotion. The following two types of voluntary demotions are available:

(1) To a vacant position. Upon request of the employee, with the consent of the department head, a voluntary demotion may be made to a vacant position.

(2) Return to a classified position. An employee promoted from a classified service position to an unclassified service position may request and, upon approval of the affected department head(s), be returned to a vacant position in any class the employee previously held or for which the employee meets the minimum qualifications of the class.

For a voluntary demotion to either a vacant position or a return to a classified position, a probationary period is required unless the employee has previously completed a probationary period in the lower job classification or the employee has supervised employees in the job classification that he or she will be joining and the City Manager waives the probationary period requirement.